

## **Appendix B: Responding to Title IX Allegations**

This document serves as a resource for students, faculty, and staff responding to allegations of sex- or gender-based harassment and discrimination under one of two adjudication processes: The Title IX Process or the Gender-Based Harassment & Discrimination (GBHD) Process. A student, faculty, or staff member who participates in a formal or informal resolution process under either the Title IX process or the GBHD process will be referred to as a "Respondent."

### **Bentley's Title IX Process and GBHD Process prohibits the following conduct:**

- Sexual Harassment
- Sexual Assault
- Relationship Abuse (Dating/Domestic Violence)
- Stalking
- Complicity
- Exploitation
- Harassment based on Sexual Orientation, Gender, or Gender Identity
- Hostile Environment
- Online and Cyber Misconduct
- Retaliation

Please note that Bentley has a duty to respond to these incidents regardless of the presence of alcohol or other drugs.

If a student has alleged that you violated any of the prohibited conduct under the Title IX and Gender-Based Harassment and Discrimination Policy, this guide will provide you with some resources and options for preparing for the upcoming procedures.

### **Campus Resources**

Participating in a Title IX or GBHD resolution process can be a difficult experience. Bentley has a variety of resources available to support you through this process. We especially encourage you to utilize services from confidential employees during this process and beyond. Staff who serve as Confidential Employees under Title IX are not required to report any information about an incident without the responding party's permission. The following offices offer confidential services for students:

**The Counseling Center** is a confidential, non-judgmental space available for students who are responding to allegations of sexual misconduct. This office is available to help you process your experience and help you develop the best course of action going forward. Please call to make an appointment at 781.891.2274 or visit their office on the second floor of Callahan Building if you wish to speak with one of our providers.

**The Health Center** provides immediate confidential, nonjudgmental medical care and support during office hours for students responding to allegations of sexual misconduct.

The office provides emotional support and can facilitate smooth referrals to counseling services on and off-campus, and then to the Title IX team if desired by the student. They can be reached during their office hours on the ground floor of Rhodes Hall or at 781.891.2222.

**The Spiritual Life Center** provides compassionate and confidential pastoral care for students who are responding to allegations of sexual misconduct. While students do not need a connection to a religious tradition to receive counsel from a Chaplain, faith-based care is provided as desired. Please call to make an appointment with one of the Chaplains at 781.891.2418

In addition to the confidential resources listed above, there are a variety of offices and staff members on campus who can offer support but who have a duty to report incidents to the Title IX staff.

Some of these Offices include the Multicultural Center, the Center for International Students and Scholars, the Athletics Department, the Residential Center, Student Programs & Engagement, Career Services, Registered Student Organization Advisors, and Faculty Chairs of Departments.

Finally, the **Bentley CARE Team** is a group of professionals from various departments across campus who are available to provide support, guidance, or feedback to students responding to allegations of sexual misconduct. They can help connect students to appropriate resources, both on and off-campus, when mental, emotional, academic, or physical well-being is impacted. If you are interested in utilizing the support of the CARE Team, please visit [www.bentley.edu/bentley-cares](http://www.bentley.edu/bentley-cares) to submit a CARE report or call the CARE Team case manager at 781.216.7115.

#### **Accommodations for Students with Disabilities:**

By federal law, a person with a disability is any person who:

- 1) has a physical or mental impairment;
- 2) has a record of such impairment; or
- 3) is regarded as having such an impairment,

which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning. A student requesting an accommodation in regards to a Title IX or GBHD investigation/adjudication process must follow the appropriate process for requesting an accommodation through the Office of Disability Services (located in Jennison Hall).

Additionally, the Office of Disability Services can provide students with a comprehensive list of off-campus resources. The Office of Disability Services will make a determination regarding the request and notify the appropriate parties. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific method requested by the student, it does not imply that a particular

accommodation must be granted if it is deemed not reasonable and other suitable techniques are available. Please note, staff within the Office of Disability Services are not confidential staff members but are responsible employees with a duty to report disclosures that fall under Title IX or GBHD policies.

### **General Rights Under Title IX**

As a member of the Bentley community, you are entitled to the following rights under Title IX:

- Bentley is required to undertake a prompt and thorough investigation of all reports of gender- and sex-based misconduct. This investigation is designed to be impartial, and the University utilizes independent, external investigators to help reduce any bias in the process.
- The Title IX staff can offer supportive measures and reasonable protective measures to help you continue to live and learn at Bentley for the duration of the investigation.
- The University has a strict and specific language that protects against retaliation. You should be able to participate in the Title IX investigation without facing any form of retaliation.

### **Preparing for the Investigation Process:**

There are several areas for consideration as you prepare for the Title IX investigation. This section highlights some of those topics and offers some suggestions for preparation.

- 1. Document your account of the incident.** This can be a stressful experience, and there may be a great deal of information you would like the independent investigator to consider in the process. It is often helpful to record your understanding and recollections of the situation to the greatest detail possible prior to the meeting with the investigator. Among the various details in the documentation, consider including previous communications (e.g., text messages, social media exchanges) and a list of potential witnesses).
- 2. You are entitled to an advisor (support person) through the process.** An advisor (support person) can be any person you feel comfortable confiding in, and they do not need to be affiliated with the University. A support person may accompany you to any part of the adjudication process, including any meetings with the Title IX Coordinator, the Hearing, and meeting with the independent investigator. The advisor (support person) does not participate in the process and cannot serve as a witness to the allegations in the report.
- 3. Advisor/Support Person of Choice.** Some individuals chose to utilize an attorney as an advisor (support person); you are encouraged to decide whether that option makes sense for you. As the University process is administrative, you will never

be required to have an attorney in the Title IX or GBHD investigation/adjudicatory process.