

# TITLE IX POLICY AND GRIEVANCE PROCEDURE

EFFECTIVE: AUGUST 1, 2024

## Introduction

Lasell University is committed to maintaining an educational and work environment wherein all members of the University 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 campus community members and their mutual respect and consideration.

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## I. Policy Statement

Lasell University does not discriminate on the basis of sex and prohibits sex discrimination in its education programs and activities, including in admissions and employment, as required by Title IX, its regulations, and other federal and state laws. Lasell University is committed to maintaining a safe and respectful learning, living, and working environment for all members of the Lasell University community; an environment free from sex discrimination, including sex-based harassment, in compliance with Title IX of the Education Amendments of 1972, a federal law which 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.

## II. Scope

This Policy applies to any member(s) of the Lasell University community—students, faculty, staff, and administrators—and includes alumni and third parties who are participating in or attempting to participate in Lasell University’s education programs or activities.

Prohibited Conduct, as defined below, may violate this Policy when it occurs:

- On campus;
- On other property owned or controlled by Lasell University;
- In the context of Lasell University’s education programs or activities, including but not limited to employment, classes, Lasell University-sponsored study abroad programs, research, and online; or
- Outside these contexts, if the conduct allegedly creates a hostile environment pursuant to this Policy on campus or on other property owned or controlled by Lasell University.

The Grievance Procedures, as detailed in [Section X](#), provide for the prompt and equitable resolution of Complaints of Prohibited Conduct as defined by this Policy. The Title IX Coordinator has the discretion to determine an appropriate response to reports of discriminatory conduct, including sexual misconduct.

## III. Prohibited Conduct

This section outlines the conduct prohibited under this Policy.

- **Sex Discrimination** – Conduct that excludes a person from participation in, denies them the benefits of, or otherwise subjects them to adverse treatment under the University’s education program or activity on the basis of their sex, gender, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

- **Sex-Based Harassment** – A form of sex discrimination that means sexual harassment and other harassment based on sex, gender, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity that encompasses the following categories of conduct, defined as follows:
  - **Quid Pro Quo Harassment.** An employee, agent, or other person authorized by Lasell University to provide an aid, benefit, or service under Lasell University’s education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person’s participation in unwelcome sexual conduct.
  - **Hostile Environment Harassment.** Unwelcome sex-based conduct<sup>1</sup> that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person’s ability to participate in or benefit from Lasell University’s education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
    - The degree to which the conduct affected the complainant’s ability to access Lasell University’s education program or activity;
    - The type, frequency, and duration of the conduct;
    - The parties’ ages, roles within Lasell University’s education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
    - The location of the conduct and the context in which the conduct occurred; and
    - Other sex-based harassment in Lasell University’s education program or activity.

A hostile environment/sexual harassment could include but is not limited to the following conduct:

- Unwelcome sexual flirtations, advances, or propositions or requests for sexual favors.

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<sup>1</sup> Sex-based conduct includes any conduct that is based on sex, gender, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

- Verbal abuse of a sexual nature, obscene language, off-color jokes, sexual innuendo, and gossip about sexual relations.
  - The display of derogatory or sexually suggestive posters, cartoons, drawings, objects, notes, letters, photos, emails, or text messages.
  - Visual conduct such as leering or making gestures.
  - Sexually suggestive comments about an individual's body or body parts, or sexually degrading words to describe an individual.
  - Unwelcome touching of a sexual nature such as patting, caressing, pinching, or brushing against another's body.
  - Unwelcome verbal or physical conduct against an individual related to the individual's gender identity or the individual's conformity or failure to conform to gender stereotypes.
  - Cyber harassment, including but not limited to disseminating information, photos, or videos of a sexual nature without consent.
  - Videotaping or taking photographs of a sexual nature without consent.
- **Sexual Assault.** Any sexual act—including Rape, Sodomy, Sexual Assault with an Object, or Fondling—directed against another person without the consent of the victim, including instances when the victim is incapable of giving consent; also unlawful sexual intercourse, including Incest and Statutory Rape. The definitions of **Rape**, **Sodomy**, **Sexual Assault with an Object**, **Fondling**, **Incest**, and **Statutory Rape** are included in [Appendix A](#) and incorporated herein.
  - **Dating Violence.** Violence committed by a person:
    - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    - Where the existence of such a relationship shall be determined based on a consideration of the following factors: (1) the length of the relationship, (2) the type of relationship, and (3) the frequency of interaction between the persons involved in the relationship.
  - **Domestic Violence.** Felony or misdemeanor crimes committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of Massachusetts or a person similarly situated to a spouse of the victim;
    - Is cohabitating or has cohabitated with the victim as a spouse or intimate partner;
    - Shares a child in common with the victim; or
    - Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of Massachusetts.
  - **Sexual Exploitation.** 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:
    - Invasion of sexual privacy;
    - Non-consensual video or audio recording of sexual activity;
    - Distributing a consensually made video or audio recording of sexual activity to a third-party, without a participant's consent;
    - Engaging in voyeurism or enabling others to engage in voyeurism;
    - Knowingly transmitting an STD or HIV to another.
  - **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    - Fear for the person's safety or the safety of others; or
    - Suffer substantial emotional distress.
- **Retaliation.** Intimidation, threats, coercion, or discrimination against any person by Lasell University, a student, or an employee or other person authorized by Lasell University to provide aid, benefit, or service under Lasell University's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or because the person has reported information, made a Complaint, served as a witness, assisted, or participated or refused to participate in any manner in any proceeding subject to this Policy and Grievance Procedures. Retaliation includes **Peer Retaliation**, which means retaliation by a student against another student.

Other definitions applicable to this Policy and the Grievance Procedures are included in [Appendix A](#).

## Other Conduct Violations

When other potential violations of the Lasell University Student Handbook or the Employee or Faculty Handbooks occur in conjunction with incidents of prohibited conduct under this policy, the University has the discretion to resolve these violations under whichever policy it deems most appropriate.

# IV. The Title IX Coordinator and Supportive Measures

## The Title IX Coordinator

The University Title IX Coordinator will be informed of all reports or formal complaints of violations of this Policy and oversee the University's centralized response to ensure compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). The University Title IX Coordinator's responsibilities include (but are not limited to):

- Communicating with all members of the University community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable University policies to ensure institutional compliance with Title IX and VAWA;
- Providing assistance to any University employee regarding how to respond appropriately to a report of sexual harassment, sexual violence, stalking, or intimate partner violence;
- Monitoring the University's administration of its own applicable policies, including this Policy and all related record keeping, timeframes, and other procedural requirements;
- Conducting and overseeing training regarding Title IX, VAWA, and prohibited conduct defined in this Policy and related policies; and
- Responding to any report or formal complaint regarding conduct that violates this Policy. For any report of which the University has actual knowledge (and any formal complaint), the Title IX Coordinator shall oversee and implement the explanation and provision of any supportive measures. For any formal complaint, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any

additional supportive measures, and monitors the administration of any related appeal. The Title IX Coordinator may also oversee Live Hearings to ensure proper procedure is followed.

The Title IX Coordinator may delegate certain responsibilities under this Policy to designated administrators, who will be appropriately trained.

## The Title IX Team

Lasell University’s Title IX Coordinator coordinates Lasell University’s compliance with Title IX and this Policy, with the assistance and support of Deputy Title IX Coordinators and the Human Resources Department. These individuals may be contacted as follows:

<b>Title IX Coordinator</b>	Maryrose Anthes Director of Compliance, Section 504 and Title IX Coordinator <a href="mailto:MAnthes@lasell.edu">MAnthes@lasell.edu</a> 617-243-2270
<b>Deputy Title IX Coordinator</b>	Jamie Marcoux Assistant Vice President for Athletics Lasell University <a href="mailto:JMarcoux@lasell.edu">JMarcoux@lasell.edu</a> 617-243-2358
<b>Deputy Title IX Coordinator</b>	Christina Alejandre Assistant Professor & Program Director Esports & Gaming Management <a href="mailto:CAlejandre@lasell.edu">CAlejandre@lasell.edu</a> 617-243-2473
<b>Deputy Title IX Coordinator</b>	Charlie Wynn <a href="mailto:CWynn@lasell.edu">CWynn@lasell.edu</a> 617-243-2226
<b>Deputy Title IX Coordinator</b>	Stephen Hawthorne Director, Accessibility Services and Academic Support <a href="mailto:SHawthorne@lasell.edu">SHawthorne@lasell.edu</a> 617-243-2212
<b>Human Resources</b>	Julie Groom Assistant Vice President, Human Resources <a href="mailto:JGroom@lasell.edu">JGroom@lasell.edu</a> 617-243-2176



Because the Title IX Coordinator may designate any qualified person to assume or assist in performing the Title IX Coordinator's duties under the Policy, where this Policy identifies a specific role of the Title IX Coordinator, such provision should be read with the understanding that the role may be performed by any of the Title IX Coordinator's designees.

## Supportive Measures

Among the Title IX Coordinator's responsibilities is coordinating **Supportive Measures**. Supportive Measures may be provided even when no Complaint has been filed. Supportive Measures may vary depending on what resources are reasonably available. Supportive Measures must not unreasonably burden any party, and the Supportive Measures may conclude or continue after the conclusion of the Grievance Procedures or informal resolution, as appropriate.

Examples of possible Supportive Measures include:

- Counseling
- Extensions of deadlines and other course-related adjustments
- Campus escort services
- Increased security and monitoring of certain areas of campus
- Restrictions on contact applied to one or more parties (no-contact orders)
- Leaves of absence
- Changes in class, work, housing, extracurricular, or any other activity, regardless of whether there is a comparable alternative
- Training and education programs related to sex-based harassment

The Title IX Coordinator will work with the individual in arranging for Supportive Measures, as appropriate. Lasell University will not disclose information about any Supportive Measure(s) to persons other than the individual(s) to whom they apply, unless necessary to provide the Supportive Measure(s) or restore or preserve access to Lasell University's education program or activity or if any exception described in [Section VIII](#), below, applies.

Individuals with disabilities who need reasonable accommodations for such disabilities under this Policy and the Grievance Procedures are advised to contact the Title IX Coordinator, who may work with the Office of Accessibility Services and Academic Support to provide any reasonable disability accommodations.

If an individual wishes to seek a modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate any Supportive Measure(s) applicable to them, they may do so by informing the Title IX Coordinator of this request. The Title IX Coordinator will refer any such request to an impartial, trained employee with the authority to modify or reverse the Title IX Coordinator's decision on such Supportive Measures if the impartial employee determines that the Title IX Coordinator's decision was inconsistent with the definition of Supportive Measures in this Policy.

If an individual wishes to seek additional modification or termination of any Supportive Measure(s) applicable to them due to materially changed circumstances, they may do so by informing the Title IX Coordinator of this request.

In every report of prohibited conduct under this policy, Lasell University will immediately assess any risk of harm to the Reporting Party or others within the University 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, such as referrals to outside agencies that provide legal and counseling services, referral to the University's counseling center or health services, changes to housing assignments and class or work schedules, changes to extracurricular activities, academic accommodations such as additional time to complete assignments, excused class absences, or "no contact" orders. A Reporting Party may receive supportive measures without filing a formal complaint. Supportive measures are also available to the Responding Party once a formal complaint is filed.

The University Title IX Coordinator will be informed of all reports or formal complaints of violations of this Policy and oversee the University's centralized response to ensure compliance with Title IX and the 2013 Amendments to the Violence Against Women Act (VAWA). The University Title IX Coordinator's responsibilities include (but are not limited to):

- Communicating with all members of the University community regarding Title IX and VAWA, and providing information about how individuals may access their rights;
- Reviewing applicable University policies to ensure institutional compliance with Title IX and VAWA;
- Providing assistance to any University employee regarding how to respond appropriately to a report of sexual harassment, sexual violence, stalking, or intimate partner violence;
- Monitoring the University's administration of its own applicable policies, including this Policy and all related record keeping, timeframes, and other procedural requirements;
- Conducting and overseeing training regarding Title IX, VAWA, and prohibited conduct defined in this Policy and related policies;

- Responding to any report or formal complaint regarding conduct that violates this Policy. For any report of which the University has actual knowledge (and any formal complaint), the Title IX Coordinator shall oversee and implement the explanation and provision of any supportive measures. For any formal complaint, the Title IX Coordinator oversees the investigation and resolution of such alleged misconduct, directs the provision of any additional supportive measures, and monitors the administration of any related appeal. The Title IX Coordinator may also oversee Live Hearings to ensure proper procedure is followed.

The Title IX Coordinator may delegate certain responsibilities under this Policy to designated administrators, who will be appropriately trained.

## V. Confidential Employees

Certain Lasell employees are designated as Confidential Employees pursuant to this Policy. A list of confidential employee positions is provided in [Appendix B](#). Such positions include those to whom a privilege or confidentiality applies under federal or Massachusetts law, as well as certain positions that have been designated by Lasell as confidential for the purpose of providing services related to prohibited conduct under this policy.

Confidential Employees are not required to disclose to the Title IX Coordinator any personally identifying information from reports of sex discrimination they receive from an individual while performing their Confidential Employee role.

Confidential Employees must explain to any individual who informs them of conduct that reasonably may constitute sex discrimination:

- The employee's status as a Confidential Employee pursuant to the Policy.
- How the individual can contact the Title IX Coordinator and how the individual can make a Complaint of Prohibited Conduct under this Policy.
- The Title IX Coordinator may be able to offer and coordinate Supportive Measures, as well as initiate informal resolution or an investigation under the Grievance Procedures.

While Confidential Employees will maintain confidentiality under this Policy and the Grievance Procedures, they may be required to disclose personally identifiable information by law or court order or when the reporting individual gives written consent for disclosure.

Lasell's Confidential Resource Advisors (CRAs) are Lasell employees who have received special training to be a confidential source of support. Confidential Employees are not required to disclose to the Title IX Coordinator any personally identifying information from reports of sex

discrimination they receive from an individual while performing their Confidential Employee role.

Any student or employee involved in a Title IX/Sexual Misconduct incident/situation can speak with a CRA confidentially, meaning that no report will be made to the Title IX Office. A CRA can assist with obtaining other resources, such as counseling services, no-contact orders and academic accommodations, restraining orders, and the disciplinary process. CRAs can help you decide what options to pursue. A CRA can continue to be a source of support throughout the process and can serve as your advisor if you and the CRA agree. The CRA receives training regarding awareness and prevention of sexual misconduct and trauma-informed response. Information provided to the CRA will not be released to a campus official, law enforcement, or any agency without the written consent of the reporting party. The CRA will not disclose confidential information without the prior written consent of the reporting party, except as required by state or federal law.

A Confidential Resource Advisor will not act as a counselor or therapist unless licensed under Chapter 112.

A Confidential Resource Advisor will not be disciplined or retaliated against for advocating for a reporting party's needs.

## Current Confidential Resource Advisors

Lasell's Confidential Resource Advisors are listed on the University's website [here](#).

## VI. Reporting Options

### Reporting to Lasell University

Lasell University strongly encourages any individual who has experienced, observed, or has knowledge of Prohibited Conduct to report to the Title IX Coordinator. Reporting conduct that may constitute Prohibited Conduct to the Title IX Coordinator does not necessarily require participating in any subsequent proceedings, including the Grievance Procedures, nor is such participation required for an individual to request and receive Supportive Measures. Contact information for individuals designated to receive such reports is 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.

Reports of Prohibited Conduct may be brought to Lasell University by contacting any of the following:

- **Title IX Coordinator**
- **Deputy Title IX Coordinator(s)**
- **Lasell University Police Department**

Anonymous reports may be made online via the [Title IX Reporting Form](#). The Title IX Coordinator will address an anonymous report of conduct that reasonably may constitute Prohibited Conduct pursuant to this Policy to the extent reasonably possible. However, the ability of Lasell University to conduct an effective inquiry into and take action concerning an anonymous report may be significantly limited. Requests for investigation and determination as to violation(s) of this Policy may not be made anonymously.

As set forth in [Section VII](#), below, Lasell University employees may not make anonymous reports about conduct involving others that reasonably may constitute sex discrimination pursuant to this Policy. All such information must be provided to the Title IX Coordinator.

Public awareness events in which experiences of sex-based harassment are disclosed do not constitute reports to Lasell University under this Policy, unless such sex-based harassment involves an imminent or serious threat to the health or safety of a person.

While a report may be filed anonymously by omitting name and contact information from the form, depending on the circumstances and kind of information disclosed anonymously, it may not be possible to investigate or provide services to an undisclosed victim and the University's response may be limited.

Reporting Parties may decide whether to file a criminal report with the Lasell Police Department or local law enforcement. Reporting an incident to the police does not commit a Reporting Party to further legal action or participation in any criminal proceeding. Should a Reporting Party choose to file a report, they will be asked to provide as much detail as possible. The earlier an incident is reported, the easier it will be for the police to investigate the crime and prosecute the case successfully. If desired, Lasell Police personnel will assist Reporting Parties in contacting other law enforcement agencies to file a report. If a criminal report is filed, the University will conduct a parallel investigation, which will be delayed only to afford law enforcement an opportunity to complete its fact-finding investigation.

## [Reporting to Law Enforcement](#)

Reporting Parties may decide whether to file a criminal report with the Lasell Police Department or local law enforcement. Reporting an incident to the police does not commit a Reporting Party to further legal action or participation in any criminal proceeding. Should a Reporting Party choose to file a report, they will be asked to provide as much detail as possible. The earlier an

incident is reported, the easier it will be for the police to investigate the crime, collect evidence, and prosecute the case successfully. If desired, Lasell Police personnel will assist Reporting Parties in contacting other law enforcement agencies to file a report. If a criminal report is filed, the University will conduct a parallel investigation, which will be delayed only to afford law enforcement an opportunity to complete its fact-finding investigation.

Individuals have the right to notify or decline to notify law enforcement concerning an alleged incident of Prohibited Conduct under this Policy which may be criminal in nature, and individuals may receive assistance from the Title IX Coordinator in doing so. Under limited circumstances that pose a health or safety threat to the Lasell University community, Lasell University may independently notify law enforcement of the alleged incident(s).

Any person wishing to pursue criminal action in addition to, or instead of, reporting to Lasell University may do so by contacting:

**In the case of an emergency, please call 911.**

<p><b>Lasell University Campus Police Department</b></p>	<ul style="list-style-type: none"> <li>• Campus police officers are available at all times: 24 hours a day, seven days a week.</li> </ul>	<p>Non-Emergency Line: 617-243-2269 Emergency Line: 617-243-2279 <a href="#">Lasell University Police</a> Winslow Building 1844 Commonwealth Ave Newton, MA 02365</p>
<p><b>Newton Police Department</b></p>	<ul style="list-style-type: none"> <li>• File reports of crime</li> <li>• Dedicated Domestic Violence Officer, Dina Vacca</li> </ul>	<p>Dispatch Main Number: 617-796-2100 Chief's Office Number: 617-796-2101 Patrol Number: 617-796-2123 <a href="#">Newton Police Department Website</a> Address: 1321 Washington Street, Newton, MA 02365</p>
<p><b>Massachusetts State Police</b></p>	<ul style="list-style-type: none"> <li>• File reports of crime</li> <li>• Oversees the <a href="#">Sexual Assault Evidence Collection Kit (SAECK) Reports and Tracking System</a></li> </ul>	<p>Phone: (508) 820-2300 <a href="#">Massachusetts State Police Website</a></p>

	<ul style="list-style-type: none"> <li>• <a href="#">Statewide resources list</a></li> <li>• <a href="#">A Guide to Your Rights as a Survivor of Sexual Assault</a></li> </ul>	<p>General Headquarters Address: 470 Worcester Road, Framingham, MA 01702</p>
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The law enforcement contacts above encourage anyone reporting to law enforcement to take steps to preserve evidence.

A criminal investigation into any matter does not preclude Lasell University from implementing this Policy and its Grievance Procedures. However, Lasell University may reasonably and temporarily delay its Grievance Procedures when there is an ongoing concurrent law enforcement proceeding.

Neither the result(s) of a law enforcement investigation nor the decision of law enforcement to investigate or decline to investigate any reported incident(s) is determinative as to whether Prohibited Conduct has occurred for the purposes of this Policy and the Grievance Procedures.

Individuals are encouraged to report to the Title IX Coordinator or Lasell University Campus Police regarding any protective order issued under state or federal law. The Title IX Coordinator will respond promptly and effectively to such information, including by notifying Lasell University Campus Police.

## Timeliness of Report

Reporting individuals are encouraged to report any violation of this Policy as soon as possible in order to maximize the University's ability to respond promptly and effectively. Reports and formal complaints may be made at any time without regard to how much time has elapsed since the incident(s) in question. If the Responding Party is no longer a student or employee at the time of the report or formal complaint, the University may not be in a position to gather evidence sufficient to reach a determination as to the formal complaint, and/or the University may not be able to take disciplinary action against the Responding Party. However, the University will still seek to provide support for the Reporting Party and seek to take steps to end the prohibited behavior, prevent its recurrence, and address its effects.

## Amnesty

The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be reluctant to make a report or speak truthfully for fear of being subject to discipline under the University's Alcohol and Other Drug Policies. An individual who reports or

is accused of sexual misconduct will not be subject to disciplinary action by the University for his/her/their own violation of the University's Alcohol and Other Drug Policies.

## Restraining and Harassment Prevention Orders

An Abuse Prevention Order called a "209A Order," or a "protective order," or "restraining order," is a civil court order intended to provide protection from physical or sexual harm caused by force or threat of harm from a family or household member. A person can obtain an order against:

- A spouse or former spouse
- A present or former household member
- A relative by blood or a present or former relative by marriage
- The parent of your minor child
- A person with whom you have or had a substantial dating relationship

### 209A Orders

A 209A Order can be obtained in any district court, superior court, or probate and family court in Massachusetts. The order should be obtained from the court in the town you live in. Students living on campus can obtain a restraining order in Newton District Court located at 1309 Washington St, West Newton, MA 02465, 617-244-3600. An emergency 209A Order can be obtained from any police department after court hours, and on weekends and holidays. You do not need a lawyer to file for a 209A Order and there is no charge for filing.

Once a 209A Order is issued, violation of certain terms of the Order is a criminal offense. Violations of orders to refrain from abuse, to have no contact, and to vacate a household, multiple-family dwelling, or workplace, can be prosecuted criminally under chapter 209A.

If the abuser violates the order, call the police immediately. Show the Order to the police and explain how it was violated (a punch, slap, threat, entering your house or apartment, refusing to vacate, or any contact with you at home or your workplace, either in person, by telephone, or mail). The police must arrest the abuser if they believe or can see that the terms of the Order were violated. If you do not call the police, you may be able to file an application for a criminal complaint on your own at the Clerk's Office in the District Court. A Victim/Witness Advocate can assist you with that process.



## 258E Orders

If you are being abused by someone who isn't in one of the categories listed above, you may be eligible to obtain a harassment prevention order. The harassment prevention order (258E) is a civil court order that protects you against someone who is harassing, stalking, or sexually assaulting you, no matter what your relationship with that person is. Students who live on campus may obtain a Harassment Prevention Order at Newton District Court Newton District Court located at 1309 Washington St, West Newton, MA 02465, 617-244-3600. If you do not reside in Newton, you should go to the courthouse in the town where you live.

Campus Police will assist you with obtaining a restraining order or harassment prevention order.

## VII. Employee Responsibilities

All Lasell University employees, with the exception of those designated as Confidential Employees pursuant to [Section V](#), above, are considered responsible employees and must disclose to the Title IX Coordinator when the employee has information about conduct that may reasonably constitute Prohibited Conduct pursuant to this Policy.

If a student-employee while performing employment duties or otherwise in the course of their employment receives information regarding conduct that may reasonably constitute Prohibited Conduct pursuant to this Policy, that student-employee must likewise disclose the same to the Title IX Coordinator.

This disclosure requirement does not apply to an employee who personally has been subject to conduct that may reasonably constitute Prohibited Conduct pursuant to this Policy.

## VIII. Privacy and Confidentiality

Lasell University is committed to protecting the privacy of all involved in responding to a report of Prohibited Conduct pursuant to this Policy and applicable law and will take steps to limit the disclosure of information to only those individuals who have a need to know in order to implement this Policy and the Grievance Procedures. Additional information with respect to privacy expectations during the Grievance Procedures may be found in [Section X](#), below.

The term "privacy" refers to the discretion that will be exercised by the University in the course of any investigation or grievance process under this Policy. In all proceedings under this Policy, the University will take into consideration the privacy of the Parties to the extent possible.

Lasell University will not disclose personally identifiable information obtained in the course of coordinating actions under this Policy, applying the Grievance Procedures, or otherwise complying with Title IX, except in the following circumstances:

- When Lasell University has obtained prior written consent from a person with the legal right to consent to the disclosure;
- When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
- To carry out the roles and responsibilities set forth by this Policy, including actions taken to address conduct that reasonably may constitute sex discrimination under Title IX in Lasell University's education program or activity;
- As required by federal law, federal regulations, or the terms and conditions of a federal award, including a grant award or other funding agreement; and/or
- To the extent such disclosures are not otherwise in conflict with Title IX, when required by state or local law, or when permitted under the Family Educational Rights & Privacy Act (FERPA).

In cases involving students, the Title IX Coordinator may notify Student Affairs staff, Graduate School staff, and/or other University employees of the existence of the report and/or formal complaint for the purpose of overseeing compliance with this Policy and addressing any concerns related to educational and residential life. While not bound by confidentiality, these individuals will be discreet and will respect the privacy of those involved in the process. In cases involving employees, the Title IX Coordinator may notify the employee's manager/supervisor and the Director of Human Resources. In cases involving faculty, the Provost may also be notified.

## IX. Informal Resolution

Either party may request an informal resolution process at any time for an incident of Prohibited Conduct under this Policy before a determination is made under the Grievance Procedures. Parties may also request an informal resolution process in the absence of a Complaint without initiating the Grievance Procedures.

Informal resolution, subject to the consent of the Parties and the approval of the Title IX Coordinator, takes place in lieu of resolving a Complaint through the Grievance Procedures below. The Title IX Coordinator may decline to allow the informal resolution process in any

matter despite the parties' wishes. The Title IX Coordinator will not approve informal resolution when such process conflicts with federal, state, or local law.

Before initiating the informal resolution process, the Title IX Coordinator will provide the parties with written notice that explains:

- The allegation(s);
- The requirements of the informal resolution process;
- That, prior to agreeing to a resolution under the informal resolution process, any party has the right to withdraw from the informal resolution process and to initiate or resume the Grievance Procedures;
- That if the parties reach agreement through informal resolution, it will preclude the parties from initiating or resuming Grievance Procedures with respect to the resolved allegation(s);
- The potential terms that may be requested or offered in an informal resolution agreement, including that an informal resolution agreement is binding only on the parties; and
- What information Lasell University will maintain and whether and how such information may be used in connection with the initiation or resumption of the Grievance Procedures.

If both parties voluntarily consent to the informal resolution process, and the Title IX Coordinator approves, the Title IX Coordinator will assign an informal resolution facilitator. The informal resolution facilitator will be trained, as appropriate, including as to how to serve impartially and avoid conflicts of interest and bias. The informal resolution facilitator will not be the same person as the investigator or decisionmaker if the Grievance Procedures are initiated.

The informal resolution process is a voluntary, remedies-based process. The purpose of the informal resolution process is to address the conduct that has been reported by the Reporting Party and place the Parties in a position to pursue their academic and non-academic interests in a safe, respectful, and productive educational and working environment. Under this process, there will be no sanctions against a Responding Party.

If the Parties are unable to resolve the matter by mutual agreement, either Party may request a formal investigation, 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.

Any individual who would like further information about Lasell University's informal resolution process may contact the Title IX Coordinator directly at any time.

The following are features of the informal resolution process:

- Participation in the informal resolution process is completely voluntary.
  - No Party will be required to participate in the informal resolution process and the University will not require, encourage, or discourage the Parties from participating in the informal resolution process.
  - All Parties must consent in writing to participate in the informal resolution process.
- All Parties will be provided with a written notice disclosing the allegations, the requirements of the informal resolution process, and any outcomes resulting from participating in the informal resolution process.
- At any time prior to signing an informal resolution agreement, any Party has the right to withdraw from the informal resolution process and resume the formal grievance process.
- Under the informal resolution process, there will be no disciplinary action taken against the Responding Party. If a formal complaint is filed against the Responding Party in a subsequent matter, the Responding Party's participation in a prior informal resolution process will not be considered relevant and will not be considered in the resolution of the subsequent complaint.
- Any agreements reached as part of the informal resolution process must be approved by the Title IX Coordinator. If the Title IX Coordinator determines at any time prior to the signing of the informal resolution agreement that the informal resolution process is no longer appropriate, the Title IX Coordinator may terminate the process.
- Upon signing the informal resolution agreement, the Parties are bound by its terms and cannot opt for a formal grievance process based on the conduct alleged in the formal complaint.
- Failure to comply with the signed agreement may result in disciplinary action for either Party.
- If the Parties' circumstances change significantly, they may request a supplemental agreement; the Title IX Coordinator will determine whether it is appropriate to proceed. For example, if both Parties joined the same club subsequent to signing the agreement or participated in the same study abroad program, either Party could request a supplemental agreement to address the changed circumstances, provided

that both Parties agreed to any such revisions. Under such circumstances, the above conditions would apply.

The following are some potential outcomes of the informal resolution process:

Depending on the nature and circumstances of the particular situation, Parties may agree to outcomes such as:

- Long-term extension of a mutual No Contact Order;
- Imposition of a modified No Contact Order, placing the burden on the Responding Party to limit the Responding Party's physical proximity to the Reporting Party;
- The Responding Party may agree to seek a professional assessment and follow suggested treatment plans;
- Restrictions on the Responding Party from participation in particular clubs/ organizations or events;
- Changes to on-campus housing, subject to availability;
- The Responding Party 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;
- Provision to the Responding Party of an "impact statement" written by the Reporting Party (describing the impact(s) that the Responding Party's conduct had on the Reporting Party);
- Conversation between the Parties facilitated by an individual appointed by the Title IX Coordinator;
- Other measures as agreed upon by the parties and deemed appropriate by the Title IX Coordinator.

## X. Grievance Procedures

These Grievance Procedures will apply to resolve Complaints of Prohibited Conduct under this Policy.

In implementing these Grievance Procedures, Lasell University will treat the Complainant and Respondent equitably. Lasell University will take reasonable steps to protect the privacy of the parties and witnesses during all stages of the Grievance Procedures. Such steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or to otherwise prepare for or participate in these Grievance Procedures. Knowingly making false statements and/or knowingly submitting false information during the Grievance Procedures process is prohibited by this Policy.

### A. Evaluation, Dismissal, and Notice of Allegations

#### i. Making a Complaint

The following individuals have the right to make a Complaint of Prohibited Conduct (other than sex-based harassment) under this Policy:

- A Lasell University student or employee, including those who have been subjected to conduct that could constitute Prohibited Conduct under this Policy.
- Any third party who was participating or attempting to participate in Lasell University's education program or activity at the time of the alleged Prohibited Conduct, including those who have been subjected to conduct that could constitute Prohibited Conduct under this Policy.
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant.
- Lasell University's Title IX Coordinator, as provided below.

The following individuals have the right to make a Complaint of sex-based harassment, which includes Sexual Assault, Dating Violence Domestic Violence, and Stalking, under this Policy:

- A Lasell University student or employee only if they themselves are alleged to have been subjected to sex-based harassment under this Policy.
- A person other than a Lasell University student or employee only if they themselves are alleged to have been subjected to sex-based harassment under this Policy at a time when

they were participating or attempting to participate in Lasell University's education program or activity.

- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a Complainant.
- Lasell University's Title IX Coordinator, as provided below.

The Title IX Coordinator may initiate a Complaint only after considering the following factors:

- Any request by Complainant not to proceed with initiation of a Complaint;
- Any reasonable safety concerns that Complainant has regarding initiation of a Complaint;
- The risk that additional acts of Prohibited Conduct would occur if a Complaint is not initiated;
- The severity of the alleged Prohibited Conduct, including whether the conduct alleged, if established, would require the removal of Respondent(s) from campus or imposition of another disciplinary sanction to end the Prohibited Conduct and prevent its recurrence;
- The age and relationship of the parties, including whether Respondent is a Lasell University employee;
- The scope of the alleged Prohibited Conduct, including information suggesting a pattern, ongoing Prohibited Conduct, or Prohibited Conduct alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether Prohibited Conduct occurred; and
- Whether Lasell University could end the alleged Prohibited Conduct and prevent its recurrence without initiating the Grievance Procedures.

If, after considering these and any other relevant factors, the Title IX Coordinator determines that the alleged conduct (1) presents an imminent and serious threat to the health or safety of Complainant or another person, or (2) prevents Lasell University from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a Complaint. The Title IX Coordinator will notify Complainant prior to initiating such a Complaint and will appropriately address any reasonable concerns about Complainant's safety or the safety of others, including by providing Supportive Measures.

Lasell University may consolidate Complaints of Prohibited Conduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations arise out of the same facts or circumstances. When more than one Complainant or more than one Respondent is involved, references below to a party, Complainant, or Respondent include the plural, as applicable.

## ii. Dismissal

The Title IX Coordinator may dismiss a Complaint if:

- Lasell University is unable to identify any Respondent after taking reasonable steps to do so;
- Respondent is not participating in Lasell University's educational program or activity and is not employed by Lasell University;
- Complainant voluntarily withdraws any or all of the allegations in the Complaint in writing, the Title IX Coordinator declines to initiate a Complaint as described above, and the Title IX Coordinator determines that, without Complainant's withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct under the Policy even if proven; and/or
- Lasell University determines that the conduct alleged in the Complaint, even if proven, would not constitute Prohibited Conduct under the Policy.

Before dismissing a Complaint, the Title IX Coordinator will make reasonable efforts to clarify the allegations with Complainant.

Upon dismissal, the Title IX Coordinator will promptly notify Complainant in writing of the basis for the dismissal. If the dismissal occurs after Respondent has received notice of the allegations, as described below, then the Title IX Coordinator will notify the parties simultaneously in writing.

The Title IX Coordinator will notify Complainant that a dismissal may be appealed. If the dismissal occurs after Respondent has received notice of the allegations, as described below, then the Title IX Coordinator will notify the parties simultaneously in writing that the dismissal may be appealed on the same bases. If a dismissal is appealed, Lasell University will follow the procedures outlined in [Section X.F](#).

When a Complaint is dismissed, the Title IX Coordinator will:

- Offer Supportive Measures to Complainant, as appropriate;



- If Respondent has received notice of the allegations, offer Supportive Measures to Respondent, as appropriate; and
- Take other prompt and effective steps, as appropriate, to ensure that Prohibited Conduct does not continue or recur within Lasell University's education program or activity.

### iii. Notice

If the Title IX Coordinator has determined, following an evaluation, that initiation of the Grievance Procedures is appropriate, the Title IX Coordinator will provide the following notice to the parties in writing with sufficient time for the parties to prepare a response before any initial interview.

The written notice will include:

- This Policy and the Grievance Procedures, including the informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the alleged incident(s), the conduct alleged to constitute Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s);
- A statement that retaliation is prohibited;
- Respondent is presumed not responsible for the alleged Prohibited Conduct until a determination is made at the conclusion of the Grievance Procedures based on the preponderance of the evidence. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial investigator and, if applicable, a decisionmaker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The Policy prohibits knowingly making false statements or knowingly submitting false information during the Grievance Procedures; and
- The parties are entitled to an investigative report that accurately summarizes the relevant and not otherwise impermissible evidence and equal opportunity to access the underlying relevant and otherwise not impermissible evidence.

If, during an investigation, Lasell University decides to investigate any additional allegation(s) of Prohibited Conduct by Respondent towards Complainant that were not included in the initial

notice described above or that are included in a consolidated Complaint, Lasell University will provide written notice of the additional allegation(s) to the parties.

If Lasell University has reasonable concerns about the safety of any person as a result of providing the notice described above, Lasell University may reasonably delay providing notice in order to first address such safety concern(s) appropriately.

## B. Investigation

The Title IX Coordinator is responsible for overseeing any investigation pursuant to this Policy and the Grievance Procedures and will be the primary point of contact for the parties during the Grievance Procedures. The Title IX Coordinator, upon the issuance of written notice, will refer the Complaint for investigation and appoint an investigator. If needed, the investigator may be assisted in conducting investigation functions by additional qualified individuals.

Lasell University will provide for adequate, reliable, and impartial investigations and, if applicable, adjudications of Complaints. The burden is on Lasell University—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether Prohibited Conduct occurred. As a member of the Lasell University community, you are encouraged to cooperate fully if called upon to be interviewed in these matters.

Lasell University will provide written notice to a party whose participation is invited or expected, of the date, time, location, participants, and purpose of all meetings or proceedings—including investigatory interviews—with sufficient time for the party to prepare to participate. Lasell University will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Lasell University will provide the parties with the same opportunities to be accompanied to any meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney. The advisor may review evidence and consult with the party but may not speak on behalf of the party during such meeting or proceeding.

During the investigation, the investigator will collect information from the parties and any witnesses, as appropriate. The parties will have an equal opportunity to present fact witnesses and any evidence that is relevant and not otherwise impermissible for the investigator to consider. Parties will be interviewed separately by the investigator. The investigator will interview witnesses as necessary and may, at the investigator's discretion, delegate witness interviews to another investigator.

The investigator will review all evidence gathered during the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance. Generally, evidence attesting to a party's character is not considered relevant.

The following types of evidence are impermissible:

- Evidence that is protected under a federal or state law privilege or evidence provided to a Confidential Employee while the Confidential Employee was acting in their confidential capacity, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality.
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless that party or witness provides voluntary, written consent for use in the for use in the Grievance Procedures.
- Evidence that relates to Complainant's sexual interests or prior sexual conduct, unless evidence about Complainant's prior sexual conduct is offered to prove that someone other than Respondent committed the alleged Prohibited Conduct or is evidence about specific incidents of Complainant's prior sexual conduct with Respondent that is offered to prove consent to alleged sex-based harassment, including Sexual Assault. Prior consensual sexual conduct between the parties does not by itself demonstrate or imply Complainant's consent to alleged sex-based harassment or preclude determination that sex-based harassment occurred.

### C. Role of Advisors to the Parties

Before a Title IX matter proceeds to hearing, the Title IX Coordinator will provide the Reporting Party and Responding Party an equal opportunity to select an Advisor of the Party's choice. Parties may change their Advisor at any time during the grievance process. An Advisor is an individual chosen by the Reporting Party and the Responding Party to provide guidance during the grievance process. An Advisor may be a member or non-member of the University community and may be an attorney. The Parties are not required to utilize Advisors.

The role of the Advisor is narrow in scope: the Advisor may attend any interview or meeting connected with the grievance process and may submit questions for witnesses to be considered by the Decisionmaker, but the Advisor may not actively participate in interviews and may not serve as a proxy for the Party. If a Party does not have an Advisor, the University will provide one at no cost.

Any individual who serves as an Advisor is expected to make themselves available for meetings and interviews throughout the investigation process, as well as the Decision-Making Meeting, as scheduled by the University. The University always has the right to determine what constitutes appropriate behavior on the part of an Advisor and to take appropriate steps to ensure compliance with this Policy. Advisors who become disruptive or who do not abide by the restrictions on their

participation may be removed or dismissed. The Advisor policy will be applied equally to all Parties.

## D. Case File/Investigative Report

At the conclusion of an investigation, Lasell will provide each party and the party's advisor, if any, the investigative report and an equal opportunity to access evidence that is relevant to the allegation(s) and not otherwise impermissible. Each party will be provided ten (10) business days to review the investigative report and evidence of the case file and may submit a written response within that timeframe, if they so choose.

Lasell prohibits the parties' and their advisors' from disclosing information and evidence obtained solely through the Grievance Procedures, including any investigative report, in an unauthorized manner. The Investigator may summarize his/her impressions including context for the evidence but will not determine whether a violation occurred, reserving that decision for the Decision-Maker.

## E. Determination

For all Complaints, Lasell University will provide a process that allows the investigator or decisionmaker, as applicable, to question the parties and witnesses to adequately assess a party's or witness's credibility to the extent that credibility is both in dispute and relevant to evaluating one or more allegations of Prohibited Conduct in the Complaint.

### i. Sex-Based Harassment Complaints Involving a Student or Employee Party

For Complaints of Sex-Based Harassment, including Sexual Assault, Dating Violence, Domestic Violence and Stalking, involving a student or employee party, the Title IX Coordinator will schedule a live hearing no sooner than ten (10) business days after the parties have received the investigative report and an equal opportunity to access evidence that is relevant to the allegation(s) and not otherwise impermissible. Notice of the hearing will be provided in writing.

The live hearing will be conducted by a fair and impartial Hearing Chair or Hearing Panel (also referred to as the "decisionmaker"), any of whom may or may not be the investigator. If a Hearing Panel is used, most of it will constitute the decisionmaker for each matter. As the decisionmaker, the Hearing Chair or Hearing Panel (as applicable) will determine, based on the preponderance of the evidence, whether or not the alleged Sex-Based Harassment occurred. All members of the Hearing Panel and any Hearing Chair will have received appropriate training to participate in the hearing.

Only the Hearing Panel or Hearing Chair, as applicable, will question the parties and any witnesses during the hearing; direct questioning of the parties or witnesses by the parties or their

advisors is not permitted. The parties may propose in writing to the Hearing Panel or Hearing Chair, as applicable, any relevant and not otherwise impermissible questions and follow-up questions that they want asked of any other party and witnesses, including questions challenging credibility. The Hearing Panel or Hearing Chair, as applicable, will determine whether a proposed question or follow-up question is relevant and not otherwise impermissible and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or that are harassing a party or witness being questioned will not be permitted. Questions seeking evidence that is already before the Hearing Panel or Hearing Chair, as applicable, are not relevant and will not be permitted. The Hearing Panel or Hearing Chair, as applicable, will give a party an opportunity to clarify or revise their question if the Hearing Panel or Hearing Chair, as applicable, determines it is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

The Hearing Panel or Hearing Chair, as applicable, may choose to place less or no weight on statements made by a party or witness who refuses to respond at the hearing to questions deemed relevant and not impermissible. The Hearing Panel or Hearing Chair, as applicable, will not draw an inference about whether Sex-Based Harassment occurred based solely on a party's or witness's refusal to respond to questioning.

The hearing will be conducted with the parties physically present in separate locations with technology enabling the Hearing Panel or Hearing Chair, as applicable, and the parties to simultaneously see and hear the party or witness while that person is speaking. Lasell University will record the hearing and make the recording available to the parties for review upon request. All other recordings of the hearing are unauthorized and strictly prohibited.

The Hearing Panel or Hearing Chair, as applicable, will objectively evaluate all evidence that is relevant and not otherwise impermissible including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as Complainant, Respondent, or witness.

The Hearing Panel or Hearing Chair, as applicable, will use the **preponderance of the evidence standard** to determine whether Prohibited Conduct occurred. This standard of proof requires the Hearing Panel or Hearing Chair, as applicable, to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Hearing Chair or majority of the Hearing Panel is not persuaded by the preponderance of the evidence that Prohibited Conduct occurred, the quantity of evidence notwithstanding, the Hearing Chair or Hearing Panel will not determine that Prohibited Conduct has occurred.

Written notice of the decisionmaker's determination will be provided to the parties within seven (7) business days of when the determination was reached. The written notice of determination will include:

- A description of the alleged Prohibited Conduct;
- Information about the policies and procedures that were used to evaluate the allegations;
- The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination of whether Prohibited Conduct has occurred;
- When the decisionmaker finds that Prohibited Conduct has occurred, any disciplinary sanctions Lasell University will impose on Respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by Lasell University to Complainant, and, to the extent appropriate, other students identified by the Title IX Coordinator to be experiencing the effects of the Prohibited Conduct; and
- Lasell University's procedures and permissible bases for the parties to appeal the determination.

Lasell University will not impose discipline on the Respondent for Prohibited Conduct unless there is a determination by the decisionmaker at the conclusion of the hearing that the Respondent engaged in Prohibited Conduct.

If there is a determination that Prohibited Conduct occurred, as appropriate, the Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to Complainant and other people Lasell University identifies as having had equal access to Lasell University's education program or activity limited or denied by the Prohibited Conduct;
- Coordinate the imposition of any disciplinary sanctions on Respondent, including notification to Complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that Prohibited Conduct does not continue or recur within Lasell University's education program or activity.

Lasell University will comply with these Grievance Procedures before the imposition of any disciplinary sanctions against the Respondent and will not discipline a party, witness, or others participating in these Grievance Procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether Prohibited Conduct occurred.

The determination regarding responsibility becomes final on the date that Lasell University provides the parties with the written determination of any appeal taken, or, if there is no appeal, the date on which an appeal would no longer be considered timely.

## ii. All Other Complaints

For Complaints that allege Sex Discrimination that is not Sex-Based Harassment, the investigator, as the decisionmaker, will evaluate all relevant and not otherwise impermissible evidence—including both inculpatory and exculpatory evidence—for its persuasiveness. The investigator, as decisionmaker, will also question the parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of Prohibited Conduct. The investigator's credibility determination(s) will not be based on a person's status as Complainant, Respondent, or witness.

Using **the preponderance of the evidence standard**, the investigator, as a decisionmaker, will determine whether Prohibited Conduct occurred. This standard of proof requires the investigator, as decision maker, to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the investigator, as decisionmaker, is not persuaded under the preponderance of the evidence standard that Prohibited Conduct occurred, the quantity of evidence notwithstanding, the investigator will not determine that Prohibited Conduct occurred.

No sooner than ten (10) business days after the parties have received the investigative report and an equal opportunity to access evidence that is relevant to the allegation(s) and not otherwise impermissible, as detailed above, the investigator, as decisionmaker, will make a determination as to whether Prohibited Conduct occurred.

Written notice of the determination will be provided to the parties within seven (7) business days of when the determination was reached. The written notice of determination will include:

- A description of the alleged Prohibited Conduct;
- Information about the policies and procedures that were used to evaluate the allegations;
- The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination of whether Prohibited Conduct has occurred;
- When the decisionmaker finds that Prohibited Conduct has occurred, any disciplinary sanctions Lasell University will impose on Respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by Lasell University to Complainant, and, to the extent appropriate, other students identified by the Title IX Coordinator to be experiencing the effects of the Prohibited Conduct; and
- Lasell University's procedures and permissible bases for the parties to appeal the determination.

Lasell University will not impose discipline on the Respondent for Prohibited Conduct unless there is a determination by the decisionmaker that the Respondent engaged in Prohibited Conduct.

If there is a determination that Prohibited Conduct occurred, as appropriate, the Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to Complainant and other people Lasell University identifies as having had equal access to Lasell University's education program or activity limited or denied by the Prohibited Conduct;
- Coordinate the imposition of any disciplinary sanctions on Respondent, including notification to Complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that Prohibited Conduct does not continue or recur within Lasell University's education program or activity.

Lasell University will comply with these Grievance Procedures before the imposition of any disciplinary sanctions against the Respondent and will not discipline a party, witness, or others participating in these Grievance Procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether Prohibited Conduct occurred.

The determination regarding responsibility becomes final either on the date that Lasell University provides the parties with the written determination of any appeal, or, if there is no appeal, the date on which an appeal would no longer be considered timely.

## F. Disciplinary Sanctions and Remedies

During the Grievance Procedures, Lasell University may take the following actions, as applicable:

- Lasell may remove a student-respondent from its education program or activity on an emergency basis after undertaking an individualized safety and risk analysis; determining that an imminent and serious threat to the health or safety of any person(s) arising from the allegation(s) of Prohibited Conduct justifies removal; and providing Respondent with notice and an opportunity to challenge the decision immediately following the removal.
- Lasell may place an employee-respondent on administrative leave during the pendency of the Grievance Procedures, as appropriate.

If a Party is found to have violated this Policy, before finalizing the written determination, the Hearing Officer will refer the matter to the appropriate University official(s) to determine



sanctions and remedies. Sanctions being imposed will be included in the written determination. Sanctions will consider the seriousness of the misconduct as compared to like cases in the past, and the Responding Party's previous disciplinary history (if any). Remedies, which may include supportive measures, will be designed to restore or preserve equal access to the University's education program or activity. Specifically, sanctions will be set by the following administrators:

- If an undergraduate student is found responsible for violating the Policy, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be provided to the Assistant Vice President for Student Affairs and/or the Provost. Any sanctions and remedies will be included in the written determination, and sanctions will be subject to appeal under this Policy.
- If a graduate student is found responsible for violating the Policy, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be provided to the Vice President of Graduate and Professional Studies, who will determine sanctions and remedies in consultation with appropriate University administrators. If the Vice President of the Graduate School is unavailable, an appropriately trained University official will serve as the substitute. Any sanctions and remedies will be included in the written determination, and sanctions will be subject to appeal under this Policy.
- If a faculty member is found responsible, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be forwarded to the Provost and the Dean of the faculty member's school, who will determine sanctions and remedies in consultation with appropriate University administrators. If the Provost or Dean is unavailable, an appropriately trained University official will serve as the substitute. Should the Dean and Provost propose a sanction of suspension or dismissal, the Provost will issue a recommendation in accordance with applicable University policy. Any sanctions (and/or recommendation of sanctions) and remedies will be included in the written determination, and sanctions (and/or recommended sanctions) will be subject to appeal under this Policy.
- If a staff member is found responsible, the case record (consisting of the case file and responses, investigative report and responses, hearing recording, and written determination relating to the finding of responsibility) will be forwarded to the staff member's supervisor and the Director of Human Resources, who will determine sanctions and remedies in consultation with appropriate University administrators. If the Director of Human Resources is unavailable, an appropriately trained University official

will serve as the substitute. Any sanctions and remedies will be included in the written determination, and sanctions will be subject to appeal under this Policy.

Following a determination under the Grievance Procedures that Prohibited Conduct occurred, Lasell University may impose disciplinary sanctions on the Respondent, which may include:

- **Reprimand** - A written notice to a student describing the policy that the student 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 the student 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 as listed below. The warning period may be several days, to several weeks, months, semesters, or years.
- **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.
- **Restriction or Suspension of Access to Space, Resources, and Activities** - When appropriate in cases involving behavioral misconduct between members of the community, restrictions may be placed on access to space and/or resources or on participation in activities to limit opportunities for contact among the Parties. This period of time may range from several days, to several weeks, semesters, years, or be permanent.
- **Restitution** - The sanction for willful or reckless damage or vandalism will ordinarily include restitution for replacement or repair.
- **Community Probation** - Students placed on community probation will have a period of time designated to them during which any additional violations of University 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. This period of time may range from several days, to several weeks, semesters, or years.
- **Conduct Probation** - Students placed on conduct probation will have a period of time designated to them during which any additional violations of University policy

might result in suspension from the University. This period of time may range from several days, to several weeks, semesters, or years.

- **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. This period of time may range from several days, to several weeks, semesters, or years.
- **Suspension from the University** - Students suspended from the University 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 reinstated to the University (and if allowed to return, may be required to be on a conduct probationary status).
  - A suspension period of time may range from several days, to several weeks, semesters, or years. Undergraduate and graduate students must apply for readmission after the period of suspension through the Office of the Registrar.
  - Students must provide an account of what they have done since leaving Lasell, a clear explanation of why they wish to return, and why they feel they will be successful at this point in completing their education. Undergraduate applications for readmission are sent to the Provost; Student Financial Planning; Student Accounts; Academic Advising; Campus Police; and Student Affairs.
  - A decision on readmission is made by the Vice President of Enrollment Management. Applications for readmission from graduate students are reviewed on a case-by-case basis by the Director of Graduate Student Services, who consults with a committee convened for this purpose.
  - Students reapplying to the program are informed in writing of the committee's decision regarding their reapplication, and if applicable, the requirements of their program of study.
- **Dismissal from the University** - Students dismissed from the University will be permanently denied access to degree work.
- **Graduating Responding Party** - If the Responding Party is a second-semester senior, a hold may be placed on the release of the Responding Party's diploma and/or

official transcript pending the conclusion and outcome of the Title IX Grievance Process.

- **Responding Party Withdrawal** - At any time prior to a Determination Regarding Responsibility, a Responding Party has the right to withdraw as a student or resign as an employee from the University. If the Responding Party is withdrawing before the final resolution of a Formal Complaint, the Respondent's transcript will be notated, ("Student Withdrew with Disciplinary Charges Pending" to reflect pending disciplinary action, subject to modification to reflect the outcome of the disciplinary action, and the Responding Party will not be eligible to return to the University in any capacity at any time in the future.
- **Deceased Reporting Party** - If the Reporting Party is deceased as a result of the conduct that is alleged to have violated University policy, the next of kin shall be treated as the Reporting Party for purposes of this Policy, and/or the Title IX Coordinator may initiate a Formal Resolution Process. Upon written request, and subject to applicable law, the next of kin shall be provided with information about the outcome of proceedings conducted by the University with respect to the Responding Party related to conduct that impacted the deceased.

#### i. Additional Sanctions for Student-Athletes

Student-athletes who receive sanctions at the conduct probation level or higher will have additional sanctions imposed by the Athletic Department. The first incident, at the conduct probation level or higher, will result in a one-game suspension, the second incident, at this level, will result in a one-week suspension and a third incident, at this level, will result in dismissal from the team for the remainder of the season. Incidents that occur out of season may also result in sanctions from the Athletic Department. Any student-athlete losing University housing privileges for judicial reasons will be suspended from all team activities until housing is reinstated. Any student-athlete who is dismissed or suspended from the University will be ineligible to represent the University as a varsity athlete until the student is readmitted to the University.

#### ii. The National Collegiate Athletic Association (NCAA) and Student Athletes

The NCAA requires that all prospective, incoming, current, and transfer college athletes must disclose annually to the University whether their conduct has resulted in an investigation or discipline through a Title IX proceeding or a criminal conviction for sexual, interpersonal, or other acts of violence. A failure by the athlete to accurately and fully disclose investigatory activity, a Disciplinary Action, or criminal conviction may result in Sanctions or Disciplinary Actions including but not limited to a loss of athletics eligibility as determined by the University.

The Title IX Coordinator or designee in consultation and collaboration with the appropriate departments will take reasonable steps to confirm the information provided by prospective, incoming, current, and transfer student-athletes and, in a manner consistent with federal and state law, provide it to other member schools if the student-athlete attempts to enroll in a different college or university. As an NCAA member, the University must have policies in place to gather conduct-related information from former schools attended by recruited prospects or transfer student-athletes.

### iii. Student Clubs and Activities

Students need to be in good standing if they hold club leadership positions. Students are not considered to be in good standing if they are placed on conduct probation or suspension. These sanctions will result in the loss of club leadership.

### iv. Students Who Withdraw or Take a Leave of Absence

The University retains the authority to pursue disciplinary action against students who withdraw or are on a leave of absence from the University after an alleged violation of the Title IX Sexual Harassment Policy. The same potential sanctions described above will apply to students who withdraw or are on a leave of absence. In addition, students who have graduated may be banned from university property for a period of time or permanently.

### v. Sanctions Applicable to Employees

Any Employee who is determined to have engaged in conduct that violates the University's Title IX Policy may be subject to the following sanctions:

- **Counseling or Verbal Reprimand** - The supervisor/ manager counsels the employee regarding the employee's conduct, to eliminate possible misunderstandings, improve job performance, or explain what constitutes proper conduct. The supervisor will make a written notation of the counseling session/s and note the date of it. Employees may be referred to an outside vendor for counseling.
- **Training** - Employees may be required to attend online or in-person training(s) as it relates to the misconduct at issue.
- **Written Reprimand** - The purpose of the written reprimand is to make certain that the employee is fully aware of the misconduct that has been committed or of those areas of performance that need to be improved. The employee will be required to sign an acknowledgment of receipt. This acknowledgment indicates receipt only – it does not indicate that you agree with the substance of the reprimand. A signed, dated copy of the

written reprimand(s) should be forwarded to Human Resources and retained in the employee's personnel file.

- **Suspension** - An employee may be suspended with or without pay pending an investigation and after a finding of responsibility after an investigation. The employee will not receive pay for missed work if the employment is terminated following the investigation. Suspension periods can range from one day to several weeks or months.
- **Termination of Employment** - The University will follow the faculty handbook guidelines for Dismissal or Suspension for Cause if there is a finding of responsibility and a recommendation that the faculty member be dismissed or suspended from the University.

## vi. Additional Remedies

The University may also implement or continue no-contact orders even if there is not a finding of responsibility. No contact orders will remain in place for a time period determined by the Title IX Coordinator. All supportive measures will be available to the Reporting Party regardless of whether there is a finding of responsibility. If the Responding Party is found responsible for violating the Title IX Sexual Harassment Policy, the Title IX Coordinator, or designee, may require the Responding Party to make adjustments to the Responding Party's work assignments such as changing job schedules or job duties, and academic schedules (changing classes). The Responding Party may also be required to schedule times to visit the dining hall or other areas on campus in order to avoid contact with the Reporting Party.

## vii. Sanctions Applicable to Non-Members of the University

For violations of this Policy by non-members of the University community, including alumni, disciplinary sanctions may include being temporarily or permanently barred from the University or subject to other restrictions.

## viii. Violations of Interim Measures, Nondisclosure Agreements, and Informal Resolutions

Violations of nondisclosure agreements, informal resolutions, and interim measures such as no contact orders and University imposed sanctions will be referred to the Student Conduct System or Human Resources as appropriate. Possible sanctions for violating nondisclosure agreements, informal resolutions, and interim measures are the same possible sanctions listed above.

## G. Appeal

Lasell University offers the following bases for appeals from the dismissal of a Complaint or a written determination by the decisionmaker that Prohibited Conduct occurred:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made;
- Abuse of discretion in the issuance of a sanction, meaning the sanction that was imposed was significantly disproportionate to the offense;
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

The appealing party must submit an appeal letter to the Title IX Coordinator within five (5) business days of receiving the dismissal of a Complaint or written determination by the decision maker. Appeal procedures will be implemented equally for the parties.

Upon receiving the appeal, the Title IX Coordinator will notify the parties in writing of the appeal by providing:

- Both parties receive a copy of the appeal;
- Providing Respondent a written notice of the allegations if such notice was not previously provided to Respondent, as applicable;
- Both parties five (5) business days make a written statement in support of, or challenging, the dismissal of the Complaint or the written determination by the decisionmaker and response to the appeal.

The Title IX Coordinator will appoint an Appeal Officer or Appeal Panel to review the appeal and any written responses. The Appeal Officer or Appeal Panel, as applicable, will not be the investigator or decisionmaker, the Title IX Coordinator, or the person who dismissed the Complaint (if applicable).

The Appeal Officer or Appeal Panel, as applicable, will make its determination on the appeal and the Title IX Coordinator will notify the parties in writing of the result of the appeal and the Appeal Officer's or Appeal Panel's, as applicable, rationale for the result.

Any additional procedures or bases for appeal will be equally available to all parties.

## XI. General Timeframes

Lasell University is committed to responding promptly and effectively to conduct that may constitute Prohibited Conduct in its education program and activity.

Lasell University applies the following general timeframes to the major stages of the Grievance Procedures, excluding any extension(s) of time for good cause:

- Evaluation – 7 business days
- Investigation – 120 business days
- Determination – 14 business days
- Appeal – 14 business days

Reasonable extension(s) of these timeframes may occur on a case-by-case basis for good cause and may be requested by any party. If an extension is granted, the parties will be provided with written notice that includes the reason for any delay. The Title IX Coordinator has discretion over all decisions as to extensions of time.

The unavailability of an advisor or other support person will not significantly delay any interview, meeting, or proceeding under these Grievance Procedures.

## XII. Record Retention

Lasell University will maintain for a period of seven years records of the following:

- Each University Sexual Misconduct grievance process conducted under this Policy, including any determination regarding responsibility and any audio or audiovisual recording or transcripts, any disciplinary sanction imposed on the Responding Party, and remedies provided to the complainant designed to restore or preserve access to the University's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of University Sexual Misconduct. In each instance, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal



access to the University's educational and working program or activity. If the University does not provide a Reporting Party with supportive measures, then the University will document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

### **XIII. Additional Provisions**

Lasell University requires the Title IX Coordinator, as well as any investigator, decisionmaker, or facilitator of informal resolution, or Appeal Officer or Appeal Panel to not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.

Documents submitted and/or issued in connection with this Policy and the Grievance Procedures—including but not limited to Complaints, notices, investigative reports, evidence, informal resolution agreements, recordings, transcripts, and other information—may not be disclosed or publicized during the Grievance Procedures by parties, witnesses, advisors, or support persons, as applicable, except as otherwise described in this Policy or as required or authorized by law. The Policy prohibits retaliation at all times, including by parties against witnesses.

### **XIV. Modification and Review of Policy**

Lasell University reserves the right to modify this Policy and the Grievance Procedures to take into account applicable legal requirements, to address extraordinary circumstances, and/or as it deems necessary to further the purpose and intent of the Policy.

## Appendix A: Definitions

The following definitions are provided to further define certain terms in the Title IX Policy and Grievance Procedures.

- **Complaint:** An oral or written request to Lasell University that objectively can be understood as a request for Lasell University to investigate and make a determination about alleged discrimination under the Policy and Grievance Procedures.
- **Complainant (or Reporting Party):**
  - (1) A student or employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination under the Policy and Grievance Procedures; or
  - (2) A person other than a student or employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination under the Policy and Grievance Procedures and who was participating or attempting to participate in Lasell University’s education program or activity at the time of the alleged Sex Discrimination.

Lasell University, even when the Title IX Coordinator initiates a Complaint, is not a Complainant.

- **Confidential Employee:** An employee:
  - (1) Of Lasell University, whose communications are privileged or confidential under federal or state law. The employee’s confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies;
  - (2) Of Lasell University, whom Lasell University has designated as confidential for the purpose of providing services to persons related to sex discrimination. If such an employee also has a duty not associated with providing those services, the employee’s confidential status is only with respect to information received about Sex Discrimination in connection with providing those services; or
  - (3) Of Lasell University or another postsecondary institution, who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex Discrimination—but the employee’s confidential status is only with respect to information received while conducting the study.

- **Consent:** 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. Important things to keep in mind about consent:
  - A. 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.
  - B. The existence of a prior or current relationship does not, in itself, constitute consent.
  - C. Consent can be withdrawn or modified at any time.
  - D. Accepting a meal, a gift, or an invitation to date does not imply or constitute consent.
  - E. A person under the age of 16 is a minor and unable to consent as a matter of law.
  - F. 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. Incapacitation is a state beyond drunkenness or intoxication, and a person is not incapacitated merely because they have been drinking or using drugs. If there is a question about whether someone consented to sexual activity after consuming drugs or alcohol, the University will examine the issue from the perspective of a reasonable person. Specifically, the University will consider whether the Responding Party reasonably should have known about the impact of alcohol and other drugs on the Reporting Party's ability to give consent. Some behaviors that signal a state of incapacitation include the following:
    - An inability to walk independently or to maintain one's balance and equilibrium;
    - An inability to speak coherently or other signs of confusion or disorientation;
    - Vomiting and/or lack of consciousness.

The Responding Party's consumption of alcohol or the use of illegal substances does not constitute a mitigating circumstance when it contributes to a violation under this Policy.

- **Day:** A business day, unless otherwise specified.
- **Disciplinary sanctions:** Consequences imposed on a Respondent following a determination under the Grievance Procedures that the Respondent violated the Policy.
- **Education program or activity:** All the operations of Lasell University.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Incapacity:** A state in which an individual is unable to make informed, rational judgments and lacks the capacity to understand the nature of their actions or to consent due to the influence of drugs, alcohol, or other impairments. This includes, but is not limited to, the inability to understand the who, what, when where, why, or how of a situation, and being unconscious, asleep, or otherwise unaware that the sexual activity is occurring.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Party:** Complainant or Respondent.
- **Pregnancy or related conditions:**
  - Pregnancy, childbirth, termination of pregnancy, or lactation;
  - Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
  - Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- **Rape (except Statutory Rape):** the carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Relevant:** Related to the allegations of Sex Discrimination under investigation as part of the Grievance Procedures. A question is relevant when it seeks evidence that may aid in showing whether the alleged Sex Discrimination occurred. Evidence is relevant when it may aid a decisionmaker in determining whether the alleged Sex Discrimination occurred.

- **Remedies:** Measures provided, as appropriate, to a Complainant or any other person identified by the Title IX Coordinator as having had their equal access to Lasell University's education program or activity limited or denied by Sex Discrimination. These measures are provided to restore or preserve that person's access to Lasell University's education program or activity after Lasell University determines that Sex Discrimination occurred under the Grievance Procedures.
- **Respondent:** A person who is alleged to have violated the Title IX Policy. Lasell University is not a Respondent.
- **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or their temporary or permanent mental or physical incapacity.
- **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or their temporary or permanent mental or physical incapacity.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Student:** A person who has gained admission to Lasell University.
- **Supportive Measures:** Individualized measures offered, as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, and not for punitive or disciplinary reasons, and without fee or charge to Complainant or Respondent to (1) restore or preserve the party's access to Lasell University's education program or activity, including measures that are designed to protect the safety of the parties or the educational environment; or (2) provide support during the Grievance Procedures or informal resolution process.
- **Third-party:** refers to any individual who is not a University student, a faculty member, or a staff member (e.g., visitors, vendors, alumni/ae).
- **Witness** refers to any individual who shares information relating to an allegation of prohibited conduct under this Policy.

## Appendix B: Resources

### On-Campus Resources

The following represent some of the resources and services available to Lasell University students, faculty, and staff.

### Confidential Resources

Confidential resources are not required to report any information to anyone unless there is imminent danger to someone or the community.

**In the case of an emergency, please call 911.**

<i>Resource</i>	<i>What They Provide/Do</i>	<i>Contact Information</i>
<b>Lasell University Counseling Services</b>	<ul style="list-style-type: none"> <li>• Offers free, confidential, short-term counseling to process personal concerns, problems, or difficult feelings as students grow toward independence and satisfaction with life.</li> </ul>	Location: Mott House  Address: 19 Berkeley Place, Newton, MA 02466  Phone: 617-243-2181  <a href="#">Counseling Services Website</a>  Email: <a href="mailto:counselingcenter@lasell.edu">counselingcenter@lasell.edu</a>  <b>Laser Support Line</b> (24/7/365 free access to counseling support: 833-434-1217 (U.S) or +44 20 8987 6588 (Int'l.)
<b>Lasell University Health Services</b>	<ul style="list-style-type: none"> <li>• Acute illness or injury evaluation and treatment</li> <li>• Chronic health issues management</li> <li>• Sexually transmitted infections testing and treatment</li> <li>• Contraception</li> <li>• Safe sex counseling</li> <li>• Pregnancy testing and counseling</li> </ul>	Location: Edwards Student Center  Address: 216 Woodland Road, Newton, MA 02466  Phone: 617-243-2451  <a href="#">Health Services Website</a>  Email: <a href="mailto:healthservices@lasell.edu">healthservices@lasell.edu</a>

	<ul style="list-style-type: none"> <li>• Urinary tract infections and vaginitis screening and treatment</li> <li>• Pap smears</li> <li>• Sexual health consultation</li> <li>• Urinary problems and testicular exams</li> <li>• On-site laboratory testing</li> <li>• Nutritional counseling</li> <li>• Referrals to specialists</li> </ul>	
Lasell University <b>Confidential Resource Advisors (CRAs)</b>	Speaking with a CRA means that <b>no report</b> will be made to the Title IX Office. A CRA can assist you with obtaining other resources, such as no-contact orders and academic accommodations, and can help you decide what options to pursue. A CRA can continue to be a source of support throughout the process and can serve as your advisor if you and the CRA agree.	<a href="#"><u>Current CRAs</u></a>

**Non-Confidential Resources**

Non-confidential resources are required to provide all information about conduct that reasonably may constitute Sex Discrimination under the Policy to the Title IX Coordinator.

<i>Resource</i>	<i>What They Provide/Do</i>	<i>Contact Information</i>
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<p><b>Title IX Coordinator, Maryrose Anthes</b></p>		<p>Name: Maryrose Anthes</p> <p>Title: Director of Compliance, Section 504 and Title IX Coordinator</p> <p>Phone: 617-243-2270</p> <p>Email: <a href="mailto:MAntes@lasell.edu">MAntes@lasell.edu</a></p> <p>Location: First Floor of Eager House</p>
<p><b>Deputy Title IX Coordinator, Jamie Marcoux</b></p>		<p>Name: Jamie Marcoux</p> <p>Title: Assistant Vice President for Athletics</p> <p>Phone: 617-243-2358</p> <p>Email: <a href="mailto:JMarcoux@lasell.edu">JMarcoux@lasell.edu</a></p>
<p><b>Deputy Title IX Coordinator, Christina Alejandre</b></p>		<p>Name: Christina Alejandre</p> <p>Title: Assistant Professor &amp; Program Director of Esports &amp; Gaming Management</p> <p>Phone: 617-243-2473</p> <p>Email: <a href="mailto:CAlejandre@lasell.edu">CAlejandre@lasell.edu</a></p>
<p><b>Deputy Title IX Coordinator, Charlie Wynn</b></p>		<p>Name: Charlie Wynn</p> <p>Title: Senior Assistant Director of Undergraduate Operations</p> <p>Phone: 617-243-2226</p> <p>Email: <a href="mailto:CWynn@lasell.edu">CWynn@lasell.edu</a></p>
<p><b>Deputy Title IX Coordinator, Stephen Hawthorne</b></p>		<p>Name: Stephen Hawthorne</p> <p>Title: Director of Accessibility Services and Academic Support</p>



		<p>Phone: 617-243-2212</p> <p>Email: <a href="mailto:SHawthorne@lasell.edu">SHawthorne@lasell.edu</a></p>
<p><b>Project Director of Project LASER, Haley Sherman</b></p>	<ul style="list-style-type: none"> <li>• Provide guidance, support, and resources for survivors of domestic violence, sexual assault, and stalking.</li> </ul>	<p>Name: Haley Sherman</p> <p>Title: Project Director of Project LASER</p> <p>Phone: 617-243-2210</p> <p>Email: <a href="mailto:HSherman@lasell.edu">HSherman@lasell.edu</a></p>
<p><b>Lasell University Campus Police Department</b></p>	<ul style="list-style-type: none"> <li>• Campus police officers are available at all times: 24 hours a day, seven days a week.</li> </ul>	<p>Non-Emergency Line: 617-243-2269</p> <p>Emergency Line: 617-243-2279</p> <p><a href="#">Lasell University Police</a></p> <p>Winslow Building 1844 Commonwealth Ave Newton, MA 02365</p>
<p><b>Lasell University Office of the Dean of Students</b></p>		<p>Name: David Hennessey</p> <p>Title: Associate Vice President and Dean of Students</p> <p>Phone: 617-243-2124</p> <p>Email: <a href="mailto:DHennessey@lasell.edu">DHennessey@lasell.edu</a></p> <p>Location: Edwards Student Center</p> <p>Name: Latoya Johnson</p> <p>Title: Associate Dean of Student Affairs</p> <p>Phone: 617-243-2476</p> <p>Email: <a href="mailto:lajohnson@lasell.edu">lajohnson@lasell.edu</a></p>

		Location: Edwards Student Center
<b>Lasell University Human Resources</b>		Name: Julie Groom  Title: Assistant Vice President of Human Resources  Phone: 617-243-2176  Email: <a href="mailto:JGroom@lasell.edu">JGroom@lasell.edu</a>  Location: Eager House

### Off-Campus Resources

Off-campus resources and services are available to Lasell University students, faculty, staff, and all community members.

**In the case of an emergency, please call 911.**

<i>Resource</i>	<i>What They Provide/Do</i>	<i>Contact Information</i>
<b>Newton Police Department</b>	<ul style="list-style-type: none"> <li>File reports of crime</li> <li>Dedicated Domestic Violence Officer, Dina Vacca</li> </ul>	Dispatch Main Number: 617-796-2100  Chief's Office Number: 617-796-2101  Patrol Number: 617-796-2123  <a href="#">Newton Police Department Website</a>  Address: 1321 Washington Street, Newton, MA 02365
<b>Massachusetts State Police</b>	<ul style="list-style-type: none"> <li>File reports of crime</li> <li>Oversees the <a href="#">Sexual Assault Evidence Collection Kit (SAECK) Reports and Tracking System</a></li> <li><a href="#">Statewide resources list</a></li> </ul>	Phone: (508) 820-2300  <a href="#">Massachusetts State Police Website</a>

	<ul style="list-style-type: none"> <li>• <a href="#">A Guide to Your Rights as a Survivor of Sexual Assault</a></li> </ul>	<p>General Headquarters Address: 470 Worcester Road, Framingham, MA 01702</p>
<p><b>Newton-Wellesley Hospital (NWH)</b></p>	<ul style="list-style-type: none"> <li>• Crisis intervention</li> <li>• Safety planning</li> <li>• Short-term psychoeducational counseling</li> <li>• Advocacy</li> <li>• Referral to community resources (legal, housing, shelter, immigration, etc.)</li> <li>• <b>Post-sexual assault assistance including Sexual Assault Nurse Examiner (SANE) Services.</b> Through its participation in the SANE program, the Hospital provides compassionate, survivor-focused medical care and evidence collection services, which are available for adults, adolescents and children.</li> </ul>	<p>Emergency Room Number: (617) 243-6193</p> <p>Domestic and Sexual Violence Resources Number: (617) 243-6521</p> <p><a href="#">NWH Website</a></p> <p>Address: 2014 Washington Street Newton, MA 02462</p>
<p><b>REACH Beyond Domestic Violence (REACH)</b></p>	<ul style="list-style-type: none"> <li>• Emergency Shelter – a haven for those who have nowhere else to go as they escape abusive situations; a comfortable, home-like atmosphere, compassionate counseling, and practical aid.</li> <li>• Community-Based Advocacy – Advocates help survivors create tangible plans to keep themselves physically and</li> </ul>	<p>24-hour hotline – (800) 899-4000</p> <p><a href="#">REACH Website</a></p>

	emotionally safe when abusive incidents happen, find a job or housing, access benefits, and accompany them to court.	
<b>Boston Area Rape Crisis Center (BARCC)</b>	<p>Offer <b>free</b>, confidential services to sexual assault and violence survivors and those supporting them.</p> <ul style="list-style-type: none"> <li>• <a href="#">Hotline</a></li> <li>• <a href="#">Medical advocacy</a></li> <li>• <a href="#">Legal advocacy</a></li> <li>• <a href="#">Counseling and support groups</a></li> <li>• <a href="#">Case management</a></li> <li>• <a href="#">Community services</a></li> </ul>	<p>24-hour Hotline – (800) 841-8371</p> <p>Web Chat Hotline: <a href="http://barcc.org/chat">barcc.org/chat</a> (open 9 a.m. to 11 p.m.)</p> <p><a href="#">BARCC Website</a></p> <p>Address: 99 Bishop Allen Drive, Cambridge, MA 02139-3428</p>
<b>National Domestic Violence Hotline</b>	Free, confidential, 24/7 support for domestic violence survivors and those who support them.	<p>Hotline: (800) 799-7233</p> <p>Text Line: Text “START” to 88788</p> <p><a href="#">NDVH Website &amp; Chat</a></p>