



# BENTLEY UNIVERSITY

## Gender-Based Harassment and Discrimination Policy

**Mission of Bentley University:** To educate creative, ethical, and socially responsible organizational leaders by creating and disseminating impactful knowledge within and across business and the arts and sciences.

**Mission and Purpose of this Policy:** To eliminate barriers on Bentley University's campus that are rooted in harassment or discrimination based on an individual's sex, gender, sexual orientation, gender identity, and/or gender expression.

**Questions Regarding this Policy:** Please forward any questions to those responsible for Bentley's Title IX compliance.

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## I. Policy Statement

Bentley University will always respond to complaints, reports, allegations, and information about sex- and gender-based discrimination that it knows or should know about. These responses will serve to stop prohibited conduct, prevent its recurrence, and address any lingering impact that it had on both individuals and the larger campus community.

Congress passed the Higher Education Amendments in 1972, and included within them was Title IX, which states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...” Since 1972, several other federal and Massachusetts state laws have been adopted to offer further protection to those in higher education (i.e., students, staff, faculty, and third parties) from discrimination and harassment based on a person’s sex or gender. Bentley University is firmly committed to establishing an environment free of such discrimination and prohibits such acts, including: sexual harassment, sexual exploitation, sexual harassment including sexual violence (i.e., sexual assault and non-consensual sexual touching, forcible or not), relationship abuse (including domestic violence and dating violence), voyeurism, and stalking.

Additionally, retaliation against anyone who reports an incident of harassment or discrimination listed above, brings forward a complaint, or participates in an investigation of harassment or discrimination is also prohibited. Retaliation is also prohibited against those who, in good faith and reasonable manner, oppose an act or policy believed to constitute sex- or gender-based discrimination. It is the responsibility of Bentley University’s Title IX Coordinator to ensure that inquiries into reports of misconduct described above are made, as well as formal investigations consistent with applicable grievance procedures that are described in the following policy.

Bentley also reaffirms the rights of *reporting parties* (see section IX for a full list of definitions) to decide whether they wish to be involved in any of the University’s processes to address sex- and gender-based harassment or discrimination. Bentley is also strongly committed to supporting reporting parties through the numerous support services available. The University encourages those who wish to receive confidential support services regarding sex- and gender-based discrimination to seek assistance from staff in the Counseling Center, the Health Center, the Boston Area Rape Crisis Center, REACH Beyond Domestic Violence, and/or seek medical attention.

Responsible employees of the University are required by law to report allegations of sexual harassment and other forms of sex- and gender-based discrimination that they observe or learn about to the Title IX Coordinator. Employees whose positions legally require confidentiality (i.e., licensed mental health counselors and health professionals) are not responsible employees. To review the full list of employee designations under Title IX at Bentley University, please refer to Appendix C. If you have a question regarding reporting responsibilities, please contact the Title IX Coordinator.

All employees of Bentley University are strongly encouraged to offer information on how to report such incidents to students and colleagues, as well as report this conduct directly to the Title IX coordinator. Responsible employees who fail to report allegations of sexual harassment and other forms sexual

misconduct that they observe or learn about may be subject to disciplinary action. Bentley University is mandated to respond promptly and appropriately to any allegations of sexual harassment or other forms of gender-based discrimination. Under these policies, the university will consider the effects of off-campus conduct for faculty, staff, students, visitors, and community members when evaluating whether a hostile environment was created on campus. Any person responsible for, or involved in, retaliation will be subject to disciplinary action up to and including expulsion or termination.

Additionally, Bentley seeks to ensure that our campus and culture are inclusive for all students, and, as such, has committed to engaging in several preventative and proactive educational programs and initiatives. For a list of some of the programs Bentley offers, please see section XII of this document.

Bentley reserves the right to amend this, and other policies, immediately to ensure compliance with federal and state rules, regulations and laws.

## **II. Resources for Information and Assistance**

Bentley University offers various resources for students, staff, and faculty seeking information or support regarding gender-based discrimination and harassment. Bentley also acknowledges that each person experiences and responds in differing ways, and there are a variety of formal and informal options for support. Please review the information regarding your options for support, assistance, and reporting so that you can make an informed decision based on personal needs. Your needs may change over time, so please also know that you may choose to utilize different forms of response at different times.

Any member of the Bentley community (including visitors) is welcome to contact the Title IX coordinator for information regarding this policy or the procedures outlined within it. The resources highlighted in Appendix A and B also provide information, assistance, and support to those who seek it.

## **III. Title IX at Bentley**

Bentley University will always respond to reports, allegations, and information about sex- and gender-based discrimination that it knows or should know about. The **Title IX Coordinator** for Bentley University is responsible for providing leadership regarding the Gender-Based Harassment Discrimination Policy, ensuring that ongoing trainings and education regarding sex/gender-based harassment and discrimination take place, as well as compliance-related reporting.

Additionally the Title IX coordinator will be responsible for:

- Tracking and monitoring incidents, including sex-based discrimination and sexual misconduct
- Ensuring that the University responds effectively to each report

After a formal report is submitted, the Title IX Coordinator will ensure that the appropriate measures are taken, including obtaining an external investigator and convening a Title IX Panel, however the Title

IX coordinator **will not** participate in the investigation, Title IX Panel, or in the deliberations regarding the report (see appendices C and D for more information on investigation procedures and protocols).

Bentley University also has three **Deputy Title IX Coordinators**. These individuals can offer further information to those who may have questions about this policy, and formal reports can be submitted to them. The Deputy Title IX coordinators will also keep individuals involved in formal investigations up-to-date regarding its progress. The Deputy Title IX coordinators **will not** participate in the investigation, Title IX Panel, or in the deliberations regarding the report.

The Title IX Coordinator and Deputy Title IX Coordinators are knowledgeable about, and will provide information on, all options for report resolution. Both the Title IX Coordinator and the Deputy Title IX Coordinators can assist in providing interim measures to remedy the impact of an incident.

#### **IV. Interim Support Measures**

One way in which Bentley will support those who bring forward claims of sex- or gender-based discrimination is to offer interim measures and supports to remedy to the impact of the alleged misconduct. Examples of interim measures include:

- Providing University “No Contact” orders to all parties involved
- Changes in housing assignment or room combination
- Assistance from support staff
- Academic support services
- Help in rescheduling exams
- Limiting access to university facilities and activities pending resolution of the matter
- Change in class schedule
- Change in work schedule or job assignment
- Arrangements for medical services

These are just some examples of the interim support measures that the University may take to support individuals involved in an incident of sexual misconduct. As each individual will have their own needs and requests, the University is committed to tailoring interim measures to the specifics of each incident in a fair and equitable manner. Individuals seeking to access interim support measures can contact the Title IX Coordinator or the Deputy Title IX Coordinators.

#### **V. Scope of this Policy**

The federal mandates established by Title IX and the Clery Act reaffirm that students, staff, faculty, and visitors have the right to be free from discrimination based on their gender, sex, sexual orientation, and gender appearance/expression. All procedures regarding incidents involving students can be found in Appendix C of this policy, while all procedures for incidents involving only employees are found in Appendix D of this policy.

This policy applies to any behaviors involving community members both on and off campus. Examples of off campus coverage of this policy include incidents that occur on faculty-led study abroad trips, the

Commencement Week trip for graduating seniors, internship sites, service learning sites, and off campus residences of students.

## **VI. Confidentiality**

Bentley encourages reporting parties to talk to an employee about incidents of sexual misconduct and seek out appropriate resources and support. Please note that faculty and staff members on campus have different roles and responsibilities for reporting information should a student disclose an act of sexual misconduct:

- Some employees (called confidential employees) may talk to a student in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger an investigation into an incident against the student's wishes.
- Certain employees (called responsible employees) are required to report all the details of an incident (including the identities of both the reporting and responding parties) to the Title IX coordinator. A report to responsible employees constitutes a report to Bentley and obligates the University to respond to the incident and take appropriate steps to address the situation.

This policy is intended to make members of the community aware of the various reporting and confidential disclosure options available to them. Ideally this information will inform individuals so they can make deliberate choices about where to turn should they experience gender-based harassment and/or sexual misconduct. Bentley encourages impacted parties to talk to someone identified in one or more of these groups. For more information on which employees serve in each of these capacities, please see Appendix E.

## **VII. Options for Assistance**

**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 regard to a Title IX 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 methods 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.

For more information regarding options for assistance, regarding both immediate and ongoing concerns, please see appendices A and B.

### **VIII. Defining and Recognizing Prohibited Conduct**

Conduct that is prohibited and encompassed by this policy includes sexual harassment, sex and gender discrimination, sexual assault, rape, stalking, and relationship abuse (including domestic and dating violence). It is a violation of this policy to either commit these acts or attempt to commit them. These acts are also a violation of federal and state law (including Title IX, the Clery Act, and the Violence Against Women Act). These acts are prohibited in any sex or gender configuration (i.e., between the same or differing genders), regardless of sex and gender identity. Individuals found responsible for violating these policies will face sanctions that are commensurate with the severity of the policy violation, ranging from probation through expulsion. Acts of harassment or sex- and gender-based discrimination may vary in severity and include, but are not limited to, the following categories:

- A. Sexual Assault
- B. Sexual Exploitation
- C. Sexual Harassment
- D. Harassment Based on Sexual Orientation, Gender, or Gender Identity
- E. Hostile Environment
- F. Stalking
- G. Relationship Abuse
- H. Retaliation
- I. Complicity

Bentley University's **Definition of Consent** applies to all of these acts. Bentley University adheres to the following definition of consent:

- Consent is a clear, active, and affirmative permission to act. The person who initiates sexual activity is responsible for obtaining the other person's consent for that activity each and every time. The existence of a dating relationship does not imply consent, and even once consent has been given, it can be withdrawn at any time.
- Consent can never be assumed or implied. The absence of "No" or silence does not mean that consent has been given. Additionally, consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent is not present when coercion, manipulation, intimidation, or force is used. Coercion includes continued pressure after an individual has made it clear that they do not want to engage in the behavior. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- Consent is not present when an individual is incapacitated. An incapacitated individual is someone who cannot make rational, reasonable decisions because they lack the capacity to understand the "who, what, when, where, why, or how" of a sexual interaction. This

includes a person whose incapacity results from mental disability, sleep, involuntary physical restraint, unconsciousness, or use of alcohol or other drugs. Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person, and if there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

In evaluating consent in cases of alleged incapacitation, the University asks two questions: 1) *Did the person initiating sexual activity know that the other party was incapacitated?*, and if not, 2) *Should a sober, reasonable person in the same situation have known that the other party was incapacitated?* If the answer to either of these questions is "Yes," consent was absent and the conduct is likely a violation of this policy.

- Consent is never present if an individual is under the legal age of consent (16 in the state of Massachusetts).

#### **A. Sexual Assault**

Sexual assault is a form of sexual misconduct that is a violation of University policy as well as federal and state statutes. The Commonwealth of Massachusetts defines sexual assault as "any sexual activity that is forced, coerced, or unwanted" and refers to the crimes of rape and indecent assault and battery. Bentley University adheres to the following definitions of rape and indecent assault and battery:

- Rape includes penetration (oral, anal, or vaginal) of any orifice with any object without effective consent.
- Indecent Assault and Battery includes non-consensual sexual contact without penetration.
- Incest (sexual activity between family members or close relatives).
- Statutory rape, which in Massachusetts is when a person has sexual intercourse with an individual under age 16.

The severity of the violation is the same whether the responding party is a stranger or known to the reporting party. All students, faculty, and staff should be aware that the University is prepared to respond to any incidents of sexual assault. Individuals found responsible for violating this policy will face sanctions that are commensurate with the severity of the violation, including University expulsion.

#### **B. Sexual Exploitation**

Sexual exploitation occurs when a person takes non-consensual, unjust, or abusive sexual advantage of another for their own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited. This behavior may not fall within the definition of non-consensual sexual contact/activity, or sexual harassment, but it is still a violation of policy.

There are many degrees and types of sexual exploitation including, but not limited to:

**i. *Photographing or Video/Audio Taping Sexual Contact or Activity***

Photographing or taping someone (via audio or video) involved in sexual activity, or in a state of undress without their consent or knowledge constitutes prohibited sexual exploitation. Even if a person consented to the sexual activity or intercourse, photographing or taping someone without their knowledge goes beyond the boundaries of that consent.

**ii. *Disseminating Photographs or Video/Audio Tapes of Sexual Contact or Activity***

The dissemination of photographs or video/audio of someone involved in sexual activity, or in a state of undress without their knowledge or consent constitutes a separate and additional act prohibited by this policy.

**iii. *Voyeurism***

Voyeurism is the act of observing a person involved in sexual contact/activity, or in a state of undress without their knowledge or consent.

**iv. *Inducing Intoxication/Incapacitation for the Purpose of Sexual Activity***

Offering drugs, alcohol, or other substances to a person with or without their knowledge with the intent to impair their ability to withhold consent or their ability to knowingly consent to sexual activity is a violation of this policy. This type of conduct constitutes sexual exploitation regardless of whether any sexual activity takes place.

**C. Sexual Harassment**

Bentley University adheres to the following definition of sexual harassment:

1. Unwanted sexual advances that may take the form of inappropriate sexual or suggestive comments, sounds or jokes; unsolicited touching or fondling; unwanted intercourse or assault;
2. Unwelcome requests for sexual favors; and/or
3. Other behavior of a sexual nature where:
  - a. Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or participation in a university-sponsored educational program or activity. Submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual (often referred to as *quid pro quo harassment*); or
  - b. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance, as well as creating an intimidating or offensive educational, social, living, or working environment.

**D. Harassment Based on Sexual Orientation, Gender, or Gender Identity**

Harassment based on sexual orientation, gender, or gender identity is defined as derogatory comments, actions, or conduct that may include acts of verbal, nonverbal, cyber, or physical

aggression, intimidation, or hostility, even if those acts do not involve conduct of a sexual nature. Such conduct is directed toward an individual by virtue of their actual or presumed sexual orientation, gender, or gender identity and:

1. Humiliates or intimidates an individual;
2. Impedes academic or work performance; and/or
3. Interferes with university life.

#### **E. Hostile Environment**

Hostile environment may be created by harassing conduct that is sufficiently severe, persistent, or pervasive, and objectively offensive. Such conduct denies, limits, or interferes with the ability to participate in, or benefit from:

1. Educational programs, services, opportunities, or activities; or
2. Employment access, benefits, or opportunities.

#### **F. Stalking**

Stalking is a course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to fear for their safety, fear for the safety of others, or suffer emotional distress.

Stalking can occur between strangers, individuals who know each other, or individuals who are or were previously in a relationship. Stalking behaviors may include unwanted following or watching, unwelcome gifts, or communications in person, in writing, or through the use of technology. It also includes accessing personal information to monitor a person's activity. Individuals found responsible for violating this policy will face sanctions that are commensurate with the severity of the violation, including University expulsion.

#### **G. Relationship Abuse**

Relationship abuse can be physical, sexual, verbal, emotional, financial, or digital. It is unwanted and causes physical or emotional harm. At Bentley, relationship abuse encompasses dating violence and domestic violence and can involve current or former intimate partners, spouses, or dating relationships. Relationship violence occurs in both same-sex and opposite-sex relationships. All students, faculty, and staff should be aware that the university is prepared to respond to any incidents of relationship abuse. Individuals found responsible for violating this policy will face sanctions that are commensurate with the severity of the violation, including University expulsion.

Examples of relationship abuse include, but are not limited to:

- Physical abuse: hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, or throwing objects at a person.

- Sexual abuse: attacks on sexual parts of the body, forcing sex after physical violence, treating one in a sexually demeaning manner, coercing or attempting to coerce any sexual contact or behavior without consent, or marital rape.
- Psychological or emotional abuse: a pattern of behavior undermining a person's sense of self-worth or self-esteem, constant criticism, possessiveness, damaging possessions, threats, intimidation, diminishing a person's abilities, name-calling, public humiliation, and damaging a person's relationship with their friends or family.
- Financial abuse: Taking money from or prohibiting access to bank accounts.
- Digital abuse: Controlling social media accounts, or harassment through social media or other forms of technology.

#### **H. Retaliation**

Retaliation occurs when an adverse action is taken against an individual for raising concerns about conduct which is prohibited by law or policy. All members of the Bentley community have the right to raise concerns or file a complaint through the student conduct system without fear of retaliation. Additionally, it is both unlawful and a violation of University policy to retaliate against an individual for filing a report of sexual misconduct or gender-based discrimination. Retaliation is also prohibited against anyone who participates in an investigation of sexual misconduct or gender-based discrimination. Examples of retaliation can include hostility, intimidation, threats, exclusion, or discrimination. Individuals found responsible for violating this policy will face sanctions that are commensurate with the severity of the violation, including University expulsion.

#### **I. Complicity**

Complicity is any act taken with the purpose of aiding, facilitating, promoting, or encouraging the commission of an act of prohibited conduct by another person.

### **IX. Additional Provisions, Definitions, and Clarifications**

**Leniency:** Students may be concerned about reporting sexual misconduct believing that their own behavior might subject them to disciplinary action (e.g., a reporting party or witness is underage and was using alcohol or drugs at the time of the incident). Witnesses and reporting parties should be assured that the focus in matters of sexual misconduct is always on the reported behavior, not on whether someone was, for example, using alcohol or drugs at the time. Individuals are encouraged to come forward and report such conduct regardless of the surrounding circumstances. This is also in keeping with Bentley's medical amnesty and medical assistance policies.

In situations involving allegations of sexual misconduct, Bentley University will seek to make the sexual misconduct allegation the primary focus of any investigation or disciplinary action. In such circumstances, the University will exercise leniency regarding secondary conduct violations (e.g. underage drinking) and those issues will not be subjected to adjudication. It should be noted that the use of alcohol or drugs does not excuse sexual misconduct and a person who has been incapacitated

through the use of alcohol or drugs (or by any other means) cannot give effective consent to sexual activity.

**Privacy:** Because breaches of privacy compromise the ability of the University to investigate and resolve claims of prohibited harassment and discrimination, the Title IX Coordinators will attempt to protect the privacy of harassment and discrimination proceedings to the extent reasonably possible.

On campus, complete confidentiality can only be guaranteed when a concern is shared with staff in the Health Center, the Counseling Center, and Spiritual Life Staff, and when the concern does not involve a continuing threat of serious harm to self or others.

A list of confidential resources on and off campus is available in Appendix E. The University is obligated to investigate all allegations that may constitute harassment or discrimination. Any person seeking information or guidance concerning potential harassment or discrimination should be advised that the University may need to take action once informed of an allegation whether or not the person wants to pursue a complaint.

**Academic Freedom and Harassment:** Bentley University is committed to principles of free speech and upholding the tradition of academic freedom. This policy is not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. Harassment or discrimination prohibited by this policy is not a proper exercise of academic freedom.

**Use of Alcohol or Drugs:** A person who has consumed alcohol and/or drugs still has a responsibility to obtain ongoing consent for any sexual activity with another person. The use of alcohol or other drugs by the person initiating sexual activity will never be accepted as excuse for failing to obtain consent. Please see Bentley's definition of Consent, in section VIII of this document, for more information.

**Preserving Evidence:** All parties involved in a Gender-based Harassment and Discrimination matter should preserve as much evidence as possible. In addition to any physical evidence that may be preserved, the following may also be helpful to an investigation and adjudication process:

- Any letters,
- Notes,
- Emails,
- Phone calls,
- Videos,
- Photos,
- Texts,
- Social media postings (Facebook, Instagram, Twitter etc),
- Computer screenshots,
- Voicemails, or any other form of evidence that may be helpful.

**Reporting Party:** An individual bringing forth a report that they have experienced one or more acts of sexual misconduct described in this policy.

**Responding Party:** An individual who is alleged to have carried out one or more of the prohibited acts defined in this policy.

## **X. Reporting an Incident**

Individuals (including third parties) may choose to seek action or assistance both on campus as well as through the surrounding community. Additional or interim measures may be provided to remedy the impact of the alleged misconduct as well as an investigation and adjudication process. The following situations are example of reasons why you might choose to report an incident of misconduct:

- To seek formal action against someone, such as removing them from a class or campus
- To educate the person about their behavior through use of the University's processes and procedures
- To make Bentley aware of the behavior in case it is part of a larger pattern
- To help prevent similar incidents happening again in the future
- To confront the individual and make your voice heard about how you feel about what happened
- To receive assistance in changing classes or other on campus arrangements
- To receive support in coping with an incident

### **Reporting Confidentially**

If you are seeking support but want to maintain confidentiality, the best on campus resources for you include the Health Center, staff in the Counseling Center, the Spiritual Life staff. All of these resources are included in the cost of attendance for students, and the clinicians in the Health Center and Counseling Center staff can be seen on an emergency basis. The off campus resources listed in Appendix E are also confidential resources. You may consider a confidential option if you:

- Would like to know about support and assistance but are not sure if you want to pursue formal action against the individual;
- Have questions or would like to process what happened with someone without involving police or Title IX procedures; and/or
- Do not want the responding party (i.e., alleged violator) to know that you are seeking help or support

NOTE: Please be aware that confidential resources have some obligations to report, **notably when the individual is in imminent danger or posing an imminent danger to others**. There are also obligations to report situations involving the abuse of a minor.

### **Informal Resolution**

Individuals may seek an informal resolution in place of a formal report and investigation. The University, however, has the discretion to determine whether the nature of the reported conduct is appropriate for an informal resolution, to determine the type of informal resolution that may be appropriate in a specific case, and to refer a report for formal investigation at any time.

Participation in an informal resolution process is voluntary and requires written consent from all involved parties. The University will not compel a reporting or responding party to engage in an informal resolution, will not compel a reporting party to directly confront the responding party, and will allow a reporting or responding party to withdraw from the informal resolution process at any time. The

University may decline the request for informal resolution in any particular case and may terminate an ongoing informal resolution process at any time. Pursuing an informal resolution does not preclude later use of a formal investigation if the informal resolution fails to achieve a resolution acceptable to the parties and the University. When the reporting or the responding parties withdraws from an informal resolution process, or when an informal resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the informal resolution may be considered in a subsequent formal investigation.

With any informal resolution, each party has the right to choose and consult with a support person. The support person may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). The parties may be accompanied by their respective support persons at any meeting or proceeding held as part of the informal resolution. While the support persons may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in, or in any manner disrupt, such meetings and/or proceedings. Informal resolutions may include:

- Resolution with the Assistance of a Neutral Party: A reporting party may seek assistance in informally resolving a report of prohibited conduct from the Title IX Coordinator, who can arrange to have a trained, neutral party facilitate a meeting or meetings between the parties. The availability of this informal resolution is subject to the agreement of the Title IX Coordinator, the reporting party, and the responding party.
- Interventions and Remedies: Informal resolution agreements may involve a host of interventions and remedies, such as actions designed to maximize the reporting party's access to educational, extracurricular, and/or University employment activities; increased monitoring, supervision, and/or security at locations or activities where the prohibited conduct occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or University housing modifications for involved parties; workplace modifications; and/or any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Policy.

Any form of informal resolution and any combination of interventions and remedies may be utilized. If an agreement acceptable to the University, the reporting party, and the responding party is reached through an informal resolution process, the terms of the agreement are implemented and the matter is resolved and closed. If an agreement is not reached, and the Title IX Coordinator determines that further action is necessary, or if a responding party fails to comply with the terms of the informal resolution, the matter may be referred for a formal investigation. The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolutions. A reporting party and responding parties should also know that the reporting party has option to bring criminal or civil actions against the responding party.

### **Formal Reporting Options**

Bentley University encourages all students, faculty, and staff to file a formal report of an incident to designated campus officials. A list of all responsible employees (those designated officials who have a duty to report incidents of misconduct to the Title IX Coordinator) can be found in Appendix E of this policy. Reporting to any of these individuals is considered an official notice to the institution. After you

file a report, you should expect the institution to investigate and properly resolve the incident through administrative procedures. Information disclosed in a formal report will be shared only with individuals who need to know of the incident, including the incident investigator, responding party, witness(es), and Title IX coordinators.

Please note that separate protocols exist for criminal reports. If you would like to file a criminal report, please contact University Police at 781-891-2201. Please note: University Police will meet with members outside of the Bentley Police station if requested.

***Please be aware that if you file a formal report, your name and the relevant reported information will be disclosed and will appear in the investigation report. This also means that the case may proceed to a Title IX Panel Conference.***

You may consider filing a report if you:

- Would like formal action taken. Formal action can include assistance in: obtaining a restraining order or University “No Contact” order, filing criminal charges, or conduct or employment action for the responding party if they are found responsible for violating university policy.
- Would like the University to be aware of the situation in case it happens again.

For more information on the Gender-Based Harassment and Discrimination procedures (including investigations and hearings), please contact the Title IX Coordinator or Deputy Title IX Coordinators. You can also review the full policy and appendices [here](#).

### **Disclosing to Responders on Campus**

You may seek advice from other employees on campus after an incident occurs. These responders, including most faculty and staff, are encouraged to call the Title IX coordinator when an incident of sexual violence or misconduct is reported to them, especially if there is cause for fear of a person’s safety. *If you are unsure of someone’s duties and ability to maintain your privacy, ask them before you talk with them.*

Please note that responders may choose to share your personally identifiable information if it will help to best support you. If information about your identity is shared, it will only be as necessary and with as few people as possible. All efforts will be made to protect your privacy. You may consider speaking to these responders if you:

- Have more general questions about the policies and procedures
- Are seeking support in accessing confidential resources or reporting options

## **XI. Investigation and Adjudication Procedures and Protocols**

For information regarding investigation and adjudication procedures and protocols for reports involving students, please see Appendix C of this policy. For procedures and protocols for reports involving only faculty and staff, please see appendix D of this policy.

## **XII. Prevention and Education**

Bentley University prides itself in being a leader in providing ongoing educational programs and initiatives for its community related to sex/gender-based discrimination. Examples of these educational efforts include:

- HAVEN (a mandatory online training that educates and raises awareness regarding sexual assault for both undergraduate and graduate students)
- AlcoholEdu (a mandatory online training that inspires students to reflect on and consider changing their drinking behaviors)
- Consent Day
- White Ribbon Campaign
- Walk a Mile in Her Shoes
- Guess the Straight Person
- Bystander trainings
- One Love Foundation's Escalation workshop
- Hook up culture panels
- Ally trainings
- Documentaries and guest speakers

## **XIII. Trainings for Faculty and Staff**

At a minimum, all responsible and confidential employees will receive annual training facilitated by the Title IX staff. The Title IX Panel for student incidents will receive annual trainings, as well. Trainings will occur throughout the year, and you are encouraged to contact the Title IX Coordinator for a complete list of the trainings that have occurred to date, or to inquire about a training for your office or group.