

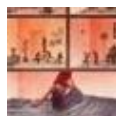
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Amherst College sued for late sanction of student

By **Matt Rocheleau** | GLOBE CORRESPONDENT JULY 12, 2014



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ARTICLE	COMMENTS (5)	BACK TO TOP
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An Amherst College senior is suing the school and administrators for allegedly deciding, less than two weeks before his graduation, to withhold his degree and to rescind his postgraduation fellowship offer because of claims he sexually assaulted his freshman roommate five years earlier.

The suit filed in US District Court by John Doe said the steps taken by the college, president Carolyn Martin, and other administrators were “arbitrary, unfair, wrongful, and unlawful.”



The suit contends that the student, a native of South Africa, had a consensual sexual encounter in December 2009 with his roommate, a male student. The roommate later told administrators that the encounter was not consensual, the lawsuit said.

That prompted school officials to look into the matter. The accused student denied the claims, but administrators ultimately determined that he was responsible in spring 2010, according to the lawsuit.

Administrators kicked him off campus and, in lieu of punitive measures, ordered him to take a yearlong medical leave because the student had told school officials he had been drinking to “suppress and avoid” how he “was struggling to come to terms with his own sexual identity due largely to his very traditional upbringing in South Africa,” the lawsuit said.

The student returned to school and excelled, according to the lawsuit.

But in May, days before his scheduled graduation and moments after taking the final exam of his college career, an Amherst College official escorted the student to a meeting with administrators who told him the school was launching another investigation into the freshman-year sexual assault claims because the former roommate “had recently called the college to express dissatisfaction with the handling” of the case, the lawsuit said.



Until that investigation is complete, the school told the student, he will not receive his degree and Amherst rescinded its offer of the college-run fellowship, which he was scheduled to start July 1.

The lawsuit demands that the college end its ongoing investigation to allow the student to receive his degree and to award him monetary damages in an amount to be determined in court.

But the college said in a court filing that it is investigating the 2009 case because the previous process was not initiated by a formal complaint and did not involve a complete investigation in accordance with the school's own policies or federal rules about how colleges handle sexual assault.

The college said in the filing that the student's request to have Amherst end its investigation is "extraordinarily unjustified" and "runs afoul of overwhelming public policy designed to eliminate sexual violence on college campuses across the nation."

The Springfield Republican first reported on the lawsuit's filing Friday.

Attorneys involved in the case either could not be reached for, or declined to provide, further comment Friday. The next hearing in the case is scheduled for Tuesday, according to online court records.

In fall 2012, Amherst College drew a national spotlight after two female students there asserted that administrators had downplayed their reports of being sexually assaulted.

The controversy prompted the college to take steps to address the issue.

Amherst is one of more than 60 colleges under investigation by the US Department of Education over complaints that administrators mishandled sexual assault reports.

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