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Fisher College Sexual Misconduct Policy: Title IX and Massachusetts Campus Safety Act

I. Fisher College Values, Purpose of Policy, & Statement on Nondiscrimination

A. Statement of Institutional Values

Fisher College (the “College”) is committed to establishing and maintaining an educational and employment environment that is free from sexual misconduct. Sexual misconduct, as defined below, is a violation of a person’s rights, dignity, and integrity and is contrary to the mission and values of the College. Acts of sexual misconduct are strictly prohibited and will not be tolerated.

The College takes all allegations of sexual misconduct seriously and is committed to providing information, education, resources, support, interim measures, and direction to the College community to prevent and address sexual misconduct. In response to any report or complaint that a member of the College community has engaged in sexual misconduct, the College will take all appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects. To achieve equitable results, the College will carefully review and/or investigate all reports and complaints of sexual misconduct with an earnest intent to understand the perspective and experiences of each individual involved and to provide for fair and impartial evaluation and resolution.

B. Purpose & Scope of Policy

The purpose of this policy is to provide the College community with a clear set of behavioral standards, definitions, and descriptions of sexual misconduct. The policy is intended to protect and guide College community members who have been affected by sexual misconduct, whether as a Reporting Party, a Responding Party, or a third party.

When used in this policy, “Reporting Party” refers to those persons who have reported to the College that they have been the subject of prohibited conduct. “Responding Party” refers to those persons who have been accused of engaging in prohibited conduct. “Third-party” refers to any other person with information concerning a report of prohibited conduct, including any witness to the incident or any individual who makes a report to the College concerning someone else. “Employee” refers generally to all staff and faculty members unless otherwise specified. A “report” refers to any incident or concern regarding prohibited conduct that is reported to the College. A “complaint” is an allegation of sexual misconduct filed in writing and signed by a Reporting Party against a member of the College community.

This policy applies to all College community members, including students, faculty, and staff. Vendors, visitors, and others who conduct business with the College or on College property are also expected to comply with this policy. All College community members are responsible for their actions and behavior, both on campus and off campus. Members of the College community have a responsibility to adhere to both College policies and all laws (local, state, and federal) wherever they reside or travel. Therefore, this policy applies both to on-campus and off-campus conduct, including, but not limited to, off-campus conduct that has an actual or potential adverse impact on any member of the College community or the College.

Any individual may make a report alleging a violation of this policy, whether or not he/she/they is affiliated with the College. The College will provide resource options and respond promptly and equitably to all reports of prohibited conduct involving a College community member. The College will engage in an impartial review of the alleged prohibited conduct, during which time it is committed to maintaining fairness for all parties and balancing the needs and interests of individuals with the safety of the community.

Violations of this policy may result in disciplinary action if the Responding Party is found responsible, by a preponderance of the evidence, for the alleged conduct. Depending on the nature of the violation, disciplinary consequences for violations of this policy may include denial of privileges, written warnings, disciplinary probation, suspension, and expulsion for students, and may include warnings (verbal or written), demotions, suspensions, and termination for employees. In addition, the

College community should be aware that the conduct described in this policy may also violate federal or state laws and regulations. No later than August 20 of each year, the College will email this Sexual Misconduct Policy and Interim Process B to all students and employees.

The College will periodically review this policy.

The College reserves the right to update, amend, or modify this policy at any time.

II. Notice of Nondiscrimination

The College is committed to establishing and maintaining an environment free of all forms of harassment and discrimination for all College community members. The College does not discriminate on the basis of race, color, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, age, or any other status protected by state or federal law in its programs or activities.

The College does not discriminate on the basis of sex in its educational, extracurricular or other programs, or in the context of employment. Sexual misconduct, including sexual harassment as defined in this policy, is a form of sex discrimination that unjustly deprives a person of equal treatment. It is prohibited by Title IX of the Educational Amendments of 1971, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

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

This policy prohibits sexual misconduct committed by any College community member, regardless of gender related status. This policy also prohibits gender-based harassment and violence that may not involve conduct of a sexual nature, including, but not limited to, certain reports of domestic violence, dating violence, or stalking.

For assistance related to civil rights, students may visit the Department of Education, Office for Civil Rights website at <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm>, which provides information regarding the address and phone number of the OCR office that serves their area, or they may call 1-800-421-3481.

III. Statement on Privacy, Confidential Resources, & Other Resources

A. Privacy & Confidentiality

The College is committed to respecting the privacy of all individuals involved in a report or complaint of prohibited conduct. In any review of a report or complaint of prohibited conduct, every effort will be made to protect the privacy and interests of the individuals involved in a manner that is consistent with the need for a thorough review of the allegation(s). Such a review is essential to protecting the safety of the Reporting Party, the Responding Party, and the broader campus community, and to maintaining an environment free from sex or gender-related discrimination. The College will only share information related to a report/complaint and investigation with those individuals who have a need to know.

In some cases, the Reporting Party may wish to keep his/her/their identity or other aspects of an incident confidential or may request that the College not pursue an investigation. In such cases, the College must balance these requests against the College's responsibility to provide a safe and non-discriminatory environment for all College community members. This responsibility may require that the College disclose certain aspects of the report or complaint to the alleged Responding Party, law enforcement officials, or others with a need to know such information. The College will seek to respect the request of the Reporting Party and, where it cannot do so, it will consult with the Reporting Party and keep her/him/them informed about the chosen course of action.

All individuals involved in a report/complaint or investigation of sexual misconduct are expected to keep any information gained during any process of the investigation, decision, or appeal process confidential. This does not prohibit individuals from discussing information with individuals who need to know in order

to provide support and assistance to the individual, or disclosing information to an individual who needs to know in order to participate in an investigation. These restrictions are put into place in order to protect all individuals involved in an investigation and the integrity of the investigation. Individuals found in violation of this may be subject to discipline.

If the College concludes that a report of sexual misconduct represents an immediate threat to the College campus community, the College may issue a timely notice of the conduct to the College community to protect the health or safety of the broader campus community. This notice will not contain any biographical or other identifying information of the Reporting Party.

Students should be made aware that if an individual involved in an alleged violation of sexual misconduct is enrolled at another institution, the College may be required to notify the other institution of a pending investigation.

All investigative and sanction proceedings, and all related notices or statements issued by the College, will comply with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, other applicable law, and College policy. No information shall be released from such proceedings by the College, except as required or permitted by law or College policy.

The College views its students as adults. As a result, guardians and/or parents will not be notified when a student is involved in a claim of sexual misconduct. Students are encouraged to speak with their guardian and/or parent when they are involved in a matter of sexual misconduct. Should a guardian or parent wish to speak with the Title IX Coordinator or any other employee regarding a matter of sexual misconduct, a FERPA waiver will need to be fully executed prior to any conversation. Students have the right to execute or withdraw a FERPA waiver at any time. FERPA waivers are found in the Registrar's Office. Should a student be found responsible for violation of this policy and is separated from the college, prohibited from college housing, suspended, or expelled, guardians and/or parents are generally notified at that time.

B. Confidential Resources

The College encourages victims of sexual misconduct to talk with a trained counselor about the incident. If a member of the College community wishes to obtain **confidential assistance**, regardless of whether the individual wishes to make a report or complaint of sexual misconduct, he/she/they may use the following on and off campus Confidential Resources (the "Confidential Resource Provider(s)"):

On-Campus Resources

Dr. Robert Maron

Contact Information

617-236-8859
rmaron@fisher.edu

Off-Campus Resources

Boston Area Rape Crisis Center (BARCC)

Contact Information

800-841-8371

The organizations identified above are available to offer support services and are able, if requested, to maintain the confidentiality of the victim's identity. If confidentiality is a concern, the Reporting Party should clarify the extent to which information should be kept confidential before disclosing information about the incident.

C. The Confidential Resource Provider

The Confidential Resource Provider(s) may hold another position at the College but cannot be a student, the Title IX Coordinator, or a College employee who is required by Title IX to report to the Title IX Coordinator. The Confidential Resource Provider(s) will be trained in the awareness and prevention of sexual misconduct and in trauma-informed response to a report of sexual misconduct. The Confidential Resource Provider(s) shall not provide services to adverse parties in an incident of sexual misconduct.

Any member of the College community seeking confidential assistance regarding sexual misconduct may contact the Confidential Resource Provider(s). The Confidential Resource Provider(s) shall inform the individual seeking assistance of their rights and the College's responsibilities. The Confidential Resource Provider(s) may attend administrative or College-based adjudication proceedings as an advisor/support person for the individual seeking assistance from the Confidential Resource Provider(s). The privileges available under M.G.L. c. 233 shall apply to all information received by the Confidential Resource Provider(s). Unless otherwise required by state or federal law, the Confidential Service Provider(s) shall not disclose confidential information without the prior written consent of the individual who shared the information. The Confidential Service Provider(s) shall not provide information to any College official or any law enforcement officer or agency unless the individual who shared the information provides written consent. Confidential communications made to the Confidential Service Provider(s) shall not be subject to discovery and shall be inadmissible in a civil or criminal proceeding unless the individual who made the confidential communication provides written consent. If given written consent by the individual seeking assistance, the Confidential Service Provider(s) may testify in a civil or criminal proceeding and may be subject to cross-examination.

Upon request of the individual seeking assistance, the Confidential Resource Provider(s) shall provide information on: (a) reporting options and the effects of each option; (b) counseling services available both on and off campus; (c) medical and health services available both on and off campus; (d) available College-based supportive measures; (e) the College's disciplinary process; and (f) the legal process carried out through local law enforcement.

In assisting any member of the College community regarding sexual misconduct, the Confidential Resource Provider(s) shall coordinate with any on-campus or off-campus sexual assault crisis service centers or domestic violence programs. If directed by the individual seeking assistance, the Confidential Resource Provider(s) shall assist the individual in contacting or reporting to campus or local law enforcement agencies. If requested by the individual seeking assistance, the Confidential Resource Provider(s), using only the individual's identifying information, shall coordinate with the appropriate College personnel to arrange possible interim supportive measures to allow the individual to change academic, living, transportation, or work arrangements in response to the alleged sexual misconduct.

Notice to the Confidential Resource Provider(s) of an alleged act of sexual misconduct shall not be considered actual or constructive notice to the College of the alleged act; moreover, the Confidential Resource Provider(s) performance of services shall not be considered actual or constructive notice to the College of an alleged act of sexual misconduct.

D. Other Campus Resources

In addition to the Confidential Resources listed above, all College community members have access to a variety of resources provided by the College that can provide crisis intervention services, counseling, and academic support. All of the staff listed below are trained to support individuals affected by sexual misconduct and to coordinate with the Title IX Coordinator consistent with the College's commitment to a safe and healthy educational environment. While not bound by confidentiality, these resources will nevertheless maintain the privacy of an individual's information within the limited circle of those involved in the investigation and resolution process.

Resource	Contact Information
Chief of Police	Sherry Belanger, sbelanger@fisher.edu
Vice President of Student Affairs / Dean of Student	Brian Perrin, bperrin@fisher.edu
Director of Human Resources	Silvia Pinto, spinto@fisher.edu
Title IX Coordinator	Silvia Pinto, titleix@fisher.edu
Director, Office of Student Accessibility Services (OSAS)	Ferna Phillips, fphillips@fisher.edu

E. Administrative Resources

Various administrative agencies can provide resources and legal assistance for victims of sexual misconduct. Some agencies in the local Boston-area community include:

Massachusetts Commission Against Discrimination (MCAD)
John McCormack Building
One Ashburton Place
Sixth floor, Room 601
Boston, MA 02108
(617) 994-6000

The MCAD prohibits sexual discrimination, including sexual harassment and gender related status harassment, in the workplace. The statute of limitations for filing a complaint is 300 days from the last date of discrimination.

Equal Employment Opportunity Commission (EEOC)
JFK Federal Building
475 Government Center
Boston, MA 02203
(800) 669-4000

The EEOC prohibits discrimination, including sexual harassment, in the workplace. The statute of limitations for filing a complaint is 300 days from the last date of discrimination.

U.S. Department of Education, Office for Civil Rights (OCR)
5 Post Office Square, 8th floor
Boston, MA 02109
(617) 289-0111

While OCR complaints should generally be filed within 180 days of the last date of the alleged discrimination, OCR may extend this filing deadline in a variety of circumstances.

IV. Prohibited Conduct & Definitions

The College prohibits all forms of sexual misconduct and gender-based harassment. Sexual misconduct is a broad term that includes, but is not limited to, sexual assault, sexual harassment, sexual violence, sexual exploitation, stalking, cyber-stalking, relationship violence, bullying or cyber-bullying relating to one's sex or gender identity, and aiding or facilitating the commission of any such prohibited conduct. Gender-based harassment is also a broad term, and includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, gender identity, gender expression or sex-stereotyping, even if those acts do not involve conduct of a sexual nature, and regardless of whether the gender-based harassment rises to the level of violating the law, and aiding or facilitating the commission of any such prohibited conduct.

College policy also prohibits retaliation relating to the reporting of any sexual misconduct or gender-based harassment.

A. Definition of Sexual Harassment

Sexual harassment is a form of unlawful sex discrimination and consists of three basic types:

Unwelcome Advances: Any unwelcome and objectively inappropriate requests or advances upon another person to engage in sexual actions.

Intimidating, Hostile, or Demeaning Environment: Any unwelcome action or verbal expression, or a series of actions or expressions, that have either the intent, or are reasonably perceived as

having the effect, of creating an intimidating, hostile, or demeaning educational or employment environment for a College student or employee, either by being sexual in nature or by focusing on a person's gender, sexual orientation, gender identity, or gender expression. An intimidating, hostile, or demeaning environment is defined as one that is so severe, pervasive, and objectively offensive that it interferes with a person's ability to learn, work (if employed by the College), or have access and opportunity to participate in any and all aspects of campus life.

A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

Quid Pro Quo Harassment: Any action in which submission to conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual's education, grades, recommendations, or extra-curricular or employment opportunities.

In any type of sexual harassment noted above, the effect will be evaluated based on the standard of a reasonable person in the position of the Complainant.

B. Definition of Sexual Misconduct

Sexual Misconduct is an incident of sexual violence, dating violence, domestic violence, gender-based violence, violence based on sexual orientation or gender identity or expression, sexual assault, sexual harassment, or stalking.

V. Reporting

A. Emergency/Immediate Reporting Options

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

Additionally, if an assault has occurred very recently, there may be physical evidence present that can be collected. Although the collection of physical evidence does not require a victim to pursue criminal or civil charges, preserving evidence allows a victim to make the decision to do so in the future. If a victim is assaulted, he/she/they should not shower, change clothing, or brush his/her/their teeth. The decision to seek medical attention and gather any evidence will remain confidential. Local medical resources include the following:

In cases of sexual assault, dating violence or domestic violence, victims should elect to have a forensic examination done at a local hospital from a specially trained Sexual Assault Nurse Examiner (SANE) nurse. There are SANE nurses on call at:

Beth Israel Hospital (617.667.7000) 330 Brookline Ave, Boston, MA 02215

Boston Medical Center (617.638.8000) One Medical Center Place Boston, MA 02118

Brigham and Women's Hospital (617.732.5500) 75 Francis St. Boston, MA 02115

Cambridge Hospital (617.665.1000) 1493 Cambridge St., Boston, MA 02139

Children's Hospital (617.355.6000) 300 Longwood Ave., Boston, MA 02115

Massachusetts General Hospital (617.726.2000) 55 Fruit St., Boston, MA 02114

Newton-Wellesley Hospital (617.243.6000) 2014 Washington St., Newton, MA 02462

Choosing to obtain a forensic examination does not require the victim to file a police report. Having a forensic examination conducted does help to preserve evidence should the victim choose to file a police report at a later time. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of sexually transmitted diseases, and/or pregnancy if the victim is a female.

Anonymous Reporting: The decision by a victim not to report a sexual assault, or to file an anonymous report with law enforcement, may occur for a variety of reasons. Pursuant to MGL c112, § 12A½, regardless of the victim's decision to report the assault to law enforcement, when a victim seeks medical treatment, the hospital is required to report the assault to the law enforcement entity of the jurisdiction using a Provider Sexual Crime Report (PSCR) without reference to the patient's name or address.

Individuals are strongly encouraged to call 911 if they are feeling unsafe and wish to reach local law enforcement or emergency medical care (including an ambulance) anywhere within the United States. Local law enforcement can also be reached at:

In addition, Campus Police can be reached at 617-236-8800.

B. Campus Reporting Options

To enable the College to respond to all reports and complaints in a prompt and equitable manner, the College encourages all individuals to directly report any incident of sexual misconduct to the Title IX Coordinator.

Any member of the College community may make a report of sexual misconduct. Students who wish to make a report of sexual misconduct should do so by contacting the Title IX Coordinator. Students who make a report of sexual misconduct should provide as much information as possible regarding the alleged incident of sexual misconduct. If a student wishes to make a report of sexual misconduct and needs assistance in doing so, he/she/they should contact the Title IX Coordinator. Employees who wish to make a report of sexual misconduct should do so by contacting the Title IX Coordinator. Employees who make a report of sexual misconduct should provide as much information as possible regarding the alleged incident of sexual misconduct. If an employee wishes to make a report of sexual misconduct and needs assistance in doing so, he/she/they should contact the Title IX Coordinator.

Any member of the College community may make a report of sexual misconduct **anonymously** by contacting the Title IX Coordinator, who is required by federal law to provide an **unidentifiable** statistical report regarding sexual misconduct to the Department of Public Safety. This is in accordance with the Clery Act. The only information that is shared is that an incident of sexual misconduct has taken place, the type of sexual misconduct, and the general location of the incident (i.e. on or off campus). To file a report of sexual misconduct, domestic/dating violence, and stalking, students may contact any of the following departments:

- Title IX Coordinator: Silvia Pinto. Her telephone number is 617-236-5409, and her email is titleix@fisher.edu. A report may also be made at any time to the Title IX Hotline at 617-236-5409. This number is checked daily.
- Fisher College Campus Police: Located in the Mall of Fisher College and can be contacted 24/7 at 617-236-8880.
- Office of the Dean of Students: The office is located in the Mall of Fisher College, is open from 8am-4pm Monday through Friday, and can be reached via phone at 617-236-4422.
- Office of Housing and Residential Life: Located in the Mall of Fisher College, open from 8am-4pm Monday through Friday, and can be reached via phone at 617-236-8828.

Individuals who make an anonymous report of sexual misconduct should provide as much information as possible regarding the alleged incident of sexual misconduct.

Any member of the College community who believes he/she/they have been the victim of sexual misconduct may make a complaint of sexual misconduct by submitting a signed statement providing as much information as possible regarding the alleged sexual misconduct. Students who wish to make a complaint of sexual misconduct should submit the signed, written complaint to the Title IX Coordinator. If a student who wishes to submit a complaint of sexual misconduct needs assistance in doing so, he/she/they should contact Silvia Pinto, Title IX Coordinator. Employees who wish to make a complaint of sexual misconduct should submit the signed, written complaint to Silvia Pinto, Title IX Coordinator. If an employee who wishes to submit a complaint of sexual misconduct needs assistance in doing so, he/she/they should contact Silvia Pinto, Title IX Coordinator.

All College employees are expected to notify Human Resources if they receive information that any employee member of the College community has engaged in conduct prohibited by this policy. All College employees are expected to notify the Dean of Student Affairs if they receive information that any student member of the College community has engaged in conduct prohibited by this policy. In both instances, employees must otherwise keep such information as private as possible.

Any individual who makes a report or complaint of sexual misconduct will not be subject to a disciplinary sanction for a violation of the College's student conduct policy related to the report or complaint unless the report or complaint was not made in good faith.

C. Timeframe for Reporting

Individuals are encouraged to report sexual misconduct as soon as possible to maximize the College's and/or law enforcement's ability to respond promptly and equitably. The College does not limit the timeframe for reporting an incident, and upon receipt of any report or complaint, regardless of when the incident occurred, the College will conduct an assessment to determine if an investigation and/or any safety measures are necessary to maintain the safety of the community. **However, the College will not be able to impose disciplinary sanctions against an individual who is no longer affiliated with the College.**

D. Amnesty

The College understands that an individual may be hesitant to make a report of sexual misconduct if the individual, or others present/involved, was under the influence of alcohol/drugs at the time of the incident(s) for fear of being found in violation of the Student Code of Conduct. If, while conducting an investigation of sexual misconduct, the College learns/determines that other violations of the College's policies have occurred (specifically, violations of the College's alcohol/drugs policy), the College will generally not pursue disciplinary actions for such conduct.

E. Coordination with Law Enforcement

The College encourages Reporting Parties to pursue criminal action for incidents of sexual misconduct when the incident constitutes a crime under the law of the jurisdiction where the incident occurred. If an individual chooses to report an incident of sexual misconduct to Campus Police, then the College will notify the law enforcement agency with jurisdiction over the alleged crime. To the extent permitted by law, the College will also assist a Reporting Party in making a criminal report and will cooperate with law enforcement agencies if a Reporting Party decides to pursue the criminal process.

The College's definitions of sexual misconduct and its process and standard of proof for finding a Responding Party responsible for sexual misconduct differ from those used in criminal prosecutions. Thus, a Reporting Party may reasonably seek resolution through the College's complaint process, may pursue criminal action, may choose one but not the other, or may choose to report an incident to both or neither. Law enforcement's determination regarding whether or not to prosecute a Responding Party is not determinative of whether the College will conduct an investigation, or concludes that a member of the

community has committed sexual misconduct in violation of this policy. However, any criminal disposition related to a complaint of sexual misconduct will be taken into consideration in the College's investigation of the report or complaint of sexual misconduct. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

F. Bystander Intervention

The College strongly encourages all community members to take reasonable and prudent actions to prevent or stop sexual misconduct, including relationship violence, stalking, and sexual assault. Taking actions may include directly or indirectly confronting the situation (if it is safe to do so), taking steps to interrupt the situation, or seeking assistance from a person in authority. College community members who choose to exercise this positive moral obligation will be supported by the College and protected from retaliation.

G. Statement Against Retaliation

It is a violation of this policy to retaliate in any way against an individual or a group because the individual or group made a report concerning sexual misconduct, was the subject of such a report, or otherwise participated in the College's investigation of such a report.

VI. Investigation

When the College receives a report (including anonymous reports) or a complaint of sexual misconduct, the Title IX Coordinator will conduct an initial investigation to determine the nature of the report or complaint and whether further action is necessary. If the Title IX Coordinator determines that further action is necessary, he/she/they will then determine whether to follow the process outlined in Interim Process A (for reports and/or complaints that fall under the College's Title IX Policy) or the process outlined in Interim Process B (for reports and/or complaints that fall under this policy).

VII. Interim Measures

Upon receipt of a report or complaint of sexual misconduct, the College will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. The College will determine the necessity and scope of any interim measures. Interim remedies include but are not limited to counseling services, administrative stay-away orders, no trespassing orders, relocation of on-campus housing, academic accommodations, and schedule changes. The College will make every effort to make reasonable requests for interim remedies available in a timely fashion. Students seeking such assistance should speak with the Human Resources/Title IX Coordinator, who will coordinate such requests on behalf of the student. Employees seeking such assistance should speak with the Human Resource Director/Title IX Coordinator, who will coordinate such requests on behalf of the employee. The College will maintain contact with the parties to ensure that all concerns are being addressed.

Where the report of sexual misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of the College community, the College may place an individual on interim suspension or impose leave for an employee. Pending resolution of the report or complaint, the individual may be denied access to campus. When interim suspension or leave is imposed, the College will make reasonable efforts to complete the investigation and resolution within an expedited timeframe.

All individuals are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce measures previously ordered or implemented by the College.

XII. Confidentiality, Recordkeeping, and Education & Training

A. Confidentiality & FERPA

All documents created in connection with any report or complaint of sexual misconduct or in connection with the investigation and resolution of any report or complaint of sexual misconduct will be kept confidential by the College. They will be shared only with individuals with a "need-to-know" such

information. To the extent any of these documents constitute “education records” under FERPA, they will be treated accordingly. All parties to the College’s complaint resolution process are expected to maintain the confidentiality of any documents they receive in connection with the process. A party who improperly disseminates any such documents or otherwise discloses the contents of those documents to third-parties will be subject to disciplinary action.

XIII. Recordkeeping

The College will maintain all documents related to each report or complaint of sexual misconduct, including all documents related to all formal and informal resolution processes conducted pursuant to this Policy, for seven (7) years.

A. Education & Prevention

The College embraces an interdepartmental, multimodal, and situational approach to educate the College community about this policy and to prevent sexual misconduct. To that end, the Office of Student Life works collaboratively to provide the community with educational opportunities as follows:

Orientation/Welcome Week: Students receive a student handbook and new student orientation which includes the policies of the College. The Office of Student Affairs outlines the importance of bystander awareness, student faculty, and reporting procedures.

B. Training

The College trains faculty, staff, and Campus Police on the following topics:

- Responding to reports and complaints;
- Bystander intervention;
- Record-keeping and documentation;
- Assessing and reporting complaints of sexual misconduct;
- The availability of Confidential Resources and the availability of other campus resources for support, advocacy, and medical assistance.

THE COLLEGE RESERVES THE RIGHT TO AMEND OR MODIFY THIS POLICY AT ANY TIME.