

Lasell College Sexual Misconduct Policy

Important Information for Persons Who May Be Victims of Sexual Misconduct:

If you or someone you know may have been a victim of sexual assault or any other type of sexual misconduct prohibited under this policy, we strongly urge you to seek immediate assistance.

Campus Police: 617.243.2279 / Boston Area Rape Crisis Center hotline: 800.841.8371

1. Introduction

Lasell College is committed to maintaining an educational and/or work environment wherein all members of the College respect the differences inherent in the diversity of our community, and commit to behaving in ways that acknowledge the dignity of each individual. The quality of life at Lasell is directly tied to the actions of the members of the campus community, and their mutual respect and consideration.

The following policy is intended to advance these core values. This policy applies to every member of the Lasell College community: students, faculty, employees, administrators, staff members, visitors and any other person who participates in a College program or activity.

2. Notice of Non-Discrimination

Lasell does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sexual misconduct, including sexual harassment as defined in this policy, is a form of sex discrimination that unjustly deprives a person of equal treatment. It is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

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.

Discrimination and harassment in employment is also prohibited under Title VII of the Civil Rights Act of 1964, Massachusetts General Laws Chapter 151B, and other applicable statutes.

3. Conduct Prohibited By This Policy

The conduct prohibited by this Policy is set forth below. Any person who violates this Policy will be subject to disciplinary action and/or other sanctions, as appropriate. For students, disciplinary action may include: removal from particular programs/activities/housing and/or suspension or dismissal from the College. For College

personnel, disciplinary action may result a reprimand, an unpaid suspension or the termination of one's employment by the College.

a. Sexual Harassment

Sexual harassment occurs in a variety of forms, all of which are prohibited at Lasell College. The following definitions should be used as a guide for determining when conduct violates this policy.

Sexual Harassment encompasses the following behavior:

- i. Unwelcome sexual advances. Sexual harassment includes unwelcome sexual advances, whether physical or verbal, directed toward another person.
- ii. Hostile Environment. One common form of sexual harassment is known as "hostile environment" or, in the context of employment, "hostile work environment." A hostile environment is defined as physical or verbal conduct of a sexual nature that is so severe, persistent or pervasive that it unreasonably interferes with an individual's participation in either (i) the College's educational programs or activities, or (ii) employment by the College.
- iii. Quid pro quo sexual harassment. Sexual harassment occurs when some benefit, such as one's continuing employment or one's participation in a College program or activity, is made contingent upon one's submission to another's request for sexual favors. Likewise, sexual harassment occurs when one's rejection of a sexual advance results in some detriment to them.

Examples of sexual harassment include:

- Repeated sexual advances toward another individual (whether or not they involve physical contact) after the individual has communicated that the advances are unwelcome;
- Unwelcome leering, whistling, unnecessary or sexual brushing against another's body, sexual gestures, and suggestive or insulting comments about another's sexuality;
- The creation, display or dissemination of sexually explicit voice mails, emails, graphic images or websites;
- Comments about an individual's body and/or sexual activity, deficiencies or prowess;
- Inquiries or unwelcome discussion of one's sexual activities.

b. Sexual Violence

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age or use of drugs or alcohol), or because an intellectual or other disability prevents the person from having the capacity to give consent. Sexual violence may vary in its severity and consists of a range of actual or attempted non-consensual sexual conduct.

Examples of sexual violence include:

- Penetration of an orifice when such penetration is perpetrated without the other's consent and/or is accomplished by force.
- Having, or attempting to have, sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, or causing another to touch one's intimate parts without consent. Intimate parts may include any part of the body that is touched in a sexual manner.

c. Domestic violence

Domestic violence includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

d. Dating Violence

Dating violence means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Sexual Exploitation:

Sexual exploitation is defined as any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

Examples of sexual exploitation include: –

- a. Invasion of sexual privacy;
- b. Non-consensual video or audio recording of sexual activity;

- c. Distributing a consensually made video or audio recording of sexual activity to a third-party, without a participant's consent;
 - d. Engaging in voyeurism or enabling others to engage in voyeurism;
 - e. Knowingly transmitting an STD or HIV to another.
- e. Intimidation and Stalking.

Sexual intimidation involves threats to commit a sexual act upon another person, or engaging in indecent exposure. Stalking is defined as a repetitive pattern of unwanted, intrusive, harassing or threatening behavior directed toward another and that causes substantial emotional distress or fear of harm.

- f. Retaliation

Retaliation against a person who has made a complaint of discrimination, harassment or other sexual misconduct, or against any person assisting or cooperating in the investigation of such conduct, is prohibited. Retaliation includes intimidation, threats, harassment, and/or other adverse action threatened or taken against any such persons.

4. Consent

Consent to sexual activity must be clear, knowing and voluntary. Consent must be affirmative and cannot be assumed merely by a person's failure to say no or failure to physically resist. Consent may be given by words or actions, so long as those words or actions create mutually understandable, clear permission regarding one's willingness to engage in sexual activity.

1. Consent to one form of sexual activity does not imply consent to all forms of sexual activity. Likewise, consent to sexual activity on past occasions does not imply consent on future occasions.
2. A person under the age of 16 is a minor and unable to consent as a matter of law.
3. Use of alcohol or drugs: Although a person's intoxication does not necessarily render them unable to consent to sexual activity, one's *incapacitation*, whether caused by drugs, alcohol or some other condition, renders that person unable to consent to sexual activity. Some behaviors that signal a state of incapacitation include the following:
 - a. An inability to walk independently or to maintain one's balance and equilibrium;

- b. An inability to speak coherently or other signs of confusion or disorientation;
- c. Vomiting and/or lack of consciousness.

5. Emergency Assistance, Resources and Support

In the event that an individual is the victim of sexual assault or other sexual misconduct, the physical safety and emotional well-being of that person is of primary importance. A victim may have been physically injured in a number of ways, may have been exposed to a sexually transmitted disease and/or may be at risk of being impregnated. The College strongly encourages any person who has been the victim of sexual violence to seek immediate medical attention, whether from the Health Services Office or the nearest hospital emergency room, as set forth below.

Additionally, if an assault has occurred very recently, there may be physical evidence present that can be collected. Although the collection of physical evidence does not require a victim to pursue criminal or civil charges, having such evidence preserved allows a victim to make a decision to do so in the future.

Campus Police will assist and escort any community member to safety and will provide transportation to the hospital, coordination with the local police, and information about the College's resources and complaint processes.

In addition to any necessary medical care, the College urges any victim of sexual harassment to draw upon the following resources for assistance, support and information, and/or to report criminal conduct to law enforcement authorities. A criminal complaint will not terminate the College's internal investigation and response to sexual misconduct in its programs or activities.

Campus Police	617.243.2279
Local Police	<p>Newton Police Department: 1321 Washington Street Newton, MA 02465 www.newtonpolice.com</p> <p>Main Number - Dispatch 617.796.2100 Chief's Office 617.796.2101 Patrol 617.796.2102</p>
Medical Care	<p>On-Campus:</p> <p>Health Services Office: 617.243.2451</p> <p>Off-Campus*:</p>

	<p>Newton-Wellesley Hospital Emergency Room 2014 Washington Street Newton, MA 02462 617.243.6193</p> <p>*The Boston Area Rape Crisis Center also provides medical advocates trained in rape crisis counseling to assist victims at hospital emergency rooms. Call 800.841.8371</p>
Counseling/Support	<p>On-Campus:</p> <p>College Counseling Center: 617.243.2451 Center for Spiritual Life: 617.243.2059 Office of Residential Life: 617.243.2124 Office of Student Affairs: 617.243.2124</p> <p>Off-Campus:</p> <p>Boston Area Rape Crisis Center (“BARCC”): www.barcc.org 99 Bishop Allen Drive Cambridge, MA <u>24 hour hotline: 800.841.8371</u></p>

6. Reporting Sexual Harassment/Misconduct

The College strongly encourages any person who feels he or she has been the target of sexual harassment or misconduct, and any person who has observed such conduct, to report this information to the College and/or law enforcement as soon as practicable. Contact information for individuals designated to receive such reports are set forth below. It is important for anyone wishing to report sexual misconduct to understand that some, *but not all*, of the persons identified below are permitted to maintain the confidentiality of any report, depending on the Reporting Party’s wishes.

Title IX Coordinator:

All non-confidential reports of sexual harassment and misconduct will be referred to the College’s Title IX Coordinator, who will attempt to meet with Reporting Party to

determine what, if any, immediate assistance or measures are appropriate. Depending on the nature of the incident, the Title IX investigator may initiate an investigation and take other appropriate action in accordance with the College's *Grievance Procedures*.

Contact Information for Reporting Sexual Misconduct:

When the College receives a report of sexual harassment or other sexual misconduct, it is obligated to take immediate steps to investigate what occurred, and, where possible, to prevent and remediate any violations of this Policy. All responsible employees of the College are required to report allegations of sexual misconduct to the Title IX Coordinator. For purposes of this policy "responsible employees" include: all faculty; members of the Senior Management Team, and all Deans; workplace supervisors; Athletic Department staff, including all coaches and assistant coaches; all Residential Life staff, including Resident Assistants; and all other professional staff in the Division of Student Affairs (with the exception of staff in the Counseling Center, Health Services, and Spiritual Life).

While all responsible College employees are required to communicate reports of sexual harassment/sexual misconduct to the Title IX Coordinator, where practicable, a person who has been subjected to any type of sex discrimination or sexual misconduct is strongly encouraged to report the matter directly to the College's Title IX coordinator or to a Deputy Coordinator or one of the other College administrators listed below. It is important to note, however, that reports made to the Title IX Team or other College administrators may not be kept entirely confidential, as explained below. Ordinarily, the person to whom a report is made will not serve as an investigator or decision-maker in the matter.

Title IX Role	Contact information
Title IX Coordinator	Jennifer O'Keefe Director of Legal Affairs & Title IX Coordinator Eager House jokeeffe@lasell.edu 617.243.2065
Title IX Deputy Coordinator	Diane Parker Assistant Vice President, Finance Eager House dparker@lasell.edu 617.243.2137
Title IX Deputy Coordinator	Diane M. Austin Vice President, Student Affairs Edwards Student Center daustin@lasell.edu 617.243.2124

Title IX Deputy Coordinator	Kristy Walter Athletic Director Athletic Center kwalter@lasell.edu 617.243.2147
Title IX Deputy Coordinator	Christopher Lynett Director of Web and Electronic Marketing Hamel House clynett@lasell.edu 617.243.2211
Title IX Deputy Coordinator	Helena Santos Dean, Academic Affairs Bancroft House hsantos@lasell.edu 617.243.2127
Section 504 Coordinator	Scott Lamphere Director of Disability Services Office of Student Affairs Edwards Center slamphere@lasell.edu 617.243.2115
Vice President of Academic Affairs	James Ostrow Vice President of Academic Affairs jostrow@lasell.edu 617.243.2111

Confidential Reporting Options:

The College encourages victims of sexual misconduct to talk to a trained counselor about what occurred. The following persons are available to offer such support and are able, if requested, to maintain the confidentiality of a victim's identity. If confidentiality is a concern, a Reporting Party should seek to clarify the extent to which information may be kept confidential before disclosing information about the incident.

Center for Spiritual Life	617.243.2059
College Counseling Center	617.243.2451
Health Services	617.243.2451
Off-Campus resources	Boston Area Rape Crisis Center: <u>24 hour hotline: 800.841.8371</u>

7. Confidentiality and Privacy

In some cases, an individual Reporting Party may wish to keep her/his identity or other aspects of an incident confidential, or may not want the College to conduct an investigation. In such circumstances, the College must balance this request against its responsibility to provide a safe and non-discriminatory environment for all College community members. This responsibility may require that the College disclose certain aspects of the complaint to the alleged perpetrator, law enforcement officials, or others with a need to know such information.

When considering a request for confidentiality, the College's Title IX Coordinator will determine the degree of confidentiality that can be afforded a Reporting Party, taking into consideration a range of factors, including (but not limited to) the following:

- Whether the alleged perpetrator is alleged to have committed sexual misconduct in the past;
- The risk that the alleged perpetrator will commit additional acts of sexual misconduct;
- Whether the misconduct was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether the College possesses other means of obtaining relevant evidence;
- Whether the report suggests a pattern of sexual misconduct at a particular location or within a particular group.

The College also has an obligation under federal law (the Clery Act) to report instances of sexual misconduct annually, albeit without identifying information about the persons involved.

The College will take all reasonable steps to investigate and respond to the complaint consistent with the Reporting Party's requests, but its ability to investigate and respond may be limited by the request for confidentiality. At all times, the College will seek to respect the request of the Reporting Party. When it cannot do so, the College will consult with the Reporting Party and keep him/her/them informed about the chosen course of action. For example, the College will notify any Reporting Party who has requested confidentiality *prior* to any such disclosure.

8. Amnesty

The College recognizes that an individual who has been drinking or using drugs at the time of the incident may be reluctant to make a report for fear of being subject to discipline under the College's drug and/or alcohol policy. An individual who reports sexual misconduct will not be subject to disciplinary action by the College for his/her/their own violation of these policies.

Grievance Procedure for Resolving Complaints of Sexual Misconduct

The following sets forth Lasell College's procedures for responding to reports of sexual misconduct brought by a student of the college. For purposes of this policy, sexual misconduct includes gender based discrimination, sexual harassment, sexual violence, domestic violence, sexual exploitation, intimidation/stalking, or retaliation against a person who has assisted or cooperating in the investigation of the same. Complaints brought by employees of the College will be handled through the process described in the Employee Handbook www.lasell.edu/EmployeeHandbook.

Title IX Coordinator and Team

Lasell College has appointed Diane Parker to serve as its Title IX coordinator. The Title IX Coordinator is responsible for receiving all reports of sex discrimination and sexual misconduct in the College's programs and activities, and ensuring that the College promptly addresses all reports of such conduct. The Title IX Coordinator will also determine the extent to which a Reporting Party's request for confidentiality may be honored.

The College strongly encourages anyone who has witnessed or who has been subjected to discriminatory conduct, harassment or sexual misconduct to report the event to any member of the Title IX Team, in addition to the reporting options described in the College's Non-Discrimination Policy. The names and contact information for the Title IX Coordinator and Deputy Coordinators are set forth below.

Title IX Coordinator	Jennifer O'Keeffe Director of Legal Affairs & Title IX Coordinator Eager House jokeeffe@lasell.edu 617.243.2065
Title IX Deputy Coordinator	Diane Parker Assistant Vice President, Finance Eager House dparker@lasell.edu 617.243.2137
Title IX Deputy Coordinator	Diane M. Austin Vice President, Student Affairs Edwards Student Center daustin@lasell.edu 617.243.2124
Title IX Deputy Coordinator	Kate Byrne Director, Human Resources Eager House

	kbyrne@lasell.edu 617. 243.2176
Title IX Deputy Coordinator	Kristy Walter Athletic Director Athletic Center kwalter@lasell.edu 617.243.2147
Title IX Deputy Coordinator	Christopher Lynett Director of Web and Electronic Marketing clynett@lasell.edu 617.243.2211
Title IX Deputy Coordinator	Helena Santos Dean, Academic Affairs Bancroft House hsantos@lasell.edu 617.243.2127

1. Scope

The Title IX Coordinator has the discretion to determine an appropriate response to reports of discriminatory conduct, including sexual misconduct. Matters that do *not* involve complaints of sexual misconduct against a student may be referred to other departments within the College, such as the College's Conduct System or Human Resources, for further investigation and resolution.

2. Where to Report

A student may bring a formal complaint about any violation of the Non-Discrimination Policy, including sexual misconduct, by notifying the Title IX Coordinator, a Deputy Coordinator, the Vice President of Academic Affairs or the Vice President of Student Affairs, as set forth above. Reports may be made orally or in writing. A formal report will trigger the Formal Resolution Process described below.

Victims of sexual misconduct also may wish to file a criminal complaint by contacting the Newton Police Department, or by contacting the Campus Police, who will assist the individual in contacting law enforcement authorities. In such a case, the College will conduct a parallel investigation, which will be delayed only to afford law enforcement an opportunity to complete its fact-finding investigation.

Complaints alleging sex discrimination and harassment also may be made with the United States Department of Education's Office of Civil Rights:

Boston Office:

U.S. Department of Education
8th Floor, 5 Post Office Square
Boston, MA 02109
617.289.0111

3. Preliminary Assessment

After receiving a report of sex discrimination sexual harassment or other sexual misconduct, the Title IX Coordinator will conduct a preliminary assessment to determine whether there is sufficient evidence to support the initiation of a formal investigation.

4. Notice

Students who are charged with violations of the Sexual Misconduct Policy will be contacted by the appropriate Hearing Officer and apprised about the charge.

5. Interim Measures When College Receives a Report of Sexual Misconduct Against A Student

In every report of sexual harassment or misconduct, the College will immediately assess any risk of harm to the Reporting Party or to others within the College community and will take steps to address those risks. These may include interim measures to provide for the safety of the Reporting Party and/or others. These interim measures are more fully set forth in the College's Non-Discrimination and Sexual Harassment/Sexual Misconduct Policy.

6. College Liaisons for Reporting and Responding Parties

Before initiating a formal investigation of sexual misconduct involving a student, the Title IX Coordinator will arrange for both the Reporting Party and Responding Party to utilize the assistance of a College Liaison. The Liaison is neither an advocate nor a confidante, but is someone who can provide the Reporting Party or Responding Party with information regarding the College's policies and procedures, as well as resources available to assist the parties in obtaining any needed academic, counseling or medical assistance and support. The Liaison also may serve as a conduit between the Reporting Party or Responding Party and other College personnel, and may accompany the Reporting Party or Responding Party to interviews and any hearings or other meetings convened in connection with the grievance process. The Parties also may opt to be assisted by a trusted advisor or support person of their own choosing.

Neither the Liaison nor other advisors engaged by a Party are permitted to make presentations or to otherwise represent and advocate for the Reporting Party or Responding Party in any meetings or hearings convened during the grievance process.

7. Early Resolution of Complaints

If the Responding Party admits to violating the Sexual Misconduct Policy, the Hearing Officer (or designee) will meet with the Reporting and Responding Parties and issue, where appropriate, sanctions and/or other remedies. If the Reporting Party and Responding Party each accept the issued sanction(s), the matter will be closed. If either the Reporting Party or Responding Party is unsatisfied with the sanction(s), s/he may choose to proceed to a Formal Resolution of the matter, as described below, by submitting a written request to the Title IX Coordinator within five (5) business days of his/her receipt of the Hearing Officer's issuance of sanctions/remedies.

8. Informal Resolution of Complaints

In cases *other than those that involve sexual violence*, and with approval of the Title IX Coordinator or his/her designee, the parties may collectively agree to engage in an informal dispute resolution process. The process shall be facilitated by a member of the Title IX team to help the parties reach a mutually agreeable resolution. If the parties are unable to resolve the matter by mutual agreement, either party may request a Formal Resolution, as described below, by submitting a written request to the Title IX Coordinator within five (5) business days after the conclusion of the Informal Resolution process.

9. Formal Resolution of Complaints

In cases of alleged sexual violence against a student in which the Early Resolution process did not resolve the matter, and pursuant to guidance provided by the United States Department of Education/Office of Civil Rights, the College cannot undertake an Informal Resolution process. Rather, it will promptly initiate an investigation to determine what occurred and will utilize the grievance procedures set forth below. The Title IX Coordinator may initiate an investigation in other circumstances as well, depending on a number of factors, including the severity of the allegations and any prior violations on the part of the Responding Party.

Likewise, complaints that are not resolved through the Informal Resolution Process may be referred for investigation and determination upon the Reporting Party's request.

The timeframe for resolution of formal complaints will vary depending upon complexity of the investigation and the severity and extent of the alleged conduct. Although the College strives to resolve formal complaints within 60 days, the process may take longer if there is a parallel criminal investigation or if it occurs partially during school breaks.

Matters involving College personnel (e.g. faculty, administrators, staff or other employees) may be referred to Human Resources or to the Vice President of Academic Affairs, as appropriate, for further action. In some circumstances, a matter might be referred to the College's Conduct System for further action.

Investigation:

The purpose of an investigation is to determine what occurred, or, more accurately, to determine what is more likely than not to have occurred. Although investigations will vary depending on the circumstances, all investigations shall be conducted in a prompt, fair and impartial manner, allowing both the Reporting Party and Responding Party an opportunity to be heard. Typically, an investigation will include interviews with persons with personal knowledge of the events giving rise to the complaint, including Reporting Party(ies), Responding Party(ies), witnesses or corroborating witnesses, to the extent that such parties cooperate with the investigation process. An investigation also will include a review of any other material information, including photographs, police reports, medical reports, forensics, and communications concerning the matter, such as text messages, email, social media postings and the like. As a member of the Lasell College community, you are encouraged to cooperate fully if called upon to be interviewed in these matters.

Investigative Report

The Investigator will prepare an Investigative Report summarizing and analyzing the relevant facts determined through the Investigation, referencing any supporting documentation or statements. The Investigative Report may include summaries of interviews with the Reporting Party, Responding Party, third-party witnesses, experts, and relevant tangible evidence. The Investigator may provide a summary of his/her impressions including context for the evidence, but will not make a determination as to whether a violation occurred, reserving that decision for the Hearing Officer(s).

Determination of Policy Violations

Policy Violations will be decided in the following manner:

Upon receipt of the Investigative Report, the Hearing Officer will issue a Notice of Hearing, listing the date, time and location of a meeting (or meetings) with the Parties and any witnesses. The Hearing Officer will then meet separately with the Reporting Party, the Responding Party, and any witnesses with relevant information that either Party wishes to include. The purpose of the meeting(s) (or “Hearing”) is to gather any additional relevant information the Parties wish to present, and to consider the Parties’ responses to the findings set forth in the Investigative Report. Both the Reporting Party and Responding Party will be given an opportunity to review the Investigative Report in person at least five (5) business days prior to meeting with the Hearing Officer.

The Hearing Officer will then determine whether, based on the information presented, a Policy violation has occurred. In reaching his or her determination, the Hearing Officer will employ a “preponderance of the evidence” standard. This standard requires the Hearing Officer to decide whether it is “more likely than not” that there has been a violation of the College’s sexual misconduct policy.

If the Reporting Party or Responding Party fails to participate in the Hearing, the case may be decided in his/her absence.

The Reporting Party and Responding Party may choose an advisor to support him/her during the Hearing; however, the Support Person may not participate in the proceedings. Otherwise, only those individuals approved by the Office of the Vice President of Student Affairs as having a direct relationship to a case may be present at a hearing.

Hearings will be recorded, a copy of which will be maintained by the College. Written notes made during a hearing are kept in conduct files in the Office of the Conduct System Coordinator. Conduct files are educational records and are therefore protected by the Family Educational Rights and Privacy Act.

10. Violations of Non-discrimination Policy and Notice of Outcome

Notice of Outcome:

Most usually, within ten (10) business days of the Hearing, the College will communicate to the Reporting Party and Responding Party its determination (the “Determination”) in a Notice of Outcome. The Notice of Outcome will include a summary of the allegations, a determination of whether the allegations were substantiated and, if so, whether the College’s Sexual Misconduct Policy was violated. In cases where the College determines that sexual violence has occurred, the Notice of Outcome also will include a description of any sanctions or other disciplinary action taken against the Responding Party. In cases that do not involve a finding of sexual violence, the College will include a description of sanctions or other disciplinary action taken against the Responding Party, but only to the extent such measures directly relate to the Reporting Party (i.e., no-contact orders, alteration of housing or class assignments to limit contact between Reporting Party and Responding Party, etc.)

Sanctions for Violations of Non-Discrimination Policy:

Any student who is determined to have engaged in conduct that violates the College’s Non-Discrimination Policy may be subject to sanctions, up to and including suspension from the College or dismissal from the College. The following is a list of potential sanctions that may be imposed against a student, although the College reserves the discretion to depart from the following sanctions where necessary and appropriate depending on the circumstances of each case.

Reprimand - a written notice to a student describing the policy that he/she has violated and acknowledging that the student's violation will be kept in their conduct file.

Warning - a written notice to a student describing the policy that he/she has violated, outlining a specific time period during which the warning will be in effect, and indicating that future violations of any policy during the warning period will automatically result in more serious sanctioning.

Educational Sanctions - students may be required to attend an educational program or workshop series, do research about a specific topic, design and create bulletin boards, work with Residential Life staff on a program or project, meet with a counselor or staff

person, and/or participate in some other form of community-based service which is educational in intent.

Community Probation - students placed on community probation will have a period of time designated to them during which any additional violations of College policy might result in the immediate suspension of their residential housing privileges and/or a restriction of their privileges regarding participation in activities and/or student organizations.

Conduct Probation - students placed on conduct probation will have a period of time designated to them during which any additional violations of College policy might result in suspension from the College.

Relocation within the residential system - students may be moved from their current housing assignment to another assignment.

Temporary or permanent revocation of residential housing privileges - students may be removed from the residential system for a specified period of time or permanently.

Suspension of activities privileges - students may have their opportunity to take part in some or all campus activities and/or their access to specific buildings abridged for a specified period of time or permanently.

Suspension from the College - students suspended from the College will not be able to pursue course work and will not be considered to be in "good standing" during the time of the suspension; after the designated period of the suspension, students may apply to be re-instated to the College (and if allowed to return, may be required to be on a conduct probationary status).

Dismissal from the College - students dismissed from the College will be permanently denied access to degree work.

11. Appeals of Determinations

a. Basis of Appeal.

A Reporting Party or Responding Party who is dissatisfied with the Determination of whether a violation occurred or the sanction imposed may appeal in the following circumstances:

1. Where there is newly discovered material information/evidence that may affect the prior outcome and Determination.
2. Where there was a material procedural error;
3. Where the sanction or remedy is disproportionate to the offense or otherwise unjust or unfair.

b. Notice of appeal.

1. A party may seek to appeal the Determination by notifying the Title IX Coordinator **in writing** within ten (10) business days of the date the aggrieved party receives the Notice of Outcome (“Notice of Appeal”). The Notice of Appeal should identify the matter being appealed (liability or sanction) and describe the basis(es) of the appeal.
2. The Title IX Coordinator will notify the non-appealing party that the Determination has been appealed and provide him/her with a copy of the Notice of Appeal. The non-appealing party may submit a response within ten (10) business days of receiving the Notice of Appeal.
3. The College may decline to grant the appeal if it appears that the basis of appeal does not satisfy the criteria set forth in §11(a).

c. Determination of Appeals

After receiving a Notice of Appeal, the College will appoint a decision-maker to hear the appeal (“Appeal Officer”). The Appeal Officer will consider only the three grounds for appeal that are described in Section 11(a). The Appeal Officer will communicate the result of the appeal to the Reporting Party and Responding Party within 14 days. The Determination may include (1) a reopening of the Hearing; (2) an affirmation of the original outcome; (3) a reversal of the original outcome; (4) a modification of the initial policy violation determination; or (5) a modification of sanctions or remedies. Appeal decisions are final.