



Assumption University

Annual Security & Fire Safety Report



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Website: <http://www.assumption.edu/police>

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MESSAGE FROM THE CHIEF OF PUBLIC SAFETY

Welcome to Assumption University! The Department of Public Safety/Campus Police is located in the lower level of the Kennedy Memorial Hall. This location is centrally located on the campus, offers handicap accessibility, and allows us to enhance our customer service goals for you to obtain parking permits, student ID's or avail yourselves to the Public Safety Team. The Department of Public Safety/Campus Police provides a comprehensive program of police, security, crime prevention, fire safety, Emergency Management and emergency medical services to help ensure that the university community remains a safe and pleasant place, conducive to a learning environment.

For your safety, Assumption University secures all exterior doors to all residence halls 24 hours/7 days per week. Please lock your room doors and refrain from pegging or propping doors as this affects everyone's right to be safe on campus. Although we consider our community to be a safe one, being unaware or careless in your daily activities can create unsafe situations.

Alcohol abuse on college and university campuses is the #1 precursor for trouble. Besides having a negative impact on grades and overall health, alcohol and drug abuse directly contributes to violations of university rules and regulations. Substance abuse often results in criminal charges, including arrest and prosecution for crimes such as disorderly conduct, malicious destruction to property, assault and battery, and sexual assaults, to name just a few. Please be responsible; do not become a campus statistic.

Assumption University continues to be extremely proud of its campus safety record. Nevertheless, safety depends, to a large extent, on the cooperation and involvement of this community. Each of us must assume a personal responsibility by taking precautions to prevent ourselves from becoming a victim. Well-marked emergency telephones are located throughout the campus and should be used to report crimes or other types of emergencies. Assumption University encourages students and staff to use the RAVE GUARDIAN personal safety app to report crime, suspicious activity and to enhance their personal security. The app is free to all Assumption students. Students and staff are encouraged to report crimes and suspicious activities immediately to campus police at extension #7225, or in the event of an emergency, dial extension #7777. Calls are answered 24-hours a day by a trained Communications Dispatcher. The Department of Public Safety maintains direct communications with the Worcester Police, Fire, and ambulance services to ensure prompt assistance from these agencies when needed. The TTY number for hearing impaired persons is 9-711.

Assumption University Police Officers and non-sworn security staff are dedicated to the principles of Community Policing and to the goal of maintaining a high quality of life for our students, faculty, and staff. A truly safe campus can only be achieved with the cooperation of all.

The information on our website / portal is designed to inform, advise, and alert our students of the current programs and policies related to crime awareness and reporting procedures at Assumption University. Please refer to our website [Public Safety - Assumption University](#) & Assumption Portal Page [Public Safety - Home \(sharepoint.com\)](#)- for information, alerts, policies, and other Public Safety related issues. Remember, it is your responsibility to be familiar with the Assumption University rules and regulations.

If you have questions or concerns, please contact a member of the Campus Police to discuss them. The Annual Security and Fire Safety Report is a collaborative effort between Public Safety, the Title IX Coordinator, Residential Life and the Office of Student Affairs.

Chief Steven B. Carl
Associate Vice President for Public Safety

I. INTRODUCTION

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act were signed into law in November 1999. At the time, it was known as the “Student’s Right to Know and Campus Security Act.” The law requires educational institutions participating in student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose college and university crime statistics by October 1st of each year via the Annual Security and Fire Safety Report. The report includes safety policies and procedures and provides statistics concerning certain crimes that occurred on campus for the three previous calendar years. In compliance with the Higher Education Opportunity Act of 2008, this booklet also contains information on required fire safety policies and fire related statistics. The Annual Security and Fire Safety Report also includes information to comply with the Campus Save Act of 2013, which requires information on sexual violence prevention programs on campus.

This report covers the Assumption University main campus in Worcester and also includes information regarding the satellite campus located in Rome Italy. The satellite campus in Rome is owned by Assumption University and consists of one multi-use building (Villino Dufault) which is not patrolled by Assumption University Police Officers, nor do we conduct investigations at this site.

A printed copy of the Annual Security Report may be obtained by contacting the Department of Public Safety/Campus Police at (508) 767-7225. The information is also available via our website [Public Safety - Assumption University](#) using the Security Reports link.

II. CAMPUS LAW ENFORCEMENT

LAW ENFORCEMENT ON CAMPUS

The Campus Police Department is located at the lower level of the Kennedy Memorial Hall (see map – page 23) 500 Salisbury Street, Worcester, MA 01609. The Campus Police Department is open twenty-four hours a day, seven days a week. Officers patrol the campus in marked police vehicles, bicycles and/or on foot. Currently, our command staff consists of Associate Vice President for Public Safety/Police Chief, Deputy Director/Lieutenant, Administrative Lieutenant and three Sergeants. The current Patrol Staff consists of nine full-time and one part-time, uniformed police officers. In addition, The Campus Gatehouse is staffed by a non-sworn Gate Attendant during peak hours, and our Communications Dispatch Center operates 24/7. [Public Safety Contacts](#)

The Police Officers are graduates from recognized police academies, receive annual In-Service training and maintain current C.P.R and First Responder certifications. Officers are empowered to investigate all criminal offenses committed on University property in accordance with the provisions of Chapter 22C, Section 63, of the Massachusetts General Laws and have the power to arrest. The Associate Vice President for Public Safety / Chief of Campus Police and supervisory staff are also encouraged to participate actively in professional associations that foster increased proficiency in their areas of responsibilities.

The men and women of the Assumption University Department of Public Safety/Campus Police are dedicated to the principles of Community Policing and to the goals of maintaining the campus as a safe and pleasant place in which to live, work and study. Although we are responsible for enforcing the laws of the Commonwealth of Massachusetts, we are also charged with enforcing relevant University policies and rules, including traffic and parking regulations. A truly safe campus can only be achieved through the cooperation of all. All Departmental employees receive annual training on Title IX, Sexual Assault / Domestic Abuse / Stalking / Harassment and Campus Security Authority responsibilities.

Non-Campus Buildings (Satellite Campuses):

Assumption University oversees one satellite campus that is not patrolled by Assumption University Campus Police. The Rome, Italy Satellite Campus is administered as part of the undergraduate program.

- Villino Dufault, Via San Pio V, 55 in *Rome, Italy* 00165 (Maximum 25 students per year)

The Jacob Wetterling Act:

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also mandates the State Sexual Offender Registry to notify the Campus Police Department of any person registered with them who is enrolled as a student or employed at this institution. Upon notification of an offender registered with the state registry, the information would be placed in a binder at the Department of Public Safety and made available to anyone to examine the information during normal business hours.

Campus Save Act 2014

[What is the "SaVE Act"?](#) The Campus Sexual Violence Elimination (SaVE) Act increases transparency on campus about incidents of sexual violence, guarantees victims enhanced rights, sets standards for disciplinary proceedings, and requires campus-wide prevention education programs.

- This means Sexual Violence Elimination (SaVE) and is about violence against women;
- It expands the 1992 sexual violence reporting and policy;
- Became law March 2013, the SaVE Act has four central components:
 1. Identify the institution's Campus Security Authority personnel
 2. Create a Campus Sexual Assault Victim Bill of Rights
 3. Expand sexual crime reporting on campus
 4. Ensure the University has standard operating procedures for handling incidents of sexual violence.

INTER-AGENCY RELATIONSHIPS

Assumption University maintains a close working relationship with other local, state, and federal law enforcement agencies as well as the District Attorney's Office. They may assist with investigations, share relevant information, i.e. crime trends and statistics, and endeavor in mutually beneficial training initiatives. Maintaining effective communications with area campus police departments, and local and state police allows us to be informed of issues giving rise to Timely Warning Notifications regarding crimes committed in the area. We also maintain direct telephone contact with these agencies to ensure prompt assistance from these agencies when needed. In July of 2022, Assumption University entered into a formal Memorandum of Understanding with the City of Worcester Police Department for Sexual Misconduct Investigations.

HOW TO REPORT A CRIME

Members of the Assumption University community are encouraged to immediately report crimes, suspicious activities or other emergencies to Campus Police at emergency ext. 7777. Well-marked emergency phones are strategically located throughout the campus. The TTY number for hearing impaired persons is 9-711 from an on-campus phone. Assumption University also provides [RAVE Guardian](#), a smart phone application that provides a direct connection to Campus Police to report a crime. The app can be downloaded free from the App Store or Google Play by anyone who has a current assumption.edu email. Campus Police is located at the lower level of the Kennedy Memorial Hall. 500 Salisbury Street, Worcester, MA 01609. Community members who are using an outside telephone system may contact Campus Police at (508) 767-7225. Incidents may also be reported to the local police, dial 911, or the State Police by dialing 508-829-4431. Campus Police will also assist you in notifying the appropriate off-campus law enforcement authorities at your request.

Calls received at Campus Police, located in the main campus, are answered by trained Communications Dispatchers and then assigned for investigation or follow-up. Calls are recorded for quality assurance and investigative purposes. When an incident is reported it is entered into our daily log, a computerized incident management system, which facilitates case management and the collection of our crime statistics for the [Annual Security and Fire Safety Report](#). Results of investigations may include but are not limited to: arrest of a suspect, application for a criminal complaint (s), referral to other agencies, referral to the University Judicial System, or unsubstantiated / unfounded dispositions. The Assumption University Judicial System uses the preponderance of the evidence as the standard of proof.

Incidents and crimes may also be reported to the Associate Dean of Students ext.7325, the Director / Assistant Director of Residential Life ext. 7655, or any other individual working for those departments. These include your Resident Director or Resident Assistant, Athletic Coach or Faculty Club Advisor. All employees at Assumption are designated as Campus Security Authorities, unless exempt (Professional and Pastoral Counselors while functioning in that capacity); as such, employees have an obligation to make immediate, non-personally identifying statistical reports to Public Safety so those statistics may be included in this report. Employees may contact the Director of Human Resources at ext. 7318. The following counseling and other victim support services are also available to all Assumption University students at the main campus: Counseling Services ext. 7329; Student Health Services ext. 7329; and/or Campus Ministry ext. 7419. Incidents reported to designated on-campus counselors may be kept confidential, except as required by law.

Campus Police Officers do not patrol the satellite campus in Rome, Italy nor do they conduct investigations into incidents or crimes reported to have occurred in that jurisdiction. To report an incident, crime, or suspicious activity occurring at a satellite campus, contact the building's security officer/satellite faculty coordinator or call the local police department's emergency number.

REPORTING OF CRIME STATISTICS

Campus Police believes an informed public is a safety-conscious public. As a result, crime statistics and crime-related activities are reported to the University community on a timely basis. The information is derived from incidents reported directly to Campus Police as well as the designated Campus Security Authorities on campus. All employees on campus have been so designated, and include all the Student Affairs division personnel, unless exempt (Professional and Pastoral Counselors while functioning in that capacity), and those faculty, administrators, and staff having a “significant responsibility for student and campus activities.” The statistics are compiled using the Uniform Crime Reporting definitions.

Numerous efforts are made to advise the University community members by utilizing the following mediums:

- Daily Administrative Logs are distributed to many of the University administrators.
- Public Logs are available for viewing at Campus Police during regular business hours, for the past 60 days.
- Le Provocateur, the University newspaper, has in the past been provided the public log for inclusion in the publication. Special articles concerning security issue may also appear from time to time.
- The Campus Police website. [Public Safety - Assumption University](#)
- The [Annual Security and Fire Safety Report](#), which includes crimes committed on the main campus and from the Worcester Police Department regarding the contiguous area. Statistics also include crimes committed in the classrooms and contiguous areas of the satellite offices, during the days / hours in use by Assumption University students.

SECURITY OF BUILDINGS AND GROUNDS

Most campus buildings and facilities are open on campus. They are accessible to members of the University community, their guests and visitors during the day, and in the evenings when classes are in session. Accessibility is also available during designated hours on weekends and holidays, depending on the wide variety of events and activities taking place outside the normal business hours. Residence halls are not open to the public.

The following security precautions are designed to eliminate or minimize criminal opportunities: A gate attendant monitors campus access, traffic and assists with guest registration. Parking lots and walkways are well lit. Emergency telephones are strategically located to report suspicious/criminal activity to Campus Police. Officers patrol the campus in marked police vehicles, bicycles and/or on foot.

General Information:

- University students and employees are issued an identification card and parking permit to enhance security on campus.
- Guests to residential areas who enter the University must be registered by the sponsoring student with the Department of Campus Police prior to their arrival on campus. In the interest of security, the guest may be required to provide identification.
- Pegging and propping doors impacts everybody’s right to be safe on campus. DO NOT peg doors, and please un-peg a pegged door if you observe one.
- Any suspicious persons or activities should be reported to Campus Police at ext. 7777.
- Fire alarm systems are monitored by Campus Police and an off-site monitoring company.

Card Access & Security Cameras:

Assumption University has a card access system and security cameras in many of the dormitory style residence halls on campus. Card access provides an additional level of security by recording the information on a student identification card used to gain access to a University dormitory. Security cameras have also been installed in the foyer of these dormitories to video record those entering and leaving the residences. Please note that authorized students entering a residence hall should be wary of unauthorized people attempting to “piggy-back” into their residence and should notify campus police should this occur. Also, the security cameras are not monitored 24/7, but are recorded and consulted should an “incident of significance” be reported that requires the video be reviewed. The residence halls with card access and video cameras installed are:

Plough Hall	West Hall	Cesareo Hall	Worcester Hall	Nault Hall	Alumni Hall
Living Learning Center	Wachusett Hall	Salisbury Hall	Hanrahan Hall	Young Hall	Desautels Hall

Other campus buildings with card access and/or security cameras are:

Admissions House	Carriage House	Information Technology Center	Plourde Center
Dion Hall	Moquin Hall	Authier Hall	Dufault Hall
Founders	Testa	Fuller / IT	Admissions/Carriage House
Kennedy Hall	Library	Armanet	Chapel
Tsotsis	Desautels Hall	Catrambone Health Science Bldg.	

Buildings:

- Academic Buildings

Although the University encourages an open campus environment, campus buildings are kept locked outside of normal operating hours. Faculty, staff, and students must receive proper authorization to enter when these facilities are closed. Entry to these buildings and facilities after hours must be approved by the designated Department Chair.

- Residence Halls

The Office of Residential Life encourages and strives for a community atmosphere in the Residence Halls, whereby students open the doors to their room or apartment when they are home. Students are encouraged to socialize and move around their building for academic and social purposes. The following security precautions are designed to eliminate or minimize criminal opportunities:

- When leaving your room area, students are encouraged to keep their room doors locked and to always carry their keys.
- Do not hold doors open for persons without keys.
- Outside doors should never be pegged open, as this impacts everyone's right to be safe.
- Students should report lost or stolen identification cards or keys immediately to Campus Police or their Resident Director.
- All maintenance, housekeeping employees and vendors entering residence halls wear identification badges or appropriate identifying uniform.
- All residence halls are closed during official University vacations.

Campus Grounds:

The Building and Grounds Department provides maintenance to the campus facilities and residential halls located on the main campus in Worcester. Even though Campus Police routinely check the campus grounds and buildings and report unsafe conditions to the Buildings and Grounds staff, community members with concerns (i.e. electrical, plumbing, inoperative hardware) should call Building & Grounds, ext. 7391, during normal business hours. If you feel any problem presents a hazard or a danger, contact Campus Police, and they will assist you in getting the situation rectified.

Non-Campus Buildings (Satellite Campuses):

Assumption University has one satellite campus in Rome, Italy that is not patrolled by Assumption University Campus Police:
-Villino Dufault, Via San Pio V, 55 in *Rome, Italy* 00165.

Unsafe facility conditions or those issues causing concern for personal safety or protection of property should be brought to the attention of the Coordinator of the facility, the on-site facility security staff, and/or the Associate Vice President of Academic Affairs.

III. PROGRAMS AND SERVICES

CRIME PREVENTION PROGRAMS

Campus Police and Assumption University believe it is more beneficial to prevent crimes than to react to them after the fact. A primary vehicle for accomplishing this goal is thru various comprehensive crime prevention programs.

- **Alarm Systems** are available campus wide and monitored in campus police for intrusion, fire and duress alarms.
- **Bike Patrol** (seasonal) to supplement cruiser & foot patrols and to enhance community interaction.
- **Courtesy Transport (on-campus)** is provided seven days a week, 24 hours a day. Students may utilize this service for safety reasons by calling Campus Police ahead and requesting the service. Officers will make every attempt to respond to the request in a timely manner and escort the student(s) to on-campus locations.
- **Crime Prevention Presentations** are made regularly to students, faculty and staff when requested. These programs include information about personal safety to include sexual assault programs to prevent sex offenses, dating / domestic violence and stalking. They are offered each semester and information can be obtained by calling ext. 7225.
- **MVP / Bystander Training** Student Affairs requires all First Year and Transfer students to complete bringing in the bystander training which focuses on community members not as victims or potential targets of harassment, rape and abuse, but empowers bystanders who can support abused peers and confront abusive ones.
- **Drug and Alcohol Awareness Program** informs students, faculty and staff of important drug related issues. These programs are offered each semester. The Office of Student Life requires all new and transfer students to complete drug and alcohol awareness classes.
- **Sexual Violence** - Student Affairs requires all First-Year students to complete a Vector LMS program on sexual assault prevention and relationship violence.
- **Domestic / Dating Violence / Stalking** - Student Affairs requires all First-Year students to complete a Vector LMS program on sexual assault prevention and relationship violence.
- **Emergency (Blue Light) Telephones** are located throughout the campus.

- **Entry ways** of Residence Halls are monitored by Campus Police utilizing surveillance cameras. Exterior doors are locked 24/7 and entry is with authorized card access.
- **[RAVE Guardian](#)** smart phone app is provided by Assumption University and can be downloaded free from the App Store or Google Play by anyone who has a current assumption.edu email. This app provides a direct connection to campus police and other trusted members (guardians) of the Assumption campus community.
- **[The Public Safety website](#)** has many links to helpful information about crime prevention, personal safety and protection, including [on-line safety](#) and [social media safety](#).
- **Gate House Security** is provided at the front entrance of the campus by non-sworn Gate Attendants during peak times. They provide information/directions, monitor campus access and traffic, and assist with guest registration.
- **Operation Identification** is a program requiring the engraving of your driver's license number on items such as a computer, television, stereo equipment, sports equipment, and texts.
- **Parking Lot Security** is enhanced with well-lit parking lots and patrolled by Campus Police.
- **Patrol Officers** periodically conduct a security check of the area where you are working, studying or residing.
- **Rape, Aggression, Defense (R.A.D.)** is a self-defense tactics and techniques course. The program promotes sexual offense awareness, education and prevention. This program is offered several times per year, information can be obtained at the [Campus Police Office or their website](#).
- **Safe Ride Program (off-campus)** offered by the Student Government Association (SGA) to students who are off-campus and need a ride back to campus. The SGA has arranged for the Yellow Cab Company to transport students back to campus for a reduced fair. The SGA is also working with Uber. Contact the SGA office for more information.
- **Peer Education** Peers Advocating Wellness for Students (PAWS) has expanded the education they are providing around the issues of Sexual Assault, Dating Violence, Domestic Violence and Stalking. Student Affairs works with the student volunteers on their programs.
- **Timely Warning Notifications** are issued by the Chief of Public Safety to alert the campus community to any "Clery Act" crime reported that is considered to represent a serious or continuing threat to students and employees. When it is determined that a timely warning notification is required, a campus- wide email will be sent, posters will be placed in residence halls and academic buildings and may be run on the University cable network. All students and employees are encouraged to check their email and campus mailboxes on a regular basis.
- **Safety Alerts** may be issued for non-Clery related crimes occurring on campus. They may also be issued for known serious crimes occurring off campus locally. These Safety Alerts are designed for informational purposes and may suggest general safety precautions.
- **Academic/Residence Hall** building evacuation drills are conducted each semester.
- **A.L.I.C.E** (Alert, Lockdown, Inform, Counter, Evacuate) trainings are provided by the Department of Public Safety.

EMERGENCY MEDICAL SERVICES

Police Officers are trained and certified as First Responders and in CPR. Automatic External Defibrillators (AED's) are available on each shift as well as at locations across campus. During a medical emergency, it is standard procedure to transport sick or injured persons to nearby hospitals by ambulatory services, if such transport is deemed necessary. For non-emergency injuries or illnesses [Student Health Services](#) is also available. They are located in the Armanet House. It is staffed by the Director of Health Services, a Medical Doctor, and Staff Nurse Practitioners.

PERSONAL SAFETY TIPS

Although Assumption University has instituted security services and procedures, the personal safety of each individual who enters the campus is his or her own responsibility. Failure to take precautions or maintain an awareness of the environment and surroundings may result in increased risk. Campus Police recommends utilizing the [RAVE Guardian](#) smart phone app which is provided by Assumption University and can be downloaded free from the App Store or Google Play by anyone who has a current assumption.edu email. This app provides a direct connection to Campus Police and other trusted members (guardians) of the Assumption campus community.

When walking:

1. Avoid traveling alone after dark, especially in dark vacant areas. Call the Campus Police Department ahead of time and request an escort. Walk on well-lighted, regularly traveled walkways and avoid short cuts. Look alert and be aware of your surroundings. Ask a friend to walk with you.
2. Do not hitchhike or accept rides from casual acquaintances or unknown persons.
3. Carry a whistle or another device that makes noise; keep it close and ready to use.
4. Report suspicious individuals or vehicles to the Campus Police.
5. If you think you are being followed or feel that you are in danger, run, scream, and make noise. Let someone know you are in danger.
6. If you find yourself being confronted by an assailant, stay alert. Remember while screaming and struggling may in some instances frighten off the assailant, in other instances such actions may further antagonize the assailant and bring forth

a more violent reaction. Assess the situation before choosing your course of action. Whether or not the assailant is armed or has made threats against your life will, obviously, be a determining factor in your decision. The key word in this type of situation is SURVIVAL.

7. The Assumption University Campus Police offers a R.A.D. (Rape Aggression Defense) class. Information regarding upcoming classes will be posted at the Plourde Center after the start of each semester.

When driving:

1. Don't pick up hitchhikers.
2. Whenever possible, limit your driving to well-lit heavily traveled roads.
3. Keep your windows and doors locked.
4. If ever threatened and you cannot drive away, sound your horn and attract attention.
5. If your vehicle ever breaks down, signal for assistance by raising your hood. Stay inside your vehicle with your windows closed and your doors locked. If a Good Samaritan stops, open your window just enough to ask them to call the police. If the person appears to be a threat, sound the horn, and don't stop until they leave.
6. If you think you are being followed, keep out of desolated areas. Look for a place where there are people and stop. Try to find the nearest police station.
7. When parking at night, choose well-lit areas. Before getting out of your vehicle, check for people loitering.

When in the residence halls:

1. Keep your doors locked at all times. Close any windows, which are accessible from the outside.
2. Never sleep in an unlocked room or townhouse.
3. Don't put your name or address on your key ring.
4. Don't put your vehicle key and residence key on the same ring.
5. Don't put your school identification card with your residence keys.
6. If you should lose your keys, notify Residential Life. Arrangements will be made to have your lock replaced by Buildings and Grounds.
7. Residents should always ask for identification from service personnel.
8. Don't let strangers use your phone. Offer to make a call for them or direct them to a payphone.
9. If you start receiving harassing phone calls, notify the Campus Police.
10. If you find or believe that your room has been entered, **do not** go inside. Go to a phone and call the Campus Police. If you are already inside and discover that your room has been entered, do not touch anything as you may disturb evidence that is important to a police investigation.
11. If an intruder awakens you, do not try to apprehend him. An intruder may be armed or could quickly arm himself with something inside of the room. If the intruder poses an immediate threat, try to leave the room, if possible, without placing yourself in more danger.
12. **DO NOT PEG OPEN FLOOR DOORS OR EXTERIOR DOORS.** This only invites unwanted persons in.
13. If you see a suspicious person or vehicle on campus, contact the Campus Police with as much information as possible.
14. Report broken locks/windows/doors to the Buildings & Grounds Staff.
15. Do not bring large amounts of cash or valuables to campus.
16. Keep items of value out of sight.
17. If you live in a residence hall, take your room key to the shower with you.
18. Participate in "Operation Identification." This program will allow you to permanently engrave and document your valuables. Contact the Campus Police Department for more information.

When utilizing faculty offices and classrooms:

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday-Friday.

1. Keep all offices and labs locked when not in use.
2. Report broken locks on windows and doors to the Building & Grounds Staff.
3. All department keys should be collected when not in use. Keys should only be issued when absolutely necessary.
4. Do not label keys for their use.
5. Always lock your desk and/or filing cabinet when leaving unattended.
6. Consider using password protection for your computer.
7. Do not leave expensive personal property in your office unsecured.
8. When leaving, make sure you have secured your door.
9. If you see someone suspicious, do not hesitate to notify the Campus Police.

When utilizing athletic facilities:

1. Avoid using the facilities alone, especially after dark or during off hours.

2. The locker rooms are there for your convenience; when using a locker, make sure it is secured.
3. It is best to shower when others are present in the locker room.
4. If you encounter an intruder inside of the locker room, consider yelling for help as there are usually people inside the building that should hear you. Also, try to make a mental note regarding the description of the intruder; it may aid police in locating him/her later.

IV. GENERAL SECURITY POLICIES

DRUG AND ALCOHOL POLICIES

The University prohibits the illegal possession or use of any controlled drug or substance as defined by the statutes of the Commonwealth of Massachusetts. The following are considered to be evidence of drug policy violations and sufficient grounds for full disciplinary actions: the actual presence of a controlled substance/illegal drug; the presence of any drug paraphernalia; the presence of smoke or odors. Students present at the time of the violation will also be held responsible.

In conformity with Massachusetts law, only students who have attained the age of twenty-one are permitted the use of alcoholic beverages in their private residences within approved residential areas and at officially authorized campus functions. Massachusetts' law forbids the sale or serving of alcoholic beverages to persons under the age of twenty-one.

Students who illegally use a controlled drug or are unauthorized (not yet 21 years old) to possess alcoholic beverages are in violation of Massachusetts General Law and University policies and will be subject to criminal prosecution and/or disciplinary action under the University Code of Conduct. See Student Handbook for detailed description of the Drug and Alcohol Policy.

SEXUAL ASSAULT AWARENESS PROGRAMS AND POLICIES

Available Resources

Assumption University is committed to addressing sexual assault by educating the University community on matters regarding sexual misconduct, providing sexual assault survivors with the support they need and continuously reviewing our response to incidents so that we can respond to future incidents appropriately and provide support for victims.

[The Title IX web page](#) provides a central location for students to obtain the information they need. We encourage you to review this site, share it with others, and send us your suggestions about how we can improve it, provide more information, or improve our response.

Campus Police works closely with Office of Student Affairs, Residential Life, and Counseling Services to promote awareness about rape and sexual assault. Rape is defined in the general laws of Massachusetts as follows: "Whoever has sexual intercourse with a person and compels such person to submit by force or against their will or compels such person to submit by threat of bodily injury. If the act occurs while the victim is unconscious, asleep or otherwise unable to communicate unwillingness, it is still considered rape."

Students accused of any Sexual Assault / Misconduct, may be prosecuted in Criminal Court and/or are subject to University disciplinary action, whether or not formal criminal charges are filed. Both the accuser and the accused are entitled to the opportunity to have others present during disciplinary proceedings, and both are informed of the outcome. A student found to have committed Sexual Assault / Misconduct in violation of the Code of Student Conduct is subject to suspension or expulsion from Assumption University. Any action taken by Assumption is independent of any potential criminal proceeding outcomes. See the Assumption University [Discrimination and Sexual Misconduct Prevention and Response Policy](#) for descriptions as well as definitions. The University's Sexual Misconduct Policy can also be obtained from the Office of Community Standards. Information and definitions can also be found on the Community Standards Portal homepage. Timely warnings will never identify or give geographically specific enough information which might identify the victim.

Confidential Reporting – Information on confidentiality is covered on the Title IX website located at: [Title IX Office - Assumption University](#). This web site includes institutional policy and defines consent, training on bystander intervention, risk reduction and policies and procedures to include what steps to take after a sex offense occurs and reporting options. The [Title IX Office](#) website also has detailed policy information on Domestic Violence, Dating Violence, Stalking and available confidential advocacy for victims of those crimes.

Campus Advocate – The Campus Advocate provides empowerment counseling, non-judgmental support, information about options, medical, legal, academic, and counseling advocacy. The Campus Advocate is employed by

Pathways for Change, Inc. but is located on campus. The Campus Advocate's supports are free and confidential. The Campus Advocate can be reached at 508-767-7641 or at advocate@assumption.edu

Sexual Misconduct Policy – The Sexual Misconduct Policy can be accessed here: [Discrimination and Sexual Misconduct Prevention and Response Policy](#). Printed copies may be requested from the Office of Community Standards.

Steps to take if you are sexually assaulted:

Preserve all physical evidence.

Physical evidence is often critical to an investigation. For this reason, you should not urinate, wash, douche or shower prior to an examination. You should not eat, drink, smoke or brush your teeth. If you change clothes, put all the clothing you were wearing at the time of the attack in a paper bag, not plastic. If the attack happened in your room or apartment, do not clean or straighten up until all the evidence has been collected.

Get medical treatment as soon as possible.

At the area hospitals you will receive a gynecological exam, if necessary, to check for internal injuries. Lab tests will also be performed for the purpose of collecting evidence in the event that you decide to take legal action against your assailant.

Contact the Assumption University Campus Police.

Dial 7777 from any on campus phone or 508-767-7225 from off campus. You may also use any of the emergency phones located throughout the campus to be automatically connected with a Campus Police Dispatcher (24 hours a day). Incidents may also be reported to the Assistant Dean of Student Development at Ext. 7655, Director and Assistant Director of Residential Life at Ext. 7505 or any individual working for these departments such as your Resident Director or Resident Assistant. Employees may also contact the Associate Vice President for Human Resources at ext. 7599.

University policy states that University employees who are informed of a sexual assault urge the victim to file a report to Campus Police, regardless of where the offense took place. A Campus Police Officer specially trained in dealing with victims of sexual assault works closely with the victim to ensure that the appropriate medical care and counseling is made available and will assist the victim in notifying the appropriate off-campus law enforcement authorities, if requested. Assumption University will assist you in whatever way possible to make you feel comfortable and safe. Such assistance may include housing relocations, change in course schedules, escort services, etc.

Reporting a sexual assault to the campus or municipal police may not commit you to further legal action. However, the earlier you report an assault the more helpful it will be to police investigating the crime and to prosecute the case successfully. It also helps preserve your options for the future.

Talk with a professional counselor.

Counseling and other victim support services in dealing with the trauma are available to all Assumption University students and employees through the Counseling Services ext. 7329; Student Health Services ext. 7329; and/or Campus Ministry ext. 7419. Incidents reported to designated on-campus counselors may be kept confidential, except as required by law.

Off-Campus Resources: (Dial 9 first if using an on-campus phone)

Assumption University Department of Public will assist you in contacting any off-campus resources, if that is your desire.

Rape Crisis Program of Worcester, MA (24 hours)	508-799-5700
Worcester Police Emergency	911
Worcester Police Rape Investigation Unit	508-799-8661
Pathways for Change (Sexual Assault 24 hours)	1-800-870-5905
Daybreak Domestic Violence (24 hours)	508-755-9030

DOMESTIC & DATING VIOLENCE / STALKING

Reporting Domestic / Dating Violence and Stalking incidents allow the victim to receive support services as well as protection under the Massachusetts Domestic Abuse Laws. Written Restraining Order / No-Contact Order / Counseling / Mental Health / Advocacy and legal assistance information is provided to all victims regardless of where the abuse / violence occurred.

Assumption Police Officers receive annual training on Domestic / Dating Violence and Stalking issues and will assist victims through the process. If it is determined that interim measures are appropriate while the University judicial system is adjudicating a case, the Associate Vice President for Public Safety may take such measures deemed necessary to protect the community. Assumption University Student Conduct has a detailed Stalking Policy.

Stalking incidents are occurring at an alarming rate on the nation's University campuses. It is a crime that impacts men and women of all races/ethnicities, religions, ages, abilities, sexual orientations, and sexual identity. It is a crime that can affect every aspect of a victim's life.

Domestic Violence and Stalking are crimes in Massachusetts and are subject to criminal prosecution. Individuals perpetrating such acts may be subject to disciplinary action through the Office of Student Conduct. If found responsible for such behavior, he/she may face sanctions including but not limited to expulsion from the University. In some circumstances, criminal prosecution may take place simultaneously.

EMERGENCY RESPONSE AND EVACUATION POLICY

It is the intention of the Assumption University Department of Public Safety/Campus Police to provide a warning as soon as possible, of a significant emergency or dangerous situation that exists on campus to students, faculty, staff and guests. The U.S. Department of Education mandates that the campus community be notified within one half hour after a significant emergency or dangerous situation once one has been determined. This will usually be accomplished by verification by campus police or other campus official such as Residential Life or Health Service staff, faculty member or administrator. To that end, several system components have been developed and integrated into the Assumption University Emergency Warning System. Assumption University will test the Emergency Notification System twice per year at the beginning of the fall and spring semesters. The University community will be advised prior to each test via campus email. A letter to the contiguous neighbors will also be sent prior to the test, advising them that "this is only a test." At the conclusion of the test an after-action report will be produced describing the test in detail.

During an actual significant emergency, the Department of Public Safety/Campus Police in conjunction with the University President's Emergency Management/Crisis Response Team will be involved to the extent possible in verifying the emergency, planning the response and appropriate notifications. Assumption University has a detailed "Emergency Response and Recovery Plan". The appropriate response to an emergency could be a partial evacuation, total evacuation, or order to "Shelter-in-Place". Specific instructions will be given and updated as the emergency evolves.

The Department of Public Safety / Campus Police conducts fire evacuation drills once per semester for each residence hall and academic building on campus. Part of these drills includes instructing the students on the Emergency Notification System on campus. Below are the different types of messages that they may hear /sent, and what their actions should be.

The components include the following:

Primary Group Components– used for immediate broadcast of emergency situation requiring notification of the campus community.

- Emergency Broadcast System (EBS) – a loudspeaker system centrally located on campus will be activated by Campus Police during an emergency. A warning siren sound will be followed by a short message (see pre-recorded message below) describing the general nature of the emergency and the recommended action to be taken.
- Rave Text Messaging – Campus Police will send a brief text message (see pre-recorded message below) to undergraduate students through their cell phone number describing the general nature of the emergency and recommended action
- Secondary Group Components– used to supplement and clarify primary group messages as additional information becomes available.
- Assumption University E-mail - An e-mail will be sent out to the campus community describing the nature of the emergency, clarification, and recommended action to be taken.
- Assumption University Voicemail – A voicemail will be sent out to the campus community describing the nature of the emergency, clarification, and recommended action to be taken.
- Off Campus Rave Voicemail - A voicemail message to parents of undergraduate students, graduate students, Continuing Education students and employees alerting them to an emergency situation on campus and recommended action to be taken.
- Assumption University Website – Information concerning an emergency situation on campus and follow-up information will be displayed on the Assumption University webpage.

(Appropriate information will follow using the above components when available. Individual components will be used according to the particular situation.)

EMERGENCY MESSAGES FOR ASSUMPTION UNIVERSITY
(Broadcasts, Rave Text Message, and E-mails)

Message No.	Message Name	Description
1.	Security	"This is an Assumption University alert: A dangerous situation reported on campus. Take cover until further information is provided. Repeat: Take cover until further notice."
2.	Gunshots	"This is an Assumption University alert: Gunshots reported on campus. Take cover until further information is provided. Repeat: Gunshots reported. Take cover until further notice."
3.	Severe Weather	"This is an Assumption University alert: Extremely severe weather is approaching. Take shelter immediately. Repeat: Extremely severe weather is approaching. Take shelter immediately."
4.	Tornado Warning	"This is an Assumption University alert: A tornado has been sighted in the area. Take shelter immediately. Repeat: A tornado has been sighted in the area. Take shelter immediately."
5.	Emergency Incident	"This is an Assumption University alert: A dangerous incident has occurred nearby the campus. Seek shelter indoors and stay on campus until further notice. Repeat: Seek shelter indoors and stay on campus until further notice."
6.	Evacuate	"This is an Assumption University alert: A dangerous emergency situation reported on campus. Evacuate the campus property immediately. Repeat: A dangerous emergency situation reported on campus. Evacuate the campus immediately."
7.	Test	"This is an Assumption University alert: This is a test of the Assumption University Emergency Warning System. This is only a test. Repeat: This is only a test of the Assumption University Emergency Warning System."
8.	False Alarm	"This is an Assumption University alert: Previous emergency warning alert was a false alarm. There is no emergency. Please resume normal activity. Repeat: Previous emergency alert was a false alarm. There is no emergency."
9.	All Clear	"This is an Assumption University alert: This is an all-clear notification. Please resume normal activity. Repeat: All clear. Resume normal activity."
10.	Warning	Fast wail-manual message
11.	All Clear	

MISSING STUDENT NOTIFICATION POLICY

Assumption University takes student safety very seriously. To this end, the following policy and procedure has been developed to assist with locating Assumption student(s) living in University-owned, on-campus housing, who, based on the facts and circumstances known to the University, are determined to be missing. This policy is in compliance with Section 488 of the Higher Education Act of 2008.

Most missing person reports in the University environment result from a student changing her/his routine without informing her/his roommates and/or friends of the change. Anyone who believes a student to be missing should report their concern to Campus Police as soon as possible. Every report made to Campus Police will be followed up with an immediate investigation. Once a student has been missing for 24 hours, or if a situation indicates suspicious circumstances in the student disappearance the incident will be reported to appropriate local and/or state police.

Depending on the circumstances presented to University officials and the amount of time the student is believed to have been missing, parents of a missing student will be notified. Parent of a missing student under 18 years will be notified immediately. In the event parental notification is necessary, the Dean of Students (or his/her designee) will place the call.

At the beginning of each academic year, residential students will be asked to provide, on a voluntary basis, emergency contact information in the event s/he is reported missing while enrolled at Assumption University. This emergency information will be maintained by the Office of Student Affairs and updated annually.

V. Assumption University – Main Campus – Clery Act Crime Statistics

CRIMINAL OFFENSES	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	3	0	0	3	2	0	0	0	0	0	0	0	1	0	0	1	1	0
Fondling	1	0	0	1	1	0	4	0	0	4	4	0	1	0	0	1	1	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0
Burglary	0	0	0	0	0	0	8	0	0	8	1	0	4	0	0	4	4	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	4	0	0	4	3	0	12	0	0	12	5	0	7	0	0	7	6	0
BIAS CRIMES	2021						2021						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS*	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS**	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Weapons Violations	1	0	0	1	1	0	5	0	0	5	5	0	4	0	0	4	4	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	37	0	0	37	37	0	134	0	0	134	134	0	67	0	0	67	67	0
TOTAL	38	0	0	38	38	0	139	0	0	139	139	0	71	0	0	71	71	0
VAWA OFFENSES	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	3	0	0	3	3	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	3	0	0	3	3	0	0	0	0	0	0	0

- (1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
- (2) Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- (3) Public: All property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- (4) Total: Campus Crime + Non-Campus Crime + Public Crime
- (5) Residence: A subset of campus crime. Crimes are counted in both categories.
- (6) Unfounded: After an investigation by a law enforcement agency any report of a crime that is found to be false or baseless, the crime is considered "unfounded".

*DOES NOT INCLUDE DRUNKENNESS OR DRIVING UNDER THE INFLUENCE IN LIQUOR LAW VIOLATIONS

**DOES NOT INCLUDE DISCIPLINARY ACTIONS THAT WERE STRICTLY FOR SCHOOL POLICY VIOLATIONS

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VI. Assumption University – Rome Campus – Clery Act Criminal Statistics

CRIMINAL OFFENSES	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
BIAS CRIMES	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

ARRESTS*	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DISCIPLINARY ACTIONS**	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA OFFENSES	2021						2022						2023					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Residence (5)	Unfounded (6)
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

- (1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
- (2) Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- (3) Public: All property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- (4) Total: Campus Crime + Non-Campus Crime + Public Crime
- (5) Residence: A subset of campus crime. Crimes are counted in both categories.
- (6) Unfounded: After an investigation by a law enforcement agency any report of a crime that is found to be false or baseless, the crime is considered "unfounded".

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ANNUAL FIRE SAFETY REPORT

Prepared by: The Department of Public Safety/Campus Police
Website: [Public Safety - Assumption University](#)

October 1, 2024

The Assumption University Campus Police and Building & Grounds Department work hand in hand with the Worcester Fire Department to ensure the Assumption campus is in compliance with the fire and safety codes and standards. Egress drills for residential students are conducted twice a year at the beginning of both the fall and spring semesters with the Residential Life Staff in accordance with these codes and standards. Campus Police produced a fire safety video, in cooperation with the Office of Residential Life and the Student Government Association, which is broadcasted on Assumption University's television channel periodically. Training on fire extinguisher use is also provided. In addition, fire extinguishers are inspected on a regular basis. Assumption University has recently completed the installation of fire suppressant sprinkler systems in all of the residence halls.

HIGHER EDUCATION OPPORTUNITY ACT CAMPUS FIRE SAFETY ANNUAL COMPLIANCE REPORT

OVERVIEW

The Higher Education Opportunity Act (Public Law 110-315) became law in August 2008. It requires all United States academic institutions to produce an annual fire safety report outlining fire safety practices, standards, and all fire-related on-campus statistics. The following public disclosure report details all information required by this law as it relates to Assumption University.

HEALTH AND FIRE SAFETY

Health and Fire Safety Inspection/Right of Entry - The Residential Life Staff will conduct monthly Health and Fire Safety Inspections of all students' rooms. The Director of Residential Life, Assistant Director of Residential Life, Residential Directors, or their designee, shall have the right to enter the premises at a reasonable hour in the day or evening, to make such request for repairs, additions, or alterations as deemed necessary. Notification of inspection time and date need not be posted. The University reserves the right to inspect any room when the University deems such necessary. In addition, the Director of Residential Life, Assistant Director of Residential Life, Residential Directors as well as other University officials, have the right to enter the premises at any time for any reasonable cause. The primary purpose of entering is to take those precautions which University officials find necessary to protect the health, safety, and general welfare of the occupants and/or of other persons therein and to enforce University policy. Members of the Maintenance staff routinely enter rooms in the performance of their duties. Such entry is not considered an inspection, however, blatant violations, especially those that could affect student safety will be reported to the Office of Residential Life. Fire and Safety Regulations - Use of fire alarms or firefighting equipment for any purpose, except that for which intended, is prohibited according to State law. Impairment of this system could cause loss of life, a great deal of damage to personal belongings and to the residence hall property. Because malicious tampering with fire-equipment seriously jeopardizes the lives of residents, individuals who indulge in such activity will be subject to disciplinary action. For the safety of all residents, evacuation drills are held at least once per semester. It is important for residents to familiarize themselves with the procedures to avoid panic in case of emergency. Participation in drills is mandatory. Violation of any aspect of these regulations will be dealt with as a serious disciplinary offense. For your safety and the safety of others in your community the following are strictly PROHIBITED from students' rooms and townhouses:

1. Smoking (Please see smoking policy in the General Policies and Procedures Section).
2. Candles, of any kind/shape/size. Decorative candles should not be in any room, apartment or townhouse. Potpourri burners and incense, whether burning or not, are prohibited. Possession of candle, incense, or potpourri burner.
3. Fireworks including firecrackers, caps, roman candles, and sparklers. Use and/or possession of fireworks including, but not limited to, firecrackers, smoke bombs, Roman Candles, and sparklers.
4. Weapons are not allowed on campus, even if a student is registered to carry such a weapon. This includes, but is not limited to, firearms, bows and arrows, slingshots, hunting and other knives, blowguns, BB guns, pellet guns, air-soft guns, air propelled or any other weapon.
5. Items suspended from ceiling (i.e.: flags, fishing nets, tapestries, rugs) cannot block any entrances/exits, windows, and/or fire safety equipment.
6. Any object that blocks the exit from a room or townhouse. That includes wardrobes (creating hallways with wardrobes is prohibited) in the underclass halls, and anything obstructing the exit from a bedroom inside an apartment and/or townhouse (The rule to follow is: a medical emergency stretcher needs to be able to fit easily through any doorway).
7. Temporary partitions or dividers.
8. Furniture that is stacked, such as desks.
9. Cinder Blocks.
10. Leg lifters may be used for beds that are not bunked; however, great care must be taken and this is done at the risk of the student.
11. Unauthorized locks on any door.
12. Obstruction of sprinkler heads or fire and safety equipment.
13. Dismounting or removal of a fire extinguisher. Extinguisher must remain fully charged and mounted in designated areas. Apartments and townhouses must have a fire extinguisher in view.
14. Unauthorized electrical appliances such as hot plates, hot pots, coffee makers (unless equipped with an automatic shut-off switch), "George Foreman" type grills, space heaters, toaster ovens, sun lamps, oversized refrigerators (over 1.5 cubic feet), oversized microwaves (over 500 watts), and halogen lamps. We also recommend that irons be equipped with an automatic shut off switch for safety reasons. Students in apartments should consult Residential Life for a list of approved appliances.

15. Appliance cords with broken insulation or broken plug ends. Electrical octopi (multiple extension cords). Power strips must be used when connecting more than two items to a single wall outlet (which contains room for two plugs). An extension cord may be plugged into the power strip and then be plugged into a single device (here is an allowable example: run a power strip into the wall outlet, plug an extension cord into the power strip and then plug an alarm clock into the extension cord). If you have any doubt or questions, the Office of Residential Life or Buildings and Grounds can provide help and direction.
16. Gasoline camp stoves are not allowed. Gas grills must be at least 25 feet from the building and used on hard, concrete surfaces, away from any wooded area. NO grills that utilize lighter fluid and/or charcoal may be used at any time. Propane tanks of any size may NOT be stored inside any room/apartment/townhouse.
17. Kerosene lamps, even as a decoration.
18. Combustible trash receptacles.
19. Paint cans without lids.
20. Outside antennas or aerials.
21. Rooms kept in unsanitary condition, uncovered food containers, excessive beverage containers, exposed food or disposal of trash other than in an appropriate trash receptacle.
22. Removal of screens, windows, and/or security screen tabs.
23. Neon lighted signs.
24. City and/or street signs are prohibited.

Policy for Outdoor Cooking Grills

The following regulations pertain to the individual use of outdoor cooking grills on campus:

1. Only grills that are run with propane tanks are allowed on campus.
2. NO grills that utilize lighter fluid and/or charcoal may be used at any time.
3. Grills in the areas of Alumni, Desautels, Hanrahan, Living/Learning Center, Nault, Plough, Salisbury, Cesareo, Wachusett, West, Worcester, and Young Halls must be located approximately twenty-five (25) feet from the building and/or wooded areas. Grills are to be placed on hard (paved) surfaces.
4. Grills in the area of Aubuchon, Bissonnette, Dion, and Moquin Halls are to be used only on the hard (concrete) surfaces to the front or rear of these apartments.
5. Grills in the area of Authier and Dufault Halls are to be operated only on the paved surfaces in front of the ground level apartments. At no time should a grill be used in the stairwells (towers) of these apartments.
6. Propane tanks of any size may NOT to be stored inside any room/apartment/ townhouse; propane tanks, either empty or full, are NEVER permitted above ground level (i.e. never permitted in the "tower" stairwells of Authier/Dufault). In all cases, the grills should be attended to at all times while in use.

Fire Emergency/Fire Drill Procedures

In case of an alarm, touch your door to feel if it is hot and look under your door for any smoke seeping in. If it is safe to evacuate, then you must leave immediately by way of the nearest exit. Do not use elevators during a fire alarm. Stay calm. Assemble outside at least 150 feet away from the building, not in the fire lanes, since these must be kept clear for fire equipment. Do not re-enter the building until Campus Police establishes the safety of the situation. To the extent that personal safety permits, Residential Life staff assists students with evacuation; however, it is the sole responsibility of the student to evacuate whenever an alarm sounds. Do NOT wait for Residential Life staff members to tell you to evacuate. Any student who does not leave a building when an alarm sounds will be subject to disciplinary sanctions.

False Alarms - A false alarm is extremely dangerous. Repeated false alarms often cause students to treat an actual fire lightly. Anyone found to have intentionally set off a false alarm will be evicted from Assumption housing and may also be subject to suspension or expulsion from the University and prosecution to the fullest extent of the law.

Fire and Safety Equipment - Due to the risk posed to the community by tampering with fire safety systems, the University may, at a minimum, suspend students from the University for involvement in any of the following: causing a fire or flood, registering a false fire alarm (from a pull station or in conjunction with other inappropriate activities, including but not limited to the use of fireworks and "hall sports"), discharging a fire extinguisher, removing, disabling, or tampering with general alarms, smoke detectors, door alarms, fire extinguisher, or stand pipes. A student may be suspended from residence for damaging or tampering with exit signs or emergency lighting. In addition, students will be charged restitution for any damages, fined up to \$200.00 by the University, and subject to any charges imposed by the Worcester Fire Department. Students are advised that "accidental" tampering is not regarded as a suitable defense in such matters. Finally, students who fail to evacuate a building during an alarm will be subject to Disciplinary Probation and a fine of \$50.00. If no one takes responsibility for unauthorized use of equipment, all residents living in the damaged area will be assessed the cost of replacement of the fire extinguisher and any excessive cleaning charges. To avoid unnecessary charges, take responsibility for the area in which you live.

Alarm Monitoring

At Assumption University, all residence halls are covered with integrated fire sprinkler systems and a redundant fire alarm monitoring systems which are monitored 24 hours/day, seven days/week by the Campus Police office and an offsite monitoring company.

On Campus Residence Hall Fire Safety Systems

Residence Halls	Fire Alarm System Monitoring On-Site & Off Site	Partial ¹ Sprinkler System	Full ² Sprinkler System	Minimum Number of Evacuation/ Fire Drills Each Year	Smoke Detectors	Fire Extinguishers present
Alumni Hall	X		X	2	X	Yes
Desautels Hall	X		X	2	X	Yes
Nault Hall	X		X	2	X	Yes
Hanrahan Hall	X		X	2	X	Yes
Young Hall	X		X	1*	X	Yes
Salisbury Hall	X		X	2	X	Yes
Aubuchon Hall	X		X	2	X	Yes
Bissonnette Hall	X		X	2	X	Yes
Dion Hall	X		X	2	X	Yes
Moquin Hall	X		X	2	X	Yes
Dufault Hall	X		X	2	X	Yes
Authier Hall	X		X	2	X	Yes
Worcester Hall	X		X	2	X	Yes
Wachusett Hall	X		X	2	X	Yes
Living & Learning Center Hall	X		X	3**	X	Yes
Plough Hall	X		X	2	X	Yes
West Hall	X		X	2	X	Yes
Cesareo Hall	X		X	4**	X	Yes

*Off-line Spring Semester 2023

**Summer Housing

Fire Safety Improvements and Upgrades

Assumption University Department of Public Safety/Campus Police and the Building & Grounds Department annually review the fire systems in our residence halls and make upgrades, repairs or revisions when problems are identified. There are no current plans for system upgrades, but this is subject to change. Our systems are also evaluated annually by the Worcester Fire Department for compliance with current code and industry standards.

Residence Hall Fire Drills

Fire drills are held once a semester for each residence hall. Fire drills are mandatory supervised evacuations of a building for a fire. The fire drill is scheduled with Campus Police and Residence Life. The supervised fire drill is scheduled within the first few weeks of the beginning of the semester.

Students who fail to leave the building during any fire drill are documented and the incident is turned over to the Judicial Affairs for adjudication.

Fire/Life Safety Education

Residence Life policy on fire safety is to prohibit usage of electrical cooking appliances, candles, and specific electrical equipment in individual rooms.

¹ Partial sprinkler system is defined is defined as having sprinklers in the in common areas only.

² Full sprinkler system is defined as having sprinklers in both common areas and individual rooms.

Residential Life policy on evacuation from residence halls is in the student handbook and is discussed with residents when they move into the residence hall. This information is also contained in the red Emergency Guide found in all living areas on campus.

In case of a fire, please sound the nearest fire alarm and evacuate the building. Evacuation procedures are as follows:

1. Know the emergency routes from your room and hall.
2. Check to see if your door is hot or has smoke around it. If so, stay in your room and wait to be evacuated by firefighters.
3. Shut your door tightly when you leave.
4. Exit your building and follow the directions of staff members.
5. **DO NOT** remain close proximity to the buildings. Move to your designated evacuation area so that the Residence Life staff can conduct roll call.

Fire Safety Tips

- Should you see a fire, sound the fire alarm immediately and call Campus Police at x7777 then 911.
- Advise Campus Police of the size and location of the fire.
- Campus Police will notify the fire department and will respond to assist.
- Do not enter a building that is on fire.
- Advise Campus Police if you know that someone is in the building.
- Always report any fire, even if it has been extinguished.
- Report vandalized or discharged fire extinguishers to Campus Police.
- Make sure you know what your building's fire alarm sounds like.
- Know your evacuation route (at least two exits).
- Close doors to help prevent the fire from spreading.
- Do not open doors if you suspect fire may be on the other side.
- Stay low to the floor and cover your mouth with a wet cloth to make breathing easier in smoky conditions.
- Never prop open or lock a fire exit.
- University policy dictates that when a fire alarm sounds in any building, the building will be evacuated for everyone's safety.

Fire/Life Safety Inspections

During fall semester a residence life staff person will do a fire/life inspection of your room. You will be notified as to when these inspections will take place, and you will be required to allow the staff person entrance to your room for inspection. If you or your roommate(s) are not home, the room will be inspected without you present and a note will be left indicating the status of your room. Should a violation be found, you will receive a letter indicating what the violation was, and you will be expected to meet immediate compliance. If the violations have not been corrected after an unannounced re-inspection, you and/or your roommate will be subject to disciplinary action.

Some common violations are as follows:

- Extension cords and multi-tap electric units without a breaker
- Items attached to sprinkler heads
- Blocking of egress (exit) pathways
- Evidence of burning of candles, incense, or tobacco products
- Evidence of cooking; or cooking appliances, even if unused
- Evidence of a heavy load of combustibles in a room, on the walls, or ceiling
- Covering a door with paper or other combustible material
- Use of electrical wiring, devices, appliances which are modified or damaged
- Use of portable heater
- Tampered with smoke detector
- Use of halogen lamp/lighting
- Unsafe lofting or raising of beds — including rooms with no guardrails
- Any other situation deemed unsafe by the staff inspection

Smoking Policy

Assumption University prohibits smoking in any of the residence halls and a minimum of fifty feet from any residence hall entrance.

Reporting a Fire

Students reporting a fire should contact Campus Police extension 7777 in an emergency and extension 7225 in a non-emergency situation. Additional 911 can also be called.

Definitions:

Fire - Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Fire drill - A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury - Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-related death - Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or deaths that occur within 1 year of injuries sustained as a result of the fire.

Fire safety system - Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire including: Sprinkler or other fire extinguishing systems, Fire detection devices, standalone smoke alarms, devices that alert one to the presence of a fire, such as horns or strobe lights, smoke-control and reduction mechanisms, and fire doors and walls that reduce the spread of a fire.

Value of Property Damage - The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity, including contents damaged by fire, related damages caused by smoke, water, and overhaul, however it does not include indirect loss, such as business interruption.

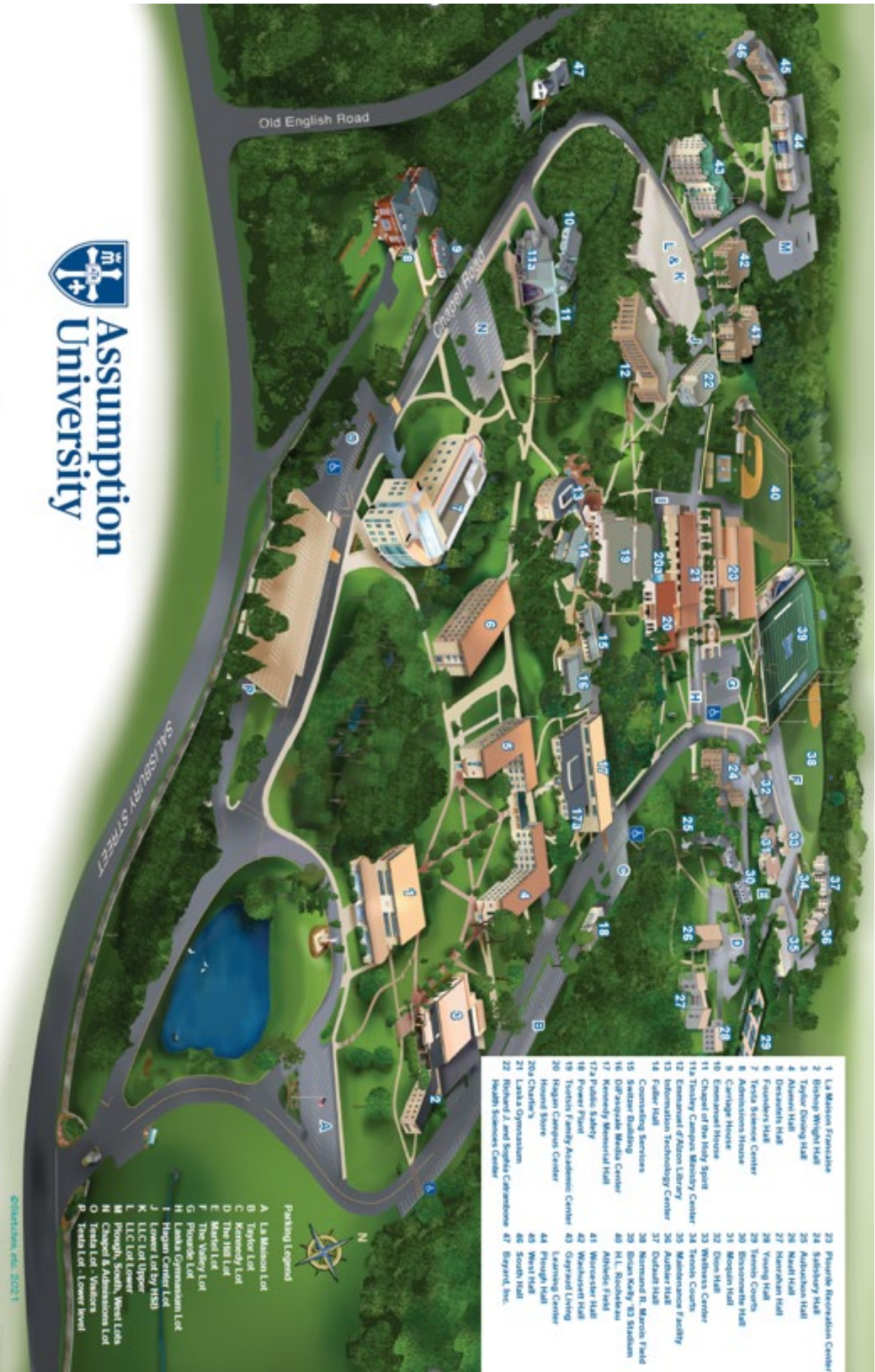
Fire Log - A fire log is kept in the Campus Police Department open to the public during normal business hours. Assumption University maintains a fire log that records any fire that occurred in an on-campus student housing facility and includes information such as the nature, date, time and general location of each fire. The Fire Log entry, or an addition to an entry, shall be made within two business days of the receipt of information. The Fire log for the most recent 60-day period shall be open to public inspection during normal business hours. Any portion of the log older than 60 days will be available within two business days of a request for public inspection.

Assumption University – Main Campus – Fires – Summary

	2021			2022			2023		
	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS
Alumni Hall	0	0	0	0	0	0	0	0	0
Desautels Hall	0	0	0	0	0	0	0	0	0
Nault Hall	0	0	0	0	0	0	0	0	0
Hanrahan Hall	0	0	0	0	0	0	0	0	0
Young Hall	0	0	0	0	0	0	0	0	0
Aubuchon Hall	0	0	0	0	0	0	0	0	0
Bissonnette Hall	0	0	0	0	0	0	1	0	0
Dion Hall	0	0	0	0	0	0	0	0	0
Moquin Hall	0	0	0	0	0	0	1	0	0
Dufault Hall	0	0	0	0	0	0	0	0	0
Authier Hall	0	0	0	0	0	0	0	0	0
Worcester Hall	0	0	0	0	0	0	0	0	0
Wachusett Hall	0	0	0	0	0	0	0	0	0
Living & Learning	0	0	0	1	0	0	0	0	0
Plough Hall	0	0	0	0	0	0	0	0	0
West Hall	0	0	0	0	0	0	0	0	0
Cesareo Hall	0	0	0	0	0	0	0	0	0
Salisbury Hall	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	1	0	0	2	0	0

Assumption University – Rome Campus – Fires – Summary

	2021			2022			2023		
	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS	FIRES	INJURIES	DEATHS
Villino Dufault Via San Pio V, 55	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0



Assumption University

- 1 La Mission Francaise
- 2 Bishop Wright Hall
- 3 Taylor Dining Hall
- 4 Alumni Hall
- 5 Descazich Hall
- 6 Freres Hall
- 7 Tech Science Center
- 8 Admissions House
- 9 Carriage House
- 10 Emergent House
- 11 Chapel of the Holy Spirit
- 12 Emmanuel of Alton Library
- 13 Information Technology Center
- 14 Fuller Hall
- 15 Consulting Services
- 16 Dipaulo Mando Center
- 17 Kennedy Memorial Hall
- 17A Public Safety
- 18 Power Plant
- 19 Stock Family Academic Center
- 20 Hogan Campus Center
- 20A Hoard Store
- 21 Charles
- 22 Richard J. and Bogdan Czerwinski Health Sciences Center
- 23 Pluride Recreation Center
- 24 Salisbury Hall
- 25 Aubuchon Hall
- 26 Merrill Hall
- 27 Sherburn Hall
- 28 Young Hall
- 29 Tennis Courts
- 30 Ecclesville Hall
- 31 Magon Hall
- 32 Oron Hall
- 33 Wellness Center
- 34 Tennis Courts
- 35 Maintenance Facility
- 36 Aubler Hall
- 37 Output Hall
- 38 Norman R. Maron Field
- 39 Brian Kelly '83 Stadium
- 40 H.L. Roubidoux Athletic Field
- 41 Worcester Hall
- 42 Washburn Hall
- 43 O'Leary Living Learning Center
- 44 Plough Hall
- 45 West Hall
- 46 South Hall
- 47 Bayard, Inc.



- Parking Legend**
- A La Mission Lot
 - B Taylor Lot
 - C Kennedy Lot
 - D The Hill Lot
 - E Merrill Lot
 - F The Valley Lot
 - G Pinnacle Lot
 - H Leaks Gymnasium Lot
 - I Hogan Center Lot
 - J Lower Lot by HSO
 - K LLC Lot Upper
 - L LLC Lot Lower
 - M Prough, South, West Lots
 - N Chapel & Admissions Lot
 - O Tesla Lot - Visitors
 - P Tesla Lot - Lower level

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This statistical report has been compiled in part by information provided to Assumption University from the Worcester Police Department, as well as other departments and personnel from within Assumption University. When possible, all provided information is verified prior to publication. The Campus Police Department makes all attempts to ensure that statistics are not double counted and are as accurate as they possibly can be.

Any questions regarding this report and/or the information contained should be directed to the Assumption University Department of Public Safety/Campus Police:

Phone: 508-767-7225

Fax: 508-767-7281

The Annual Security Report is available on the Assumption University Campus Police website. A printed booklet can be picked up in person at the Campus Police Department located on the ground floor level of Kennedy Memorial Hall.

Public Safety - Assumption University

This booklet is intended to be used as a guide.

Specific questions should be directed to the Department of Public Safety/Campus Police 508-767-7225.

Appendix A

DISCRIMINATION AND SEXUAL
MISCONDUCT PREVENTION AND
RESPONSE POLICY



Assumption University

DISCRIMINATION AND SEXUAL MISCONDUCT PREVENTION AND RESPONSE POLICY

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**ASSUMPTION UNIVERSITY
DISCRIMINATION AND SEXUAL MISCONDUCT PREVENTION AND RESPONSE
POLICY FOR ALL FACULTY, STUDENTS, EMPLOYEES, AND THIRD PARTIES
(Hereinafter, “the Policy”)**

1. Purpose

Assumption University (hereinafter “Assumption” or “the University”) is committed to providing an educational and employment environment that is free from discrimination based on protected characteristics, harassment, and retaliation for engaging in protected activity.

Assumption values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, Assumption has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of protected characteristic discrimination, harassment or allegations of retaliation.

2. Notice of Nondiscrimination

Assumption University is committed to establishing an environment free from all forms of discrimination and harassment for all members of Assumption community. The University prohibits discrimination against any person on the basis of race, color, national origin, sex, religion, disability, age, marital or parental status, sexual orientation, gender identity, gender expression, genetic information or family medical history, military or veteran status, immigration status, or any other legally protected status.

Title IX of the Educational Amendments of 1972, 20 U.S.C. SS 1681 et seq., prohibits discrimination on the basis of sex and gender in educational programs and activities operated by recipients of federal financial assistance, including employment by such institutions. Title VII of the Civil Rights Act of 1964 likewise prohibits discrimination in employment. It is important to understand that sex and gender discrimination includes sexual harassment, which encompasses sexual violence and other forms of sexual misconduct, as discussed below. The University complies with all federal and state laws regarding non-discrimination, including Title IX, and does not discriminate on the basis of sex or gender in its educational programs and activities, admissions, or employment.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of Assumption University community whose acts deny,

deprive, or limit the educational or employment access, benefits, and/or opportunities of any member of Assumption University community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of Assumption University's Policy on Nondiscrimination.

Assumption will promptly and effectively address any such discrimination of which it has Knowledge/Notice using the resolution process in the Discrimination and Sexual Misconduct Prevention and Response Policy Procedures.

3. The Title IX Coordinator

Christina Graziano serves as the Title IX Coordinator and oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating Assumption University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remedy, and prevent discrimination, harassment, and retaliation prohibited under this policy. Contact information for the Title IX Coordinator is:

Christina Graziano
General Counsel, Vice President for Strategy & Title IX Coordinator
La Maison – President's Office
508-767-7321
titleix@assumption.edu

The Title IX Coordinator is responsible for providing comprehensive nondiscrimination education and training; coordinating Assumption's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure an education and employment environment free from discrimination, harassment, and retaliation.

Assumption recognizes that allegations under this Policy may include multiple forms of discrimination and harassment as well as violations of other Assumption policies; may involve various combinations of students, employees, and other members of Assumption community; and may require the simultaneous attention of multiple Assumption departments. Accordingly, all Assumption departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable Assumption policies, to provide uniform, consistent, efficient, and effective responses to alleged discrimination, harassment, or retaliation.

4. External Agency Contact Information

Concerns about Assumption's application of this Policy and compliance with certain federal or state civil rights laws may also be addressed to:

Office for Civil Rights (OCR)
U.S. Department of Education

400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Office for Civil Rights (OCR)
Boston Office
8th Floor, 5 Post Office Square
Boston, MA, 02109-3921
Email: OCR.Boston@ed.gov

For Complaints involving employee-on-employee conduct: [Equal Employment Opportunity Commission](#) (EEOC)

EEOC Regional Office
John F. Kennedy Federal Building, 15 New Sudbury Street, Room 475
Boston, MA, 02203

Massachusetts Commission Against Discrimination
1 Ashburton Place, Suite 601, Boston, MA 02108
Phone: (617) 994-6000
Email: mcad@mass.gov
Facsimile: (617) 994-6024

5. Mandated Reporting and Confidential Employees

All Assumption University employees (full and part-time faculty, staff, and administrators, including student employees), other than those deemed Confidential Employees, are Mandated Reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, retaliation and/or Other Prohibited Conduct to appropriate officials immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal University action.

Complainants may want to consider carefully whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Title IX Coordinator.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or Policy violations, and these employees will immediately pass Notice to the Title IX Coordinator (and/or police, if desired by the Complainant or required by law), who will act when an incident is reported to them.

The following sections describe Assumption’s reporting options for a Complainant or third party (including parents/guardians when appropriate):

Confidential Employees

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and mental health counselors; 2) Those whom Assumption has specifically designated as Confidential Resources for purposes of providing support and resources to the Complainant; and 3) Those conducting human subjects research as part of a study approved by Assumption’s Institutional Review Board (IRB). For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the Notice. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order.

To enable Complainants to access support and resources without filing a Complaint, Assumption has designated specific employees as Confidential Resources. Those designated by Assumption as Confidential Resources are not required to report actual or suspected discrimination, harassment, or retaliation in a way that identifies the Parties. They will, however, provide the Complainant with the Title IX Coordinator’s contact information and offer options and resources without any obligation to inform an outside agency or Assumption official unless a Complainant has requested the information be shared.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Confidential Employees:

Students:

- **Assumption University Counseling Services**
508-767-7409 Fuller
Hall 105-108
<https://my.assumption.edu/services/counseling/Pages/default.aspx>

Counseling Services provides support and counseling to Student survivors of Sexual Misconduct and can explain common reactions to crises and discuss coping methods that may assist individuals following a Sexual Assault.

- **Assumption University Student Health Services**
508-767-7329
Armanet House (located across from the Moquin Townhouses)

<https://my.assumption.edu/services/Health/Pages/default.aspx>

Student Health Services can provide free confidential medical care and referrals for Students to receive follow-up care and screening for sexually transmitted diseases.

- **Campus Ministry**

508-767-7419

Tinsley Campus Ministry Center

<https://my.assumption.edu/campus/ministry/Pages/default.aspx>

Campus Ministry staff provide confidential pastoral counseling that affirms the dignity of the survivor and helps them work through questions of faith that have arisen as well as emotional support and information about their options. Furthermore, clergy members and members of religious orders including members of the Assumptionist community, also provide confidential pastoral counseling.

- **Campus Advocate**

advocate@assumption.edu

The Campus Advocate provides confidential, nonjudgmental support to Student survivors of Sexual Misconduct and their friends, significant others, roommates, teammates, classmates, family members, and faculty members, no matter when or where Sexual Misconduct occurred.

- **Athletic Trainers**

Athletic Trainers who are licensed by the Commonwealth of Massachusetts and employed by the University to provide first aid and treatment to Student athletes can provide confidential care, support, and guidance to Student survivors of Sexual Misconduct.

Employees

- **Employee Assistance Program**

E4 Wellness

508- 842-2780 or 1-800-828-6025, 24 hours a day, 7 days a week

Institutional counselors and/or the Employee Assistance Program are available to help free of charge and may be consulted on an emergency basis during normal business hours.

Employees who have confidentiality as described above, and who receive Notice within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act statistical reporting purposes unless they believe it would be harmful to their client, patient, or parishioner.

Failure of a Mandated Reporter, as described above in this section, to report an incident of discrimination, harassment, or retaliation of which they become aware is a violation of Assumption Policy and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of discrimination, harassment, or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

In addition, Complainants may speak with individuals unaffiliated with Assumption without concern that Policy will require them to disclose information to the institution without permission:

- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

6. Disability-based Accommodations, Grievances, and Complaints

Assumption University is committed to full compliance with the Americans with Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal, state, and local laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity. The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by Assumption, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

Pursuant to the ADA, Assumption will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to Assumption. The University will also provide qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to Assumption academic programs, facilities, and activities.

All accommodations are made on an individualized basis. Employees and students are responsible for submitting an accommodation request to the ADA/504 Coordinator and providing necessary documentation.

Grievances related to disability status and/or accommodations will be addressed using this Policy and procedures.

For students:

A student requesting any accommodation should first contact the Senior Director of Student Accessibility and Retention Initiatives, who coordinates services for students with disabilities, reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s) in accordance with applicable Assumption policies.

Julie LeBlanc, Senior Director of Student Accessibility and Retention Initiatives
Emmanuel D'Alzon Library – Room 214
508-767-7500
jm.leblanc@assumption.edu

For employees:

The Associate Vice President for Human Resources has been designated as Assumption's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties in accordance with applicable Assumption policies.

Kate Foley, SHRM-CP
Director of Human Resources
Alumni Hall
508-767-7283
foley@assumption.edu

7. Scope

This Policy is only applicable to alleged incidents that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply.

This Policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in Assumption's program or activities, including education and employment.

This Policy prohibits all forms of discrimination on the basis of the protected characteristic(s), and may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this Policy.

8. Jurisdiction

This Policy applies to Assumption's education programs and activities (defined as including locations, events, or circumstances in which Assumption exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where Assumption has disciplinary authority, and to misconduct occurring within any building owned or controlled by an Assumption-recognized student organization.

This Policy may also apply to the effects of off-campus misconduct that limit or deny a person's access to Assumption's education program or activities. Assumption may also extend jurisdiction to off-campus and/or to online conduct when the conduct affects a substantial Assumption University interest.

A substantial Assumption University interest includes:

- 1) Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- 2) Any situation in which it is determined that the Respondent poses an imminent and serious threat to the health or safety of any student, employee, or other individual.
- 3) Any situation that significantly impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
- 4) Any situation that substantially interferes with Assumption's educational interests or mission.

For disciplinary action to be issued under this Policy, the Respondent must be an Assumption faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of Assumption community, the Title IX Coordinator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options, and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus). Assumption can also assist in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

All vendors serving Assumption University through third-party contracts are subject to the policies and procedures of their employers.

When a party is participating in a dual enrollment/early college program, Assumption will coordinate with the party's home institution to determine jurisdiction and coordinate providing

supportive measures and responding to the complaint under the appropriate policy and procedures based on the allegations and identities of the Parties.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to Assumption where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee's work or educational environment, those effects can often be addressed remedially by the Title IX Coordinator if brought to their attention.

9. Supportive Measures

Assumption will offer and implement appropriate and reasonable supportive measures to the Parties upon Notice of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to Assumption's education program or activity, including measures designed to protect the safety of all Parties and/or Assumption's educational environment and/or to deter discrimination, harassment, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the Parties upon receiving Notice/Knowledge or a Complaint. At the time that supportive measures are offered, if a Complaint has not been filed, Assumption will inform the Complainant, in writing, that they may file a Complaint with Assumption either at that time or in the future. The Title IX Coordinator will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

Assumption will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair Assumption's ability to provide those supportive measures. Assumption will act to ensure as minimal an academic/occupational impact on the Parties as possible. Assumption will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling

- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact restrictions (no contact orders) between the parties
- Referral or assistance with obtaining a court-issued protective order
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Administrator

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of Assumption’s decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the Title IX regulatory definition of supportive measures. Assumption will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances materially change. Assumption typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the Title IX Coordinator.

10. Online Harassment and Misconduct

Assumption policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the University’s education program and activities, or when they involve the use of Assumption networks, technology, or equipment.

Although Assumption may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to Assumption, it will engage in a variety of means to address and mitigate the effects. These means may include use of the Resolution Process to address off-campus conduct whose effects contribute to limiting or denying a person access to Assumption’s education program or activity.

Members of the community are encouraged to be good digital citizens and to refrain from online misconduct, such as feeding anonymous gossip sites, sharing inappropriate content via social media, unwelcome sexual or sex-based messaging, distributing or threatening to distribute revenge pornography, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harm another member of Assumption University community.

11. Prohibited Conduct

Students and employees are entitled to an educational and employment environment that is free of discrimination, harassment, and retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited discrimination, harassment, and retaliation that are also prohibited under Assumption University Policy. When speech or conduct is protected by academic freedom, it will not be considered a violation of Assumption University Policy, though supportive measures will be offered to those impacted.

All offense definitions below encompass actual and/or attempted offenses.

Any of the following offenses can be charged as or combined as pattern offenses, in which case the Notice of Investigation and Allegation (NOIA) will clearly indicate that both individual incidents and a pattern of conduct are being investigated. A pattern may exist and be charged when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice-versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions, accordingly.

Violation of any other University policies may constitute discrimination or harassment when motivated by actual or perceived protected characteristic(s), and the result is a limitation or denial of employment or educational access, benefits, or opportunities.

A. Discrimination

Discrimination is different treatment with respect to a person's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived protected characteristic. Discrimination also includes allegations of a failure to provide reasonable accommodations as required by law or policy, such as for disability, religion, or creed.

Discrimination can take two primary forms:

1) Disparate Treatment Discrimination:

- Any intentional differential treatment of a person or persons that is based on a person’s actual or perceived protected characteristic and that:
 - Excludes a person from participation in;
 - Denies the person benefits of; or
 - Otherwise adversely affects a term or condition of a person’s participation in an Assumption program or activity.

2) Disparate Impact Discrimination:

- Disparate impact occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on a protected group or person that:
 - Excludes an individual from participation in;
 - Denies the individual benefits of; or
 - Otherwise adversely affects a term or condition of an individual’s participation in an Assumption program or activity.

B. Discriminatory Harassment

- unwelcome conduct on the basis of actual or perceived protected characteristic(s), 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 Assumption’s education program or activity

C. Sex-based Harassment (Applicable under Title IX, Title VII, and the Fair Housing Act)

Sex-based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex,¹ including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking.

1) Quid Pro Quo:

- an employee agent, or other person authorized by Assumption University,
- to provide an aid, benefit, or service under Assumption’s education program or activity,
- explicitly or impliedly conditioning the provision of such aid, benefit, or service,
- on a person’s participation in unwelcome sexual conduct.

¹ Throughout this Policy, “on the basis of sex” means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex or gender identity.

2) **Hostile Environment Harassment:**

- unwelcome sex-based conduct, 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 Assumption's education program or activity

Assumption reserves the right to address offensive conduct and/or harassment that (1) does not rise to the level of creating a hostile environment, or (2) that is of a generic nature and not based on a protected characteristic. Addressing such conduct will not result in the imposition of discipline under Assumption University Policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternative Resolution, and/or other Informal Resolution mechanisms.

For assistance with Alternative Resolution and other Informal Resolution techniques and approaches, contact the Title IX Coordinator.

3) **Sexual Assault:**²

a. **Rape:**

- Penetration, no matter how slight,
- of the vagina or anus of the Complainant,
- with any body part of the Respondent or by Respondent's use of an object, or
- oral penetration of the Complainant by a sex organ of Respondent,
- without the consent of the Complainant.

b. **Fondling:**

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- by the Respondent for the purpose of sexual gratification,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental incapacity.

c. **Incest:**

- Sexual intercourse,
- between persons who are related to each other,
- within the degrees wherein marriage is prohibited by Massachusetts law.

d. **Statutory Rape:**

² This would include having another person touch you sexually, forcibly, and/or without their consent.

- Sexual intercourse,
- with a person who is under the statutory age of consent of 16.

1) **Dating Violence**, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
 - i. The existence of such a relationship shall be determined based on the Complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - b) Dating violence does not include acts covered under the definition of domestic violence.

2) **Domestic Violence**,³ defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Massachusetts, or
- g. by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of Massachusetts.

3) **Stalking**, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at the Complainant, that
 - i. would cause a reasonable person to fear for the person’s safety, or
 - ii. the safety of others; or
 - iii. Suffer substantial emotional distress.

³ To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

For the purposes of this definition—

- Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Sexual Misconduct

7) Sexual Exploitation:⁴

- A person taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-based Harassment as defined above,
- for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) a person’s sexual orientation, gender identity, or gender expression
- Taking pictures, video, or audio recording of another person in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person’s consent), including the making or posting of non-consensual pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of

⁴ This offense is not classified under Title IX as “Sex-based harassment,” but it is included here in this Policy as a tool to address a wider range of behaviors.

compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to non-consensual sexual activity

- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)

D. Other Prohibited Conduct

1) Bullying:⁵

- repeated and/or severe aggressive behavior
- that is likely to intimidate or intentionally hurt, control, or physically or mentally diminish the Complainant
- that is not speech or conduct that is otherwise protected by the First Amendment

2) Endangerment:

- threatening or causing physical harm
- extreme verbal, emotional, or psychological abuse
- other conduct which threatens or endangers the health or safety of any person or damages their property}

3) Hazing:

- any act or action
- which does or is likely to endanger the mental or physical health or safety of any person

⁵ For Bullying, Hazing, and Endangerment, these offenses can be applied when the conduct is on the basis of protected characteristics, but is not a form of Sex-based Harassment.

- as it relates to a person’s initiation, admission into, or affiliation with any Recipient group or organization

For the purposes of this definition:

- It is not necessary that a person’s initiation or continued membership is contingent upon participation in the activity, or that the activity was sanctioned or approved by the student group or student organization, for an allegation of hazing to be upheld.
- It shall not constitute an excuse or defense to a hazing allegation that the participants took part voluntarily, gave consent to the conduct, voluntarily assumed the risks or hardship of the activity, or that no injury was suffered or sustained.
- The actions of alumni, active, new, and/or prospective members of a student group or student organization may be considered hazing.
- Hazing is not confined to the student group or student organization with which the person subjected to the hazing is associated.

4) Retaliation:

- Adverse action, including intimidation, threats, coercion, or discrimination,
- against any person,
- by Assumption, a student, employee, or a person authorized by Assumption to provide aid, benefit, or service under Assumption’s education program or activity,
- for the purpose of interfering with any right or privilege secured by law or Policy, or
- because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process under the Discrimination And Sexual Misconduct Prevention And Response Policy Procedures, including an Informal Resolution process, or in any other appropriate steps taken by Assumption to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for Assumption to pursue Policy violations against those who make materially false statements in bad faith in the course of a resolution under the Discrimination and Sexual Misconduct Prevention and Response Policy Policy. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

5) **Unauthorized Disclosure:**⁶

- Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by Assumption; or
- publicly disclosing institutional work product that contains personally identifiable information without authorization or consent.

6) **Failure to Comply/Process Interference**

- Intentional failure to comply with the reasonable directives of Title IX Coordinator in the performance of their official duties, including with the terms of a no contact order
- Intentional failure to comply with emergency removal or interim suspension terms
- Intentional failure to comply with sanctions
- Intentional failure to adhere to the terms of an Informal Resolution agreement
- Intentional failure to comply with mandated reporting duties as defined in this Policy
- Intentional interference with the Resolution Process, including but not limited to:
 - Destruction of or concealing of evidence
 - Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence
 - Intimidating or bribing a witness or party

E. Consent, Force, and Incapacitation

As used in this Policy, the following definitions and understandings apply:

1) **Consent**

Consent is defined as:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.⁷

Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

⁶ Nothing in this section restricts the ability of the Parties to: obtain and present evidence, including by speaking to witnesses (as long as it does not constitute retaliation under this Policy), consult with their family members, confidential resources, or Advisors; or otherwise prepare for or participate in the Resolution Process.

⁷ The state definition of consent is applicable to criminal prosecutions for sex offenses in MA but may differ from the definition used by the Recipient to address Policy violations.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to be kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, sexual activity should cease within a reasonably immediate time.

Silence or the absence of resistance alone should not be interpreted as consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Consent in relationships must also be considered in context. Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

2) Force

Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent.

Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” which elicits the response, “Okay, don’t hit me. I’ll do what you want.”).

Coercion is unreasonable pressure for sexual activity. Coercive conduct, if sufficiently severe, can render a person’s consent ineffective, because it is not

voluntary. When someone makes clear that they do not want to engage in sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. Coercion is evaluated based on the frequency, intensity, isolation, and duration of the pressure involved.

3) Incapacitation

Incapacitation is a state where a person is incapable of giving consent. An incapacitated person cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, and how” of their sexual interaction). A person cannot consent if they are unable to understand what is happening or are disoriented, helpless, asleep, or unconscious for any reason, including because of alcohol or other drug consumption.

This Policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating substances.

Incapacitation is determined through consideration of all relevant indicators of a person’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

If the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated, the Respondent is not in violation of this Policy. “Should have known” is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.

12. Standard of Proof

Assumption uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that Assumption will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s).

13. Reports/Complaints of Discrimination, Harassment, and/or Retaliation

A Report provides notice to Assumption of an allegation or concern about discrimination, harassment, or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A Complaint provides notice to Assumption that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint. Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a Complaint with, or give verbal Notice directly to, the Title IX Coordinator or to any member of the Nondiscrimination Team. Such a Complaint may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office of the Title IX Coordinator or any other Nondiscrimination Team member listed in this Policy:

- 2) Submit online Notice at https://cm.maxient.com/reportingform.php?AssumptionCollege&layout_id=3. Anonymous Notice is accepted, but the Notice may give rise to a need to try to determine the Parties' identities. Anonymous Notice typically limits Assumption's ability to investigate, respond, and provide remedies, depending on what information is shared. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide supportive measures to Complainants who are the subject of anonymous Notice.

Reporting carries no obligation to initiate a Complaint, and in most situations, Assumption is able to respect a Complainant's request to not initiate a resolution process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where Assumption may need to initiate a resolution process. If a Complainant does not wish to file a Complaint, Assumption will maintain the privacy of information to the extent possible. The Complainant should not fear a loss of confidentiality by giving Notice that allows Assumption to discuss and/or provide supportive measures, in most circumstances.

14. Time Limits on Reporting

There is no time limitation on providing Notice/Complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Assumption University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Notice/Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at the Title IX Coordinator's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

15. False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and may be referred for appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or resolution process can be subject to discipline under appropriate Assumption policies.

16. Confidentiality/Privacy

Assumption makes every effort to preserve the Parties' privacy. Assumption will not share the identity of any individual who has made a Report or Complaint of discrimination, harassment, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of discrimination, harassment, or retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes, of applicable laws and regulations (e.g., Title IX), Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under these policies and procedures.^{8,9} Additional information regarding confidentiality and privacy can be found in [Appendix E](#).

Unauthorized Disclosure of Information

Parties and Advisors are prohibited from disclosing information obtained by Assumption through the Resolution Process, to the extent that information is the work product of Assumption (meaning it has been produced, compiled, or written by Assumption for purposes of its investigation and resolution of a Complaint), without authorization. It is also a violation of Assumption Policy to publicly disclose institutional work product that contains a party or witness's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

17. Emergency Removal/Interim Actions/Leaves

Assumption University can act to remove a student Respondent accused of Sex Discrimination or Sex-based Harassment from its education program or activities, partially or entirely, on an emergency basis when an individualized safety and risk analysis has determined that an imminent and serious threat to the health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator and may be done in conjunction with the Concern and Risk Evaluation (CARE) Team using its standard objective violence risk assessment procedures. Employees are subject to existing procedures for interim actions and leaves.

18. Federal Timely Warning Obligations

Assumption University must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of campus community. The University will ensure that a Complainant's name and other identifying information is not disclosed, while

⁸ 20 U.S.C. 1232g

⁹ 34 C.F.R. § 99

still providing enough information for community members to make safety decisions in light of the potential danger.

19. Amnesty

The Assumption University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to give Notice to Assumption officials or participate in resolution processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University community that Complainants choose to give Notice of misconduct to Assumption University officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

To encourage reporting and participation in the process, Assumption maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

Students: Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual assault to the Campus Police). Assumption University maintains a policy of amnesty for students who offer help to others in need.

Employees: Sometimes, employees are hesitant to report discrimination, harassment, or retaliation they have experienced for fear of getting in trouble themselves. Assumption University may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

20. Preservation of Evidence

The preservation of evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. Assumption will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

Sexual Assault

- Seek forensic medical assistance at St. Vincent Hospital, 123 Summer Street, Worcester, MA 01608, or at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement)
- Seeking medical treatment can be essential, even if it is not for the purposes of collecting forensic evidence.

Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
 - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
 - Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take timestamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

During the initial meeting between the Complainant and Title IX Coordinator, the importance of taking these actions will be discussed, if timely.

21. Federal Statistical Reporting Obligations

Certain institutional officials (those deemed Campus Security Authorities) have a duty to report the following for federal statistical reporting purposes (Clery Act):

- 1) All “primary crimes,” which include criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson
- 2) Hate crimes, which include any bias-motivated primary crime as well as any bias-motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property

- 3) Violence Against Women Act (VAWA-based crimes), which include sexual assault, domestic violence, dating violence, and stalking¹⁰
- 4) Arrests and referrals for disciplinary action for weapons law violations, liquor law violations, and drug law violations

All personally identifiable information is kept private, but statistical information regarding the type of incident and its general location (on- or off-campus or in the surrounding area, but no addresses are given) must be shared with Clery Act Coordinator for publication in the Annual Security Report and daily campus crime log. Campus Security Authorities include student affairs/student conduct staff, campus law enforcement/public safety/security, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

22. Independence and Conflicts of Interest

The Title IX Coordinator acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures.

To raise any concern involving bias, misconduct, or conflict of interest by the Title IX Coordinator, contact the President of Assumption University:

Greg Weiner, President, Assumption University
La Maison – President’s Office
Phone: 508-767-7321
presoffice@assumption.edu

23. Revision of this Policy

This Policy succeeds previous policies addressing discrimination, harassment, sexual misconduct, and/or retaliation, though previous policies and procedures remain in force for incidents occurring before August 1, 2024. The Title IX Coordinator reviews and updates these policies and procedures regularly. Assumption University reserves the right to make changes to this Policy as necessary, and once those changes are posted online, they are in effect.

During the Resolution Process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to the Parties. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require Policy or procedural alterations not reflected in this Policy and procedures.

¹⁰ 42 U.S.C. Sections 13701 through 14040.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

This Policy is effective August 1, 2024.

RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF DISCRIMINATION AND SEXUAL MISCONDUCT PREVENTION AND RESPONSE POLICY (Hereinafter the “Resolution Process”)

1. Overview

Assumption University will act on any Notice, Complaint, or Knowledge of a potential violation of the Discrimination and Sexual Misconduct Prevention and Response Policy (“the Policy”) that the Title IX Coordinator or any other Mandated Reporter receives by applying the Resolution Process below.

The procedures below apply to all allegations of discrimination on the basis of an actual or perceived protected characteristics, harassment, retaliation, or Other Prohibited Conduct involving students, employees, or third parties.

2. Notice/Complaint

Upon receipt of Notice, a Complaint, or Knowledge of an alleged Policy violation, the Title IX Coordinator will initiate a prompt initial evaluation to determine Assumption’s next steps. The Title IX Coordinator will contact the Complainant/source of the Notice to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

3. Collateral Misconduct

Collateral misconduct is defined to include potential violations of other Assumption University policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the Title IX Coordinator may consult with Assumption officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the student, faculty, and staff handbooks.

4. Initial Evaluation

The Title IX Coordinator conducts an initial evaluation typically within seven (7) business days of receiving Notice/Complaint/Knowledge of alleged misconduct.¹¹ The initial evaluation typically includes:

- Assessing whether the reported conduct may reasonably constitute a violation of the Policy.
 - If the conduct may not reasonably constitute a violation of the Policy, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. It may then be referred to another process, if applicable.
- Determining whether Assumption has jurisdiction over the reported conduct, as defined in the Policy.
 - If the conduct is not within Assumption jurisdiction, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. If applicable, the conduct will be referred to the appropriate Assumption office for resolution.
- Offering and coordinating supportive measures for the Complainant.
- Offering and coordinating supportive measures for the Respondent, as applicable.
- Notifying the Complainant, or the person who reported the allegation(s), of the available resolution options, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below.
- Determining whether the Complainant wishes to initiate a Complaint.
- Notifying the Respondent of the available resolution options, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below, if a Complaint is made.

Helping a Complainant to Understand Resolution Options

If the Complainant indicates they wish to initiate a Complaint (in a manner that can reasonably be construed as reflecting intent to make a Complaint), the Title IX Coordinator will help to facilitate the Complaint, which will include:

- Working with the Complainant to determine whether the Complainant wishes to pursue one of three resolution options:
 - a supportive and remedial response, and/or
 - Informal Resolution, or
 - the Resolution Process described below.

The Title IX Coordinator will seek to abide by the wishes of the Complainant but may have to take an alternative approach depending on their analysis of the situation.

¹¹ If circumstances require, the President or Title IX Coordinator will designate another person to oversee the Resolution Process should an allegation be made about the Title IX Coordinator or should the Title IX Coordinator be otherwise unavailable, unable to fulfill their duties, or have a conflict of interest.

If the Complainant elects for the Resolution Process below, and the Title IX Coordinator has determined the Policy applies and that Assumption has jurisdiction, they will route the matter to the appropriate Resolution Pool member, will provide the Parties with a Notice of Investigation and Allegation(s), and will initiate an investigation consistent with these Procedures.

If any Party indicates (either verbally or in writing) that they want to pursue an Informal Resolution option, the Title IX Coordinator will assess whether the matter is suitable for Informal Resolution and refer the matter accordingly.

If the Complainant indicates (either verbally or in writing) that they do not want any action taken, no Resolution Process will be initiated (unless deemed necessary by the Title IX Coordinator), though the Complainant can elect to initiate one later, if desired.

Title IX Coordinator Authority to Initiate a Complaint

If the Complainant does not wish to file a Complaint, the Title IX Coordinator, who has ultimate discretion as to whether a Complaint is initiated, will offer supportive measures and determine whether to initiate a Complaint themselves. To make this determination, the Title IX Coordinator will evaluate that request to determine if there is a serious and imminent threat to someone's safety or if Assumption cannot ensure equal access without initiating a Complaint. The Title IX Coordinator will consider the following non-exhaustive factors to determine whether to file a Complaint:

- The Complainant's request not to initiate a Complaint.
- The Complainant's reasonable safety concerns regarding initiating a Complaint.
- The risk that additional acts of discrimination would occur if a Complaint were not initiated.
- The severity of the alleged discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence.
- The age and relationship of the Parties, including whether the Respondent is an Assumption employee.
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individuals.
- The availability of evidence to assist a Decision-maker in determining whether discrimination occurred.
- Whether Assumption could end the alleged discrimination and prevent its recurrence without initiating its resolution process.

If deemed necessary, the Title IX Coordinator may consult with appropriate University employees, and/or conduct a violence risk assessment¹² to aid their determination whether to initiate a Complaint.

¹² See detailed information regarding Violence Risk Assessment in [Appendix G](#)

When the Title IX Coordinator initiates a Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

5. Dismissal

Assumption **may** dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

- 1) Assumption is unable to identify the Respondent after taking reasonable steps to do so
- 2) Assumption no longer enrolls or employs the Respondent
- 3) A Complainant voluntarily withdraws any or all of the allegations in the Complaint in writing, and the Title IX Coordinator declines to initiate a Complaint
- 4) Assumption determines the conduct alleged in the Complaint would not constitute a Policy violation, if proven

In addition to the Title IX Coordinator, a Decision-maker can recommend dismissal to the Title IX Coordinator if they believe the grounds are met. A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.

Upon any dismissal, Assumption will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, Assumption will also notify the Respondent of the dismissal.

This dismissal decision is appealable by any party.

6. Appeal of Dismissal

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be filed within seven (7) business days of the notification of the dismissal.

The Title IX Coordinator will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the Title IX Coordinator must then provide the Respondent with a NOIA and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, Assumption will:

- Implement dismissal appeal procedures equally for the Parties.
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint.
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal.

- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- 1) Procedural irregularity that would change the outcome.
- 2) New evidence that would change the outcome and that was not reasonably available when the dismissal was decided.
- 3) The Title IX Coordinator, Investigator, or Decision-maker 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 appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. Upon receipt of a written dismissal appeal request from one or more Parties, the Title IX Coordinator will share the petition with all other Parties and provide seven (7) business days for other Parties and the Title IX Coordinator to respond to the request. At the conclusion of the response period, the Title IX Coordinator will forward the appeal, as well as any response provided by the other Parties and/or the Title IX Coordinator to the Dismissal Appeal Officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the Dismissal Appeal Officer will deny the request, and the Parties, their Advisors, and the Title IX Coordinator will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, then the Dismissal Appeal Officer will notify all Parties and their Advisors, and the Title IX Coordinator, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

In most circumstances, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has seven (7) business days to review and decide on the appeal, though extensions can be granted at the discretion of the Title IX Coordinator, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The Dismissal Appeal Officer may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

7. Emergency Removal/Interim Suspension of a Student

Assumption University may emergency remove a student accused of Sex Discrimination or Sex-based Harassment upon receipt of Notice/Knowledge, a Complaint, or at any time during the Resolution Process. Prior to an emergency removal, Assumption will conduct an individualized

risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies such action. Students accused of other forms of discrimination (not sex) are subject to interim suspension, which can be imposed for safety reasons.

Risk analysis is performed by the Title IX Coordinator in conjunction with the Concern and Risk Evaluation (CARE) Team using its standard objective violence risk assessment procedures. When an emergency removal or interim suspension is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale, and the option to challenge the emergency removal or interim suspension within two (2) business days of the notification. Upon receipt of a challenge, the Title IX Coordinator will meet with the student (and their Advisor, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal or interim suspension is appropriate, should be modified, or lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable for them to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the Title IX Coordinator for review.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

8. Placing an Employee on Leave

When the Respondent is an employee, or a student employee accused of misconduct in the course of their employment, existing [policies and procedures](#) for interim action are typically applicable instead of the above emergency removal process.

9. Counter-Complaints

Assumption University is obligated to ensure that the Resolution Process is not abused for retaliatory purposes. Although Assumption permits the filing of counter-complaints, the Title IX Coordinator will use an initial evaluation, described above, to assess whether the allegations in the counter-complaint are made in good faith. When counter-complaints are not made in good

faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-complaints determined to have been reported in good faith will be processed using the Resolution Process below. At the Title IX Coordinator’s discretion, investigation of such claims may take place concurrently or after resolution of the underlying initial Complaint.

10. Advisors in the Resolution Process

A. Who Can Serve as an Advisor?

The Parties may each have an Advisor (friend, mentor, family member, attorney, or any other individual a party chooses) present with them for all meetings, interviews, and hearings within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.¹³

The Title IX Coordinator will offer to assign a trained Advisor to any party if the party chooses. If the Parties choose an Advisor from the pool available from Assumption, Assumption will have trained the Advisor and familiarized them with the Resolution Process.

Assumption cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, Assumption is not obligated to provide an attorney to advise that party.

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change Advisors. If a party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

Assumption may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator’s sole discretion and will be granted equitably to all Parties.

¹³ “Available” means the party cannot insist on an Advisor who simply doesn’t have inclination, time, or availability. The Advisor cannot have institutionally conflicting roles, such as being an administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions. Additionally, choosing an Advisor who is also a witness in the process creates potential for bias and conflicts of interest. A party who chooses an Advisor who is also a witness can anticipate that issues of potential bias will be explored by the Decision-maker(s).

If a party requests that all communication be made through their attorney Advisor instead of to the party, Assumption will agree to copy both the party and their Advisor on all communications.

Advisors appointed by the institution cannot be Confidential Employees, and although they will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-makers absent an emergency, they are still reminded of their Mandated Reporter responsibilities.

B. Advisor's Role in the Resolution Process

Advisors should help the Parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their advisee unless given specific permission to do so.

The Parties are expected to ask and respond to questions on their own behalf throughout the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to allow for private consultation.

C. Records Shared with Advisors

Advisors are expected to maintain the confidentiality of the records Assumption shares with them, per the section of this Policy addressing Confidentiality. Advisors may not disclose any Assumption work product or evidence Assumption University obtained solely through the Resolution Process for any purpose not explicitly authorized by the Title IX Coordinator.

Assumption may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by Assumption's confidentiality expectations.

D. Advisor Expectations

Assumption University generally expects an Advisor to adjust their schedule to allow them to attend meetings/interviews/hearings when planned but may change scheduled meetings/interviews/hearings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

Assumption may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies.

All Advisors are subject to the same Assumption policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by Assumption. Advisors are expected to advise without disrupting proceedings.

E. Advisor Policy Violations

Any Advisor who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who refuses to comply with Assumption's established rules of decorum, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including Assumption requiring the party to use a different Advisor or providing a different Assumption-appointed Advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

F. Assistance in Securing an Advisor

The Assumption University Campus Advocate provides confidential, nonjudgmental support to Student survivors of Sexual Misconduct and their friends, significant others, roommates, teammates, classmates, family members, and faculty members, no matter when or where Sexual Misconduct occurred. The Campus Advocate can be contacted at: advocate@assumption.edu.

11. Resolution Options Overview

This Resolution Process, consisting of Informal Resolution or Hearing Resolution, is Assumption University's chosen approach to addressing all forms of discrimination on the basis of protected characteristics, harassment, retaliation, and Other Prohibited Conduct under the Policy. The process considers the Parties' preferences but is ultimately determined at the Title IX Coordinator's discretion.

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with Assumption Policy.

A. Informal Resolution

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a final determination, or the Title IX Coordinator may offer the option to the Parties, in writing. Assumption University will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

Before initiation of an Informal Resolution process, Assumption University will provide the Parties with a NOIA that explains:

- The allegations.
- The requirements of the Informal Resolution process.
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and to initiate or resume Assumption's Resolution Process.
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution Process will preclude the Parties from initiating or resuming the Resolution Process arising from the same allegations.
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties.
- What information Assumption will maintain, and whether and how it could disclose such information for use in its Resolution Process.

Assumption offers four categories of Informal Resolution:

- 1) **Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
- 2) **Educational Conversation.** When the Title IX Coordinator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.
- 3) **Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and Assumption are agreeable to the resolution terms.
- 4) **Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-maker, or Appeal Decision-maker.

It is not necessary to pursue Informal Resolution first in order to pursue a Hearing Resolution Process. Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and initiate or resume the a Hearing Resolution Process Process.

The Parties may agree, as a condition of engaging in Informal Resolution, on what statements made or evidence shared during the Informal Resolution process will not be considered in the Hearing Process, should Informal Resolution not be successful, unless agreed to by all Parties.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

Categories of Informal Resolution

(1) Supportive Resolution

The Title IX Coordinator will meet with the Complainant to determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to Assumption's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the Title IX Coordinator may also provide reasonable supportive measures for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX Coordinator does not initiate a Complaint.

(2) Educational Conversation

The Complainant may request that the Title IX Coordinator address their allegations by meeting (with or without the Complainant) with the Respondent to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent are not required to attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the Title IX Coordinator may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of the recurrence of any behaviors that may not align with Policy.

(3) Accepted Responsibility¹⁴

¹⁴ In [Section 20](#) below, there is a description of a process to waive the decision-making step of the Resolution Process if a Respondent decides to admit to violating the charged Policies. That section and this one are similar, but there are meaningful differences. In this section, the Parties must agree to the resolution, and the Respondent in essence self-sanctions as part of the Informal Resolution by agreeing to voluntarily comply with whatever the terms are to which the Parties agree. Section 20, in contrast, is unilateral. Neither the Complainant nor the Title IX Coordinator determine eligibility. It is simply a waiver of steps in the process by the Respondent, who can admit violations and accept sanctions assigned by the Decision-maker, if they choose to. No Complainant approval is

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for **all** alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Title IX Coordinator will determine whether all Parties and the University are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of Assumption Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate administrator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will either continue or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the discrimination or harassment, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

(4) Alternative Resolution

The institution offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Title IX Coordinator or other appropriate University officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative resolution process.

The Title IX Coordinator may consider the following factors to assess whether alternative resolution is appropriate, or which form of alternative resolution may be most successful for the Parties:

sought or needed. Under Section 20, the outcome involves sanctioning imposed by Assumption, rather than an agreement to self-sanction, as outlined in this section.

- The Parties’ amenability to alternative resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties’ motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent’s disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the alternative resolution facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in alternative resolution (e.g., time, staff)

The Title IX Coordinator has the authority to determine whether alternative resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties’ proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative resolution process. The Title IX Coordinator will determine whether additional individual or community remedies are necessary to meet the institution’s compliance obligations in addition to the alternative resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). The results of Complaints resolved by alternative resolution are not appealable.

If an Informal Resolution option is not available or selected, Assumption will initiate or continue an investigation and subsequent Resolution Process to determine whether the Policy has been violated.

B. Hearing Resolution Process (see pertinent below)

12. Resolution Process Pool

The Resolution Process relies on a pool of administrators (“the Pool”) to carry out the process.¹⁵

A. Pool Member Roles

Members of the Pool are trained annually, and can serve in the following roles, at the discretion of the Title IX Coordinator:

- Appropriate intake of and initial guidance pertaining to Complaints
- Advisor to Parties
- Informal Resolution Facilitator
- Perform or assist with initial evaluation
- Investigator
- Hearing Facilitator
- Decision-maker for challenges to emergency removal and supportive measures
- Decision-maker
- Appeal of Dismissal Decision-maker
- Appeal Decision-maker

B. Pool Member Appointment

The Title IX Coordinator, in consultation with senior administrators as necessary, appoints the Pool, which acts with independence and impartiality. Although members of the Pool are typically trained in a variety of skill sets and can rotate amongst the different roles listed above in different Complaints, Assumption can also designate permanent roles for individuals in the Pool. The Title IX Coordinator may also serve as a member of the Pool.

C. Pool Member Training

The Pool members receive annual training. This training includes, but is not limited to:

- The scope of Assumption University’s Discrimination and Sexual Misconduct Prevention and Response Policy
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Implicit bias and cultural competence
- Disparate treatment and impact
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner

¹⁵ External, trained third-party neutral professionals may also be used to serve in Resolution Pool roles.

¹⁵ This does not preclude Assumption from having all members of the Pool go through an application and/or interview/selection process.

- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Assumption University with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment and/or retaliation allegations
- Recordkeeping

Specific training is also provided for Appeal Decision-maker(s), intake personnel, Advisors (who are University employees), and Chairs. All Pool members are required to attend these trainings annually.

13. Notice of Investigation and Allegations (NOIA)

Prior to an investigation, the Title IX Coordinator will provide the Parties with a detailed written NOIA. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

The NOIA typically includes:

- A meaningful summary of all allegations
- The identity of the involved Parties (if known)
- The precise misconduct being alleged
- The date and location of the alleged incident(s) (if known)
- The specific policies/offenses implicated
- A description of, link to, or copy of the applicable procedures

- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- The name(s) of the Investigator(s), along with a process to notify the Title IX Coordinator of any conflict of interest that the Investigator(s) may have in advance of the interview process
- A statement that Assumption University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the Parties will be given an opportunity during the review and comment period to inspect and review all relevant evidence
- A statement that retaliation is prohibited
- Information about the confidentiality of the process, including that the Parties and their Advisors (if applicable) may not share University work product obtained through the Resolution Process
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- A statement informing the Parties that Assumption's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how a party may request disability accommodations or other support assistance during the Resolution Process
- An instruction to preserve any evidence that is directly related to the allegations

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address(es) as indicated in official University records, or emailed to the Parties' University-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

14. Resolution Timeline

The Assumption will make a good faith effort to complete the Resolution Process within 60-90 business days, including any appeals, which the Title IX Coordinator can extend as necessary for appropriate cause. The Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, Assumption University reserves the right to continue it without their participation

to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the Resolution Process.

Assumption may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of Parties and/or witnesses, and/or health conditions. Assumption University will promptly resume its Resolution Process as soon as feasible. During such a delay, Assumption University will implement and maintain supportive measures for the Parties as deemed appropriate.

Assumption University action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

Assumption University will make a good faith effort to complete the Resolution Process as promptly as circumstances permit and will regularly communicate with the Parties to update them on the progress and timing of the process.

15. Ensuring Impartiality

Any individual materially involved in the administration of the Resolution Process, including the Title IX Coordinator, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s), Decision-maker(s), and Appeal Decision-makers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the President.

The Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a Policy violation and evidence that supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

16. Investigator Appointment

Once an investigation is initiated, the Title IX Coordinator appoints an Investigator(s) to conduct it. These Investigators may be members of the Resolution Process Pool, or any other properly trained Investigator, whether internal or external to Assumption's community.

17. Witness Role and Participation in the Investigation

Employees (not including Complainant and Respondent) are encouraged to cooperate with and participate in the investigation and Resolution Process. Student witnesses and witnesses from outside the University community cannot be required to participate but are encouraged to cooperate with Assumption University investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, FaceTime, WebEx), or, in limited circumstances, by telephone. Assumption University will take appropriate steps to ensure the security/privacy of remote interviews.

Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

18. Interview Recording

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

19. Evidentiary Considerations

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant Evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy.

Impermissible evidence is defined as:

- Evidence that is protected under a privilege as recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality
- A party or witness's records that are made or maintained by a physician, psychologist, or other recognized profession or paraprofessional in connection with the provision of treatment to the party or witness, unless the party or witness provides voluntary, written consent for the records to be considered
- Evidence that relates to the complainant's sexual interests or prior sexual conduct unless

- Evidence about the Complainant’s prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or
- The evidence is about specific incidents of the Complainant’s prior sexual conduct with the Respondent that is offered to prove consent.
- The fact of prior consensual sexual conduct occurred between the Complainant and Respondent does not by itself demonstrate or imply the Complainant’s consent or preclude a determination that sex-based harassment occurred

The fact of prior consensual sexual conduct occurred between the Complainant and Respondent does not by itself demonstrate or imply the Complainant’s consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

Within the limitations stated above, the investigation and determination can consider character evidence, if offered, but that evidence is unlikely to be relevant unless it is fact evidence or relates to a pattern of conduct.

20. Respondent Admits Responsibility

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would waive the Respondent’s right to any appeal, if applicable. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the Resolution Process continues to its conclusion. The Complainant retains their right to appeal a determination when a Respondent admits responsibility.

21. Investigation

All investigations are adequate, thorough, reliable, impartial, prompt, and fair. They involve interviewing all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

After an interview, Parties and witnesses will be asked to verify the accuracy of the recording, transcript, or summary of their interview. They may submit changes, edits, or clarifications. If the Parties or witnesses do not respond within the time period designated for verification, objections to the accuracy of the recording, transcript, or summary will be deemed to have been waived, and no changes will be permitted.

Assumption University may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions.

The Investigator(s) typically take(s) the following steps, if not already completed and not necessarily in this order:

- Determine the identity and contact information of the Complainant.
- Identify all offenses implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the Title IX Coordinator, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential Policy violation.
- Work with the Title IX Coordinator, as necessary, to prepare the initial NOIA. The NOIA may be amended with any additional or dismissed allegations.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible.
- Interview the Complainant and the Respondent and conduct any necessary follow-up interviews with each.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript or recording) of the relevant evidence/testimony from their respective interviews and meetings.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses. Document which questions were asked with a rationale for any changes or omissions in the investigation report.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation.
- Prior to the conclusion of the investigation, provide the Parties and their respective Advisors with a list of witnesses whose information will be used to render a finding.
- Ask the Parties to provide a list of questions they would like asked of the other party or any witnesses. The Investigator will ask those questions deemed relevant, and for any question deemed not relevant, will provide a rationale for not asking the question.
- Write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, and party and witness interviews, and provides all relevant evidence.

- Provide the Parties and their respective Advisors an electronic copy of the draft investigation report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation for a review and comment period of ten (10) business days so that each party may meaningfully respond to the evidence. The Parties may elect to waive all or part of the review period.
- The Investigator may share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.

22. Hearing Resolution Process

A. Live Hearing Requirements

Assumption University will designate a three-person Hearing Panel. The following provisions apply to a live hearing:

- **Hearing Venue Options and Recordings.** The live hearing may occur in person or via video technology. The Decision-maker and Parties must be able to simultaneously see and hear a party or witness while that person is speaking. Both options are considered fair and equitable. Alternative arrangements may also be made at the Title IX Coordinator’s discretion.
 - The Parties may make a request to the Title IX Coordinator that the hearing occur in person or via video technology, but they must do so at least three (3) business days prior to the hearing. The Title IX Coordinator retains discretion to determine whether the hearing will occur in person or via video technology.
 - All hearings will be recorded, and Parties may request a copy of the recording from the Title IX Coordinator following the live hearing.
 - No unauthorized recordings are permitted.
- **Hearing Participants.** Persons who may be present for a hearing include the Decision-maker(s), hearing facilitator, Investigator(s), the Parties and their Advisors, anyone providing authorized accommodations, interpretation, and/or assistive services, and anyone else deemed necessary by the Decision-maker. Witnesses are present only during their portion of the testimony.
- **Advisors.** The Parties may have the assistance of an Advisor of their choosing at the hearing. If a party wishes to have an attorney as their Advisor, they must locate and pay for that attorney themselves. Parties are welcome to ask the Title IX Coordinator if there are University faculty or staff who are able to serve as an Advisor.
 - During the pre-hearing meeting and live hearing, Parties may only be accompanied by their Advisor. No other persons (e.g., additional support persons, advisors, friends, family) may accompany, attend, or listen in on the hearing unless explicitly authorized by the Title IX Coordinator, with each party being provided the same opportunity.
 - Parties and Advisors are permitted to have their phones and a laptop or tablet, but these should only be used during the hearing in a matter consistent with Policy.

- **Impact Statements.** Each Party may submit an impact and/or mitigation statement to the Title IX Coordinator that the Decision-maker will review during any sanction determination.
 - Upon receipt of an impact and/or mitigation statement, the Title IX Coordinator will review the impact/mitigation statement to determine whether any immediate needs exist.
 - The Title IX Coordinator will only provide the impact statements to the Decision-maker if the Decision-maker determines that the Policy has been violated. When the Title IX Coordinator shares the impact statements with the Decision-maker, they will also be shared with the Parties.
- **Disability Accommodations and Other Assistance.** Parties should contact the Title IX Coordinator at least three (3) business days prior to the hearing to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, if possible.
- **Conflicts of Interest or Bias.** The Decision-maker must not have a bias for or against complainants or respondents generally or the individual Complainant or Respondent in particular.
 - The Decision-maker must recuse themselves if such bias or conflict of interest exists.
 - If the Decision-maker believes there is a possible conflict of interest or bias, they will consult with the Title IX Coordinator about possible recusal or removal.
 - The Parties may raise challenges that the Decision-maker is biased or has a conflict of interest. The Parties must raise challenges with the Title IX Coordinator within two (2) business days of receiving the hearing notice.
 - The Title IX Coordinator will only remove and replace a Decision-maker in situations of demonstrated bias or conflicts of interest. Perceptions of bias or conflict are not sufficient to cause removal.
 - If a Decision-maker recuses themselves as the result of a conflict of interest or bias, or is removed, the Title IX Coordinator will promptly appoint a new Decision-maker who does not have a conflict of interest or bias and notify the Parties accordingly.
- **Evidence Provided to Decision-maker and Parties.**
 - The Decision-maker will be provided electronic copies of the Final Investigation Report and all relevant but not impermissible evidence, including the names of all Parties, witnesses, and Advisors, at least seven (7) business days in advance of the hearing.
 - The Parties will be provided with electronic copies of all the materials provided to the Decision-maker as part of the hearing notice, unless those materials have already been provided.¹⁶

B. Hearing Notice

¹⁶ Hard-copy materials may be provided upon request to the Title IX Coordinator. The Final Investigation Report and relevant evidence may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.

The Title IX Coordinator will send the Parties a Notice of Hearing with sufficient time for the Parties to prepare for the hearing, typically at least seven (7) business days prior to the hearing. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The hearing notice includes:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing.
- A description of any technology that will be used to facilitate the hearing.
- Relevant information regarding hearing logistics, pre-hearing meetings, the Final Investigation Report, the Parties and witnesses participating in the hearing, the identity of the Decision-maker, details related to questioning, the role of Advisors, impact/mitigation statements, and how to request disability accommodations or other assistance.

C. Witness Participation

Student witnesses are encouraged to participate in, and make themselves reasonably available for, the hearing. Employee witnesses are encouraged to participate in, and make themselves reasonably available for, the hearing. Witnesses may participate in-person or via video technology that allows the Decision-maker and the Parties to see and hear the witness while that person is speaking. Witnesses are not permitted to be accompanied by an advisor without express permission of the Title IX Coordinator. At the discretion of the Decision-maker, a witness may join by phone if no other reasonable alternative is available.

If any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Title IX Coordinator may reschedule the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term, including during the summer, as needed, to meet Assumption University's resolution timeline and ensure a prompt resolution. Employees, including Parties and witnesses, who do not have 12-month contracts are still encouraged to participate in Resolution Processes that occur during months between contracts.

The Title IX Coordinator will notify all witnesses of their requested participation in the hearing at least five (5) business days prior to the hearing. Witnesses will be present for the hearing only during their testimony.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s), unless:

- All Parties and the Decision-maker assent to the new witness's participation in the hearing without remanding the complaint back to the investigator, and
- The Decision-maker deems the evidence presented by the new witness to be relevant, not impermissible, and not information already established in the record, and
- The witness's late involvement was not the result of bad faith by the witness, the Parties, or others.

If the above criteria are not met, but the witness's evidence is deemed relevant, not impermissible, and not duplicative, the Decision-maker may, at their discretion, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties at least five (5) business days to review the relevant portions of the new witness's statements, if such statements are submitted.
- Remand the Complaint back to the Investigator for further investigation or verification.
- Allow the Parties to review and comment on the testimony of the new witness.

If the evidence is deemed not relevant or impermissible, the Decision-maker may proceed with the hearing absent the new witness's participation.

D. Pre-Hearing Meetings

The Decision-maker will offer to convene a pre-hearing meeting(s) with the Parties and their Advisors and invite them to submit the questions or topics they wish to ask or discuss at the hearing. This allows the Decision-maker to consider their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.

However, this advance review opportunity does not preclude the Parties from submitting a question at the hearing for the first time or asking for a reconsideration on a Decision-maker's pre-hearing decision based on any new information or testimony offered at the hearing. The Decision-maker will document and share their rationale for any evidence or question exclusion or inclusion, if any, at a pre-hearing meeting with each party.

The Decision-maker will work with the Parties to finalize a witness list for the hearing, and the Title IX Coordinator will notify any witnesses of the hearing's logistics. The Decision-maker, **only** with the agreement of all Parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the Final Investigation Report or during the hearing, and their presence is not essential to assess their credibility.

Pre-hearing meeting(s) will not be recorded. The pre-hearing meetings will typically be conducted as separate meetings with each party/Advisor, and can be done remotely, or as a written communication exchange. The Decision-maker will work with the Parties to

establish the format and timing of the meetings and will circulate a summary of any rulings made to ensure all Parties and Advisors are aware.

E. Hearing Procedures

(1) Evidentiary Considerations

The Parties must provide all evidence to the Investigator(s) prior to completing the Final Investigation Report. Evidence offered after that time will be evaluated by the Decision-maker for relevance. If deemed relevant and not impermissible, the Parties and Decision-maker must agree to admit it into the record. If the evidence is deemed not relevant or impermissible, the Decision-maker may proceed with the hearing absent the new evidence.

The new relevant evidence will be admitted to the record if:

- All Parties and the Decision-maker assent to the new evidence being included in the hearing without remanding the Complaint back to the investigator, and
- The evidence is not duplicative of evidence already in the record, and
- It is not impermissible, and
- The new evidence was either not reasonably available prior to the conclusion of the Final Investigation Report, or the failure to provide it in a timely manner was not the result of bad faith by the Parties, witnesses, or others.

If the above criteria are not met, but the evidence is deemed materially relevant and not duplicative, the Decision-maker may, at their discretion, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties with at least five (5) business days to review the relevant evidence.
- Remand the Complaint back to the Investigator for further investigation or analysis.
- Allow the Parties to review and comment on the new evidence.

If the evidence is deemed not relevant or impermissible, the Decision-maker may proceed with the hearing without allowing the new evidence.

(2) Collateral Misconduct

The Decision-maker has the authority to hear and make determinations on all allegations of discrimination, harassment, retaliation, and Other Prohibited Behavior under the Policy and may also hear and make determinations on any additional alleged collateral misconduct that occurred in concert with the discrimination, harassment, retaliation, or Other Prohibited Behavior, even though those collateral

allegations may not specifically fall within the Policy.

(3) Joint Hearings

In Complaints involving more than one Respondent and/or involving more than one Complainant accusing the same person of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent or Complaint to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each Complaint with respect to each alleged Policy violation.

(4) Introductions and Hearing Procedure Explanation

The Decision-maker will explain the hearing procedures and introduce the participants. The Decision-maker will answer any procedural questions prior to and as they arise throughout the hearing.

(5) Investigator Presentation of Final Investigation Report

The Investigator(s) will present a summary of the Final Investigation Report, including a review of the facts that are contested and those that are not. The Investigator may be questioned first by the Decision-maker and then by the Parties. The Investigator may attend the duration of the hearing or be excused after their testimony at the Decision-maker's discretion.

(6) Testimony and Questioning

The Parties and witnesses may provide relevant information in turn, beginning with the Complainant's opening statement, then the Respondent's, and then questioning in the order determined by the Decision-maker. The Decision-maker will facilitate questioning of the Parties and witnesses first by the Decision-maker and then by the Parties through their Advisors.

All questions must be directed toward and asked through the Decision-maker and are subject to a relevance determination before they are asked. The Decision-maker will determine the method by which the Parties will submit their questions to the Decision-maker for their review and, if approved, to be posed. Questions that the Parties wish to have posed can be questions for that party themselves, another party, or witnesses.

The Decision-maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-maker will limit or disallow questions they deem not appropriate on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), seek or pertain to impermissible evidence, or are abusive. The Decision-maker has final say on all questions and determinations of relevance and appropriateness. The Decision-maker may consult with legal counsel on any questions of admissibility.

The Decision-maker then poses the questions deemed relevant, not impermissible, and appropriate to the party and/or witness.

If the Parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Decision-maker may elect to address those issues, consult with legal counsel, refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not an issue at the hearing, the Decision-maker should not permit irrelevant questions that probe for Investigator bias.

The Decision-maker will allow witnesses who have relevant and not impermissible information to appear at a portion of the hearing to respond to specific questions from the Decision-maker and the Parties, and the witnesses will then be excused.

(7) Refusal to Submit to Questioning and Inferences

Any party or student witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. Employee witnesses are encouraged to participate in the hearing if they are reasonably available. The Decision-maker can only rely on the available relevant and not impermissible evidence in making the ultimate determination of responsibility. The Decision-maker may not draw any inference **solely** from a party's or witness's absence from the hearing or refusal to answer any or all questions.

An Advisor may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Advisor unless the party being advised consents to that information being shared.

(8) Hearing Recordings

Assumption records hearings (but not deliberations) for purposes of review in the event of an appeal. No unauthorized audio or video recording of any kind is permitted during the hearing.

The Decision-maker, the Parties, their Advisors, Appeal Decision-makers, and other appropriate University officials will be permitted to review the recording or review a transcript of the recording upon request to the Title IX Coordinator. No unauthorized

disclosure, including sharing, copying, or distribution of the recording or transcript, is permitted.

F. Deliberation and Determination

After closing statements from the Parties, the Decision-maker will deliberate in closed session to determine whether the Respondent is responsible for the alleged Policy violation(s) based on the standard of proof. If a panel is used, a simple majority vote is required to determine the finding. Deliberations are not recorded.

When there is a finding of responsibility for one or more of the allegations, the Decision-maker may then consider any previously submitted impact and/or mitigation statement(s) provided by the Parties in determining appropriate sanction(s). The Title IX Coordinator will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-maker. Impact/mitigation statements do not influence the finding, they only potentially influence the sanctions.

The Decision-maker will then prepare and provide the Title IX Coordinator with a written outcome letter detailing all findings and final determinations, the rationale(s) explaining the decision(s), the relevant and not impermissible evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationales explaining the sanction(s).

This statement is usually five to fifteen (5-15) pages in length and is typically submitted to the Title IX Coordinator within ten (10) business days from the conclusion of the hearing, unless the Title IX Coordinator grants an extension. The Title IX Coordinator will notify the Parties of any extension.

23. Sanctions

Factors the Decision-maker may consider when determining sanctions and responsive actions include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- The Respondent's acceptance of responsibility

- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

A. Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:¹⁷

- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any Assumption policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Required Counseling:** A mandate to meet with and engage in either Assumption University-sponsored or external counseling to better comprehend the misconduct and its effects.
- **Denial of Access to Specific Areas:** Ban from certain non-academic area(s) for a specified length of time.
- **Relocation or Removal from Residence:** Suspension or termination of the residence hall agreement and exclusion from visiting within certain or all residential facilities, as set forth in the notice of relocation or removal, for a specified period of time. A student who is removed from his or her residence arrangement is not entitled to a refund of room fees.
- **Revocation of Privileges:** Restrictions placed on activities and/or use of University services and facilities for a specified period of time.
- **Parental/Guardian Notification:** The University reserves the right to notify the student's parent or guardian in various situations it deems appropriate. A student may be asked to notify a parent or guardian about policy violation(s) as well as sanctions imposed with a request that a parent or guardian contact the hearing officer to discuss the situation.
- **Probation:** A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in

¹⁷ Assumption University policies on transcript notation will apply to these proceedings.

violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

- **Restitution:** Repayment to the University or to an affected party for damages resulting from a policy violation.
- **Suspension:** Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Assumption.
- **Expulsion:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Assumption University -sponsored events.
- **Withholding Diploma:** The University may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating policy.
- **Revocation of Degree:** The University reserves the right to revoke a degree previously awarded from Assumption for fraud, misrepresentation, and/or other violation of Assumption policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Other Actions:** In addition to or in place of the above sanctions, the University may assign any other sanctions as deemed appropriate.

B. Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in discrimination, harassment, and/or retaliation include:

- *Verbal or Written Warning*
- *Performance Improvement Plan/Management Process*
- *Enhanced Supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Shift or schedule adjustments*

- *Reassignment*
- *Delay of (or referral for delay of) Tenure Track Progress*
- *Assignment to a New Supervisor*
- *Restriction of Stipends, Research, and/or Professional Development Resources*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions: In addition to or in place of the above sanctions/responsive actions, Assumption may assign any other responsive actions as deemed appropriate.*

24. Notice of Outcome

Within seven (7) business days of the conclusion of the Resolution Process, the Title IX Coordinator provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, all applicable sanctions that Assumption University is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-maker, supporting the findings to the extent Assumption is permitted to share under federal or state law.

The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to request an appeal, and when the determination is considered final if no party appeals.

The Title IX Coordinator will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official Assumption University records, or emailed to the Parties' Assumption University-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered.

25. Withdrawal or Resignation Before Complaint Resolution

A. Students

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from Assumption University, the Resolution Process may continue, or the Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, Assumption University will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the Complaint is dismissed or pursued to completion of the Resolution Process, Assumption University will continue to address and remedy any

systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student may not return to Assumption University in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the Title IX Coordinator has discretion to dismiss the Complaint. The Registrar, Office of Admissions, and HR may be notified, accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely. If found in violation, that student is not permitted to return to Assumption University unless and until all sanctions, if any, have been satisfied.

B. Employees

Should an employee Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as Assumption University no longer has disciplinary jurisdiction over the resigned employee.

However, Assumption University will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or retaliation.

The employee who resigns with unresolved allegations pending is not eligible for rehire with Assumption University or any campus of Assumption University, and the records retained by the Title IX Coordinator will reflect that status.

All Assumption University responses to future inquiries regarding employment references for that individual will include that the former employee resigned during a pending disciplinary matter.

26. Appeal of the Determination

The Title IX Coordinator will designate one person chosen from the Pool to serve as an Appeal Decision-maker. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure challenge or dismissal appeal that may have been decided earlier in the process.

A. Appeal Grounds

Appeals are limited to the following grounds:

- 1) A procedural irregularity that would change the outcome.
- 2) New evidence that would change the outcome and that was not reasonably available at the time the determination regarding responsibility was made.
- 3) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the specific Complainant or Respondent that would change the outcome.

B. Request for Appeal

Any party may submit a written request for appeal (“Request for Appeal”) to the Title IX Coordinator within seven (7) business days of the delivery of the Notice of Outcome.

The Request for Appeal will be forwarded to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Appeal Decision-maker, and the Parties and their Advisors will be simultaneously notified in writing of the denial and the rationale.

If any of the information in the Request for Appeal meets the grounds in this Policy, then the Appeal Decision-maker will notify all Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-maker.

All other Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the Decision-maker will be provided a copy of the Request for Appeal with the approved grounds and then be given seven (7) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Decision-maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will be reviewed by the Appeal Decision-maker to determine if it meets the grounds in this Policy and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the Title IX Coordinator, and the Investigator(s) and/or original Decision-maker, as necessary, who will submit their responses, if any, within seven (7) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties and their Advisors will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation

regarding the approved appeal grounds, and the subsequent responses will be shared with the Appeal Decision-maker, who will promptly render a decision.

C. Appeal Determination Process

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeal Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made by majority vote and apply the Preponderance of the evidence standard of proof.

An appeal is not an opportunity for the Appeal Decision-makers to substitute their judgment for that of the original Decision-maker merely because they disagree with the finding and/or sanction(s).

The Appeal Decision-maker may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

D. Appeal Outcome

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-maker or the Title IX Coordinator (as in cases of bias), the Appeal Decision-maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-maker roles.

A Notice of Appeal Outcome letter (“Appeal Outcome”) will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each appeal ground, any specific instructions for remand or reconsideration, all sanction(s) that may result which Assumption University is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent Assumption University is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the Parties’ local or permanent address as indicated in official institutional records, or emailed to the Parties’ Assumption University -issued email or

otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the three (3) available appeal grounds.

E. Sanction Status During the Appeal

Any sanctions imposed as a result of the determination are stayed (i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

If any of the sanctions are to be implemented immediately post-determination, but pre-appeal, then the emergency removal procedures (detailed above) for a “show cause” meeting on the justification for doing so must be permitted within two (2) business days of implementation.

27. Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the Parties and/or Assumption University community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training

- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

When no Policy violation is found, the Title IX Coordinator will address any remedies Assumption University owes the Respondent to ensure no effective denial of educational access.

Assumption University will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair Assumption’s ability to provide these services.

28. Failure to Comply with Sanctions, Responsive Actions, and/or Informal Resolution Terms

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Informal Resolution terms within the timeframe specified by the final Decision-maker(s), including the Appeal Panel or Decision-maker or the Informal Resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Assumption University.

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved to the Title IX Coordinator’s satisfaction.

29. Recordkeeping

For a period of at least seven (7) years following the conclusion of the Resolution Process, Assumption University will maintain records of:

- 1) Each discrimination, harassment, and retaliation resolution process, including any Final Determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation.
- 2) Any disciplinary sanctions imposed on the Respondent.
- 3) Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to Assumption’s education program or activity.
- 4) Any appeal and the result therefrom.

- 5) Any Informal Resolution and the result therefrom.
- 6) All materials used to provide training to the Title IX Coordinator, Title IX Coordinator and designees, Investigators, Decision-makers, Appeal Decision-makers, Informal Resolution Facilitators, and any person who is responsible for implementing Assumption's Resolution Process, or who has the authority to modify or terminate supportive measures. Assumption will make these training materials available for review upon request.
- 7) All materials used to train all employees consistent with the requirements in the Title IX Regulations.

Assumption University will also maintain any and all records in accordance with federal and state laws.¹⁸

30. Accommodations and Support During the Resolution Process

Disability Accommodations

Assumption University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to Assumption University's Resolution Process.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will work with disability support as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

Other Support

Assumption University will also address reasonable requests for support for the Parties and witnesses, including:

- Language services/Interpreters
- Access and training regarding use of technology throughout the Resolution Process
- Other support as deemed reasonable and necessary to facilitate participation in the Resolution Process

31. Revision of these Procedures

These procedures succeed any previous procedures addressing discrimination, harassment, and retaliation for incidents occurring on or after August 1, 2024. The Title IX Coordinator will regularly review and update these procedures. Assumption reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

¹⁸ A model record maintenance and access policy can be found in [Appendix I](#).

If governing laws or regulations change, or court decisions alter, the requirements in a way that impacts this document, this document will be construed to comply with the most recent governing laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background federal and state laws that frame such policies and codes, generally.

These procedures are effective August 1, 2024.

APPENDIX A: DEFINITIONS

The following definitions apply to the Discrimination and Sexual Misconduct Prevention and Response Policy and Procedures:

- **Advisor.** Any person chosen by a party, or appointed by the institution, who may accompany the party to all meetings related to the Resolution Process and advise the party on that process.
- **Title IX Coordinator.** The person with primary responsibility for overseeing and enforcing the nondiscrimination Policies and Procedures. As used in these policies and procedures, the “Title IX Coordinator” also includes their designee(s).
- **Appeal Decision-maker.** The person who accepts or rejects a submitted appeal request, determines whether any of the appeal grounds are met, and directs responsive action(s), accordingly.
- **Complainant.** A student or employee who is alleged to have been subjected to conduct that could constitute discrimination, harassment, retaliation, or Other Prohibited Conduct under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute discrimination or harassment or under the Policy and who was participating or attempting to participate in Assumption’s education program or activity at the time of the alleged discrimination, harassment, retaliation, or Other Prohibited Conduct.
- **Complaint.** An oral or written request to Assumption University that can objectively be understood as a request for Assumption to investigate and make a determination about the alleged Policy violation(s).
- **Confidential Employee.**
 - An employee whose communications are privileged or confidential under federal or state law. The employee’s confidential status, for purposes of this definition, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 - An employee whom Assumption has designated as confidential under this Policy for the purpose of providing services to persons related to discrimination, harassment, retaliation, or Other Prohibited Conduct. If the employee also has a duty not associated with providing those services, the employee’s confidential status only applies with respect to information received about discrimination, harassment, retaliation, or Other Prohibited Conduct in connection with providing those services; or
 - An employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about discrimination, harassment, retaliation, or Other Prohibited Conduct. The employee’s confidential

status only applies with respect to information received while conducting the study.

- **Day.** A Business day when Assumption University is in normal operation. All references in the Policy to days refer to Business days unless specifically noted as calendar days.
- **Decision-maker.** The panel who reviews evidence, determines relevance, and makes the Final Determination of whether Policy has been violated and/or assigns sanctions.
- **Education Program or Activity.** Locations, events, or circumstances where Assumption University exercises substantial control over the context in which the discrimination, harassment, retaliation, and/or Other Prohibited Conduct occurs and also includes any building owned or controlled by a student organization that Assumption University officially recognizes.
- **Employee.** A person employed by Assumption University either full- or part-time, including student employees when acting within the scope of their employment.
- **Final Determination.** A conclusion by the standard of proof that the alleged conduct did or did not violate Policy.
- **Finding.** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a “finding of fact”).
- **Informal Resolution.** A resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a Final Determination in the Resolution Process.
- **Investigation Report.** The Investigator’s summary of all relevant evidence gathered during the investigation. Variations include the Draft Investigation Report and the Final Investigation Report.
- **Investigator.** The person(s) authorized by Assumption University to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.
- **Knowledge.** When Assumption University receives Notice of conduct that reasonably may constitute harassment, discrimination, retaliation, or Other Prohibited Conduct in its Education Program or Activity.
- **Mandated Reporter.** An Assumption University employee who is obligated by Policy to share Knowledge, Notice, and/or reports of discrimination, harassment, retaliation, and/or Other Prohibited Conduct with the Title IX Coordinator.^{19,20}

¹⁹ Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of persons with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility under this Policy.

²⁰ The Title IX Coordinator designated to receive information from Mandated Reporters may vary depending upon the type of alleged discrimination, harassment, or retaliation (e.g., on the basis of sex, on the basis of race, on the basis of disability).

- ***Nondiscrimination Team.*** The Title IX Coordinator, any deputy coordinators, and any member of the [Resolution Process Pool](#).
- ***Notice.*** When an employee, student, or third party informs the Title IX Coordinator of the alleged occurrence of discriminatory, harassing, retaliatory, or Other Prohibited Conduct.
- ***Parties.*** The Complainant(s) and Respondent(s), collectively.
- ***Pregnancy or Related Conditions.*** Pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.
- ***Protected Characteristic.*** Any characteristic for which a person is afforded protection against discrimination and harassment by law or Assumption University Policy.
- ***Relevant Evidence.*** Evidence that may aid a Decision-maker in determining whether the alleged discrimination, harassment, retaliation, or Other Prohibited Conduct occurred, or in determining the credibility of the Parties or witnesses.
- ***Remedies.*** Typically, post-resolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to Assumption University’s Education Program and Activity.
- ***Resolution Process.*** The investigation and resolution of allegations of prohibited conduct under this Policy, including Informal Resolution, Administrative Resolution, and/or Hearing Resolution.
- ***Respondent.*** A person who is alleged to have engaged in conduct that could constitute discrimination based on a protected characteristic, harassment, retaliation, or Other Prohibited Conduct for engaging in a protected activity under this Policy.
- ***Sanction.*** A consequence imposed on a Respondent who is found to have violated this Policy.
- ***Sex.*** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- ***Student.*** Any person who has gained admission.
- ***Title IX Coordinator.*** At least one official designated by Assumption University to ensure ultimate oversight of compliance with Title IX and Assumption University’s Title IX program. References to the Coordinator throughout the Policy may also encompass a designee of the Coordinator for specific tasks.

APPENDIX B: STATEMENT OF THE PARTIES' RIGHTS

Under this Policy and procedures, the Parties have the right to:

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to Assumption University officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by the University regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by the University to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by University officials.
- The right to have University policy and these procedures followed without material deviation.
- Voluntarily agree to resolve allegations under this Policy through Informal Resolution without Assumption pressure, if Informal Resolution is approved by the Title IX Coordinator, which includes the right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by University officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.
- The right to be informed by University officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University in notifying such authorities, if the party so chooses. This also

includes the right not to be pressured to report.

- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by University law enforcement and/or other University officials.
- The right to be informed of available supportive measures.
- The right to a University-implemented no-contact order when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either institutional or criminal, needs to occur before this option is available. Such actions may include, but are not limited to:
 - The right to have the University maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair the University's ability to provide the supportive measures.
 - The right to receive sufficiently advanced, written notice of any University meeting or interview involving another party, when possible.
 - The right to identify and have the Investigator(s), Advisors, and/or Decision-maker(s) question relevant available witnesses.
 - The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant by the Investigator(s)/Decision-maker(s), may be asked of any party or witness.
 - The right to have inadmissible evidence excluded by the Decision-maker(s).
 - The right to know the relevant evidence obtained and to respond to that evidence.
 - The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
 - The right to receive a copy of all relevant evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and an opportunity to review and comment on the evidence.

- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have an opportunity to review and comment on the report prior to the hearing.
- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have reports of alleged Policy violations addressed by Investigators, Title IX Coordinators, and Decision-maker(s) who have received relevant annual training.
- The right to preservation of confidentiality/privacy, to the extent possible and permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any University representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the Resolution Process.
- The right to the use of the Preponderance of Evidence standard to make a Finding and Final Determination after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any hearing.
- The right to have an impact and/or mitigation statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed of the finding(s) and sanction(s) (if any) of the Resolution Process and a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written Notice of Outcome letter delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by the University is considered final and any changes to the Final Determination or sanction(s) that occur following the

Notice of Outcome.

- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the Resolution Process, and the procedures for doing so in accordance with the standards for appeal established by the University.

APPENDIX C: PRIVACY, PRIVILEGE, AND CONFIDENTIALITY

For the purpose of this Policy and Procedures, the terms *privacy*, *confidentiality*, and *privilege* have distinct meanings.

- **Privacy.** Means that information related to a complaint will be shared with a limited number of Assumption University employees who “need to know” in order to assist in providing supportive measures or evaluating, investigating, or resolving the Complaint. All employees who are involved in Assumption University’s response to Notice under this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with federal and state law.
- **Confidentiality.** Exists in the context of laws or professional ethics (including Title IX) that protect certain relationships, including clinical care, mental health providers, and counselors. Confidentiality also applies to those designated by Assumption as Confidential Employees for purposes of reports under this Policy, regardless of legal or ethical protections. When a Complainant shares information with a Confidential Employee, the Confidential Employee does not need to disclose that information to the Title IX Coordinator. The Confidential Resource will, however, provide the Complainant with the Title IX Coordinator’s contact information, assist the Complainant in reporting, if desired, and provide them with information on how the Title IX Coordinator can assist them. With respect to Confidential Employees, information may be disclosed when: (1) the reporting person gives written consent for its disclosure; (2) there is a concern that the person will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or persons with disabilities. Non-identifiable information may be shared by Confidential Employees for statistical tracking purposes as required by the Clery Act/Violence Against Women Act (VAWA). Other information may be shared as required by law.
- **Privilege.** Exists in the context of laws that protect certain relationships, including attorneys, spouses, and clergy. Privilege is maintained by a provider unless a court orders release or the holder of the privilege (e.g., a client, spouse, parishioner) waives the protections of the privilege. Assumption University treats employees who have the ability to have privileged communications as Confidential Employees.

Assumption University reserves the right to determine which Assumption University officials have a legitimate educational interest in being informed about student-related incidents that fall under this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the Complaint. Information will be shared as necessary with Investigators, Decision-makers, Appeal Decision-makers, witnesses, the Parties, and the Parties’ Advisors. The circle of people with this knowledge will be kept as tight as possible to preserve the Parties’ rights and privacy, and release is governed by the institution’s unauthorized disclosure policy.

Assumption University may contact students' parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk but will usually consult with the student prior to doing so.

APPENDIX D: RESOURCES FOR EMERGENCY ASSISTANCE

If you are experiencing an emergency situation, you should call local police by dialing 911 and go to a safe location as soon as possible.

You may also call:

1. Public Safety and Police Department:
 - a. Emergency: 508-767-7777 or Ext. 7777 (24 hours/7 days a week)
 - b. Dispatcher: 508-767-7225 or sb.carl@assumption.edu (24 hours/7 days a week)
2. Seek immediate medical attention if you are injured, believe you may have been exposed to the risk of an STI/STD, or pregnancy.
 - a. Student Health Services: 508-767-7329
 - b. Student Counseling Center: 508-767-7329
 - c. St. Vincent Hospital: 508-363-5000 (123 Summer Street, Worcester, MA)

Medical Attention: Evidence collection should be done within approximately 120 hours of an assault, but fluids, hair samples and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual Assault Nurse Examiners are trained in the collection of forensic evidence and can check for injuries and exposure to sexually transmitted diseases. If you are still wearing any clothes worn during the assault, wear them to the hospital, but bring a change of clothes as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the assault to the hospital in a clean paper (not plastic) bag or a wrapped in a clean sheet. Leave sheets/towels at the scene of the assault. Police will collect them. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a criminal complaint.

3. National Sexual Assault Hotline: 800-656-4673 (24/7)
4. Obtain information about campus resources and filing a complaint:
 - a. Title IX Coordinator: 508-767-7321 or titleix@assumption.edu.
 - b. Campus Advocate: 508-767-7641

You can:

1. Do nothing until you are ready;
2. Pursue resolution through Assumption University;
3. Initiate criminal proceedings; and/or
4. Initiate a civil process against the perpetrator.

APPENDIX E: VIOLENCE RISK ASSESSMENT (VRA)

Threat assessment is the process of assessing the actionability of violence by an individual against another person or group following the issuance of a direct or conditional threat. A **Violence Risk Assessment (VRA)** is a broader term used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.²¹

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations, and is supported by research from the fields of law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use an evidence-based process consisting of:

1. An appraisal of *risk factors* that escalate the potential for violence
2. A determination of stabilizing influences that reduce the risk of violence
3. A contextual *analysis of violence risk* by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of threat; fixation and focus on target; grievance collection; and action and time imperative for violence
4. The application of *intervention and management* approaches to reduce the risk of violence

To assess an individual's level of violence risk, the Title IX Coordinator will initiate the violence risk assessment process through the Care and Risk Evaluation (CARE) Team. The CARE team will assign a trained individual(s) to perform the assessment, according to the specific nature of the Title IX case.

The assessor(s) will follow the process for conducting a violence risk assessment and will rely on a consistent, research-based, reliable system that allows for the evaluation of the risk levels.

The VRA is conducted independently from the Title IX process, informed by it, but free from outcome pressure. The individual(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The CARE team conducts a VRA process and makes a recommendation to the Title IX Coordinator as to whether the VRA indicates there is a substantial, compelling, and/or immediate risk to the health and/or safety of an individual or the community.

²¹ A VRA occurs in collaboration with the CARE team and must be understood as an ongoing process, rather than a singular evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment.

APPENDIX F: POLICY RELATED TO PREGNANT AND PARENTING STUDENTS

1. Non-Discrimination Statement

Assumption does not discriminate in its education program or activity against any applicant for admission, student, applicant for employment, or employee on the basis of current, potential, or past pregnancy or related conditions as mandated by Title IX of the Education Amendments of 1972 (Title IX). Assumption prohibits members of Assumption community from adopting or implementing any policy, practice, or procedure which treats an applicant for admission, student, applicant for employment, or employee differently on the basis of current, potential, or past parental, family, or marital status. This policy and its pregnancy-related protections apply to all pregnant persons, regardless of gender identity or expression.

2. Definitions

- ***Familial Status.*** The configuration of one’s family or one’s role in a family.
- ***Marital Status.*** The state of being married or unmarried.
- ***Parental Status.*** The status of a person who, with respect to another person who is under the age of 18,²² is a biological, adoptive, foster, or stepparent; a legal custodian or guardian; in loco parentis with respect to such a person; or actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- ***Pregnancy and Related Conditions.*** The full spectrum of processes and events connected with pregnancy, including pregnancy, childbirth, termination of pregnancy, or lactation; related medical conditions; and recovery therefrom.²³
- ***Reasonable Modifications.*** Individualized modifications to Assumption’s policies, practices, or procedures that do not fundamentally alter Assumption’s education program or activity.

3. Information Sharing Requirements

Any Assumption employee who becomes aware of a student’s pregnancy or related condition is required to provide the student with the Title IX Coordinator’s contact information and communicate that the Coordinator can help take specific actions to prevent discrimination and ensure equal access to Assumption’s education program and activity. If the employee has a

²² Or a person who is 18 or older but who is incapable of self-care because of a mental or physical disability.

²³ “The Department interprets ‘termination of pregnancy’ to mean the end of pregnancy in any manner, including, miscarriage, stillbirth, or abortion.” Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 89 F.R. 33474, April 29, 2024, codified at 34 C.F.R. 106.

reasonable belief that the Title IX Coordinator is already aware of the pregnancy or related condition, the employee is not required to provide the student with the Title IX Coordinator's contact information.

Upon notification of a student's pregnancy or related condition, the Title IX Coordinator will contact the student and inform the student of Assumption's obligations to:

- Prohibit sex discrimination.
- Provide reasonable modifications.
- Allow access, on a voluntary basis, to any separate and comparable portion of the institution's education program or activity.
- Allow a voluntary leave of absence.
- Ensure lactation space availability.
- Maintain a Resolution Process for alleged discrimination.
- Treat pregnancy as comparable to other temporary medical conditions for medical benefit, service, plan, or policy purposes.

The Title IX Coordinator will also notify the student of the process to file a complaint for alleged discrimination, harassment, or retaliation, as applicable.

4. Reasonable Modifications for Students

Students who are pregnant or are experiencing related conditions are entitled to Reasonable Modifications to prevent sex discrimination and ensure equal access to Assumption's education program and activity. Any student seeking Reasonable Modifications must contact the Title IX Coordinator to discuss appropriate and available Reasonable Modifications based on their individual needs. Students are encouraged to request Reasonable Modifications as promptly as possible, although retroactive modifications may be available in some circumstances. Reasonable Modifications are voluntary, and a student can accept or decline the offered Reasonable Modifications. Not all Reasonable Modifications are appropriate for all contexts.

Reasonable Modifications may include:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom
- Intermittent absences to attend medical appointments
- Access to online or homebound education
- Changes in schedule or course sequence
- Time extensions for coursework and rescheduling of tests and examinations
- Allowing a student to sit or stand, or carry or keep water nearby
- Counseling
- Changes in physical space or supplies (for example, access to a larger desk or a footrest)
- Elevator access
- A larger uniform or other required clothing or equipment

- Other changes to policies, practices, or procedures determined by the Title IX Coordinator

In situations such as clinical rotations, performances, labs, and group work, the institution will work with the student to devise an alternative path to completion, if possible. In progressive curricular and/or cohort-model programs, medically necessary leaves are sufficient cause to permit the student to shift course order, substitute similar courses, or join a subsequent cohort when returning from leave. Students are encouraged to work with their faculty members and Assumption’s support systems to devise a plan for how to best address the conditions as pregnancy progresses, anticipate the need for leaves, minimize the academic impact of their absence, and get back on track as efficiently and comfortably as possible. The Title IX Coordinator will assist with plan development and implementation as needed.

Supporting documentation for Reasonable Modifications will only be required when it is necessary and reasonable under the circumstances to determine which Reasonable Modifications to offer to determine other specific actions to take to ensure equal access.

Information about pregnant students’ requests for modifications will be shared with faculty and staff only to the extent necessary to provide the Reasonable Modification.

Students experiencing pregnancy-related conditions that manifest as a temporary disability under the Americans with Disabilities Act (ADA) or Section 504 of the Rehabilitation Act are eligible for reasonable accommodations just like any other student with a temporary disability. The Title IX Coordinator will consult with disability staff to ensure the student receives reasonable accommodations for their disability as required by law.

5. Certification to Participate

All students should be informed of health and safety risks related to participation in academic and co-curricular activities, regardless of pregnancy status. A student may not be required to provide health care provider or other certification that the student is physically able to participate in the program or activity, unless:

1. The certified level of physical ability or health is necessary for participation;
2. The institution requires such certification of all students participating; and
3. The information obtained is not used as a basis for pregnancy-related discrimination.

6. Lactation Space Access

The Recipient provides students and employees with access to lactation spaces that are functional, appropriate, and safe. Such spaces are regularly cleaned, shielded from view, and free from the intrusion of others.

7. Leaves of Absence

A. Students

Students are permitted to take a voluntary leave of absence for a reasonable time as deemed medically necessary by their healthcare provider because of pregnancy and/or the birth, adoption, or placement of a child. The leave term may be extended in the case of extenuating circumstances or medical necessity. While registered under that status, students who choose to take a leave of absence under this policy can elect to keep their health insurance coverage and continue residing in Recipient housing, subject to the payment of applicable fees.

To the extent possible, Assumption will take reasonable steps to ensure that students who take a leave of absence or medical leave return to the same position of academic progress that they were in when they took leave, including access to the same or an equivalent course catalog that was in place when the leave began.

Continuation of students' scholarships, fellowships, or similar Assumption-sponsored funding during the leave term will depend on student registration status and the policies of the funding program regarding registration status. Students will not be negatively impacted by or forfeit their future eligibility for their scholarship, fellowship, or similar Recipient-supported funding by exercising their rights under this policy.

The Title IX Office can and will advocate for students with respect to financial aid agencies and external scholarship providers in the event that a leave of absence places eligibility into question.

In order to initiate a leave of absence, the student must contact the Title IX Coordinator at least 30 calendar days prior to the initiation of leave, or as soon as practicable. The Coordinator will assist the student in completing any necessary paperwork.

B. Employees

Pregnancy and related conditions will be regarded as a justification for a leave of absence without pay for a reasonable period of time.

Employees who take leave under Title IX must be reinstated to the status held when leave began or a comparable position without a negative effect on any employment privilege or right.

8. Student Parents

Students with child caretaking/parenting responsibilities who wish to remain engaged in their coursework while adjusting their academic responsibilities because of the birth or adoption of a child or placement of a foster child may request an academic modification period during the first three (3) months from the time the child entered the home. Extensions may be granted when additional time is required by medical necessity or extraordinary caretaking/parenting responsibilities.

During the modification period, the student’s academic requirements will be adjusted and deadlines postponed as appropriate, in collaboration among the Title IX Office, the student’s academic advisor, and the appropriate academic department(s).

Students seeking a period of modified academic responsibilities may consult with their academic advisor or with the to determine appropriate academic adjustment requests. The will communicate all requests under this policy to students’ academic advisors and coordinate adjustment-related efforts with the advisors unless the student specifically requests that their advisors be excluded.

Students are encouraged to work with their advisors and faculty members to reschedule course assignments, lab hours, examinations, or other requirements, and/or to reduce their overall course load, as appropriate, once authorization is received from the .

If, for any reason, caretaking/parenting students are not able to work with their advisors/faculty members to obtain appropriate modifications, students should alert the as soon as possible, and the office will help facilitate needed accommodations and modifications.

In timed degree, certification, or credentialing programs, students who seek modifications upon the birth or placement of their child will be allowed an extension of up to three (3) months to prepare for and take preliminary and qualifying examinations, and an extension of up to three (3) months toward normative time to degree while in candidacy, to the extent those deadlines are controlled by the Recipient. Longer extensions may be granted in extenuating circumstances.

Students can request modified academic responsibilities under this Policy regardless of whether they elect to take a leave of absence.

While receiving academic modifications, students will remain registered and retain benefits accordingly.

9. Recipient Housing

A pregnant student’s Recipient housing status will not be altered based on pregnancy status unless requested by the student.

10. Policy Dissemination and Training

A copy of this policy will be made available to faculty and employees in annually required training and posted on Assumption’s website. Assumption will alert all new students about this policy and the location of this policy as part of New Student Orientation. The Title IX Coordinator will make educational materials available to all members of Assumption community to promote compliance with this policy and familiarity with its procedures.

Appendix B

Community Standards Process /
Student Handbook



Assumption University

COMMUNITY STANDARDS PROCESS OVERVIEW

The Office of Community Standards is responsible for addressing all reports of possible policy violations. Please refer to the [Student Handbook](#) for comprehensive information concerning Community Standards policies and procedures at Assumption University. For your convenience, the following is an abbreviated version of the Community Standards process:

- 1) A member of the University community submits an Incident Report indicating the student(s) involved and the alleged policy violation that took place. This is usually submitted by a member of the Residential Life staff or Campus Police.
- 2) A Hearing Officer reviews the Incident Report and determines which violations of the Conduct Code are alleged to have occurred. Hearing Officers at the University include the Vice President/Dean of Students, Assistant Dean for Student Development, and Resident Directors in Residential Life.
- 3) Charges are assigned to the relevant student(s) from the Incident Report, and a Hearing Notice is produced for the student(s). The Hearing Notice includes a list of charges, the scheduled date and time for the hearing, links to the Student Handbook, and a link to Frequently Asked Questions about the hearing.
- 4) The hearing takes place with a Hearing Officer and/or Hearing Board with the alleged student(s). The hearing is the opportunity for the alleged student(s) to explain their input on the related incident, take responsibility for the alleged behavior and/or violation of the Conduct Code, and discuss next steps and possible outcomes and sanctions with the Hearing Officer. A discussion on Restorative Justice takes place at all hearings.
- 5) An Outcome Letter is sent to the student(s) outlining sanctions for the student(s). Sanctions are in two parts: status and education. Status-based outcomes are in the form of a warning, probation, and/or suspensions based upon the behavior and violation(s). Education-based outcomes are opportunities for the student(s) to repair harm, reflect, and move forward from the behavior and violation(s).
- 6) All students that go through a hearing have the opportunity to appeal the outcomes and sanctions given. Information on the appeal process is present in the Outcome Letter.



Assumption University

STUDENT HANDBOOK 2024-2025

INTRODUCTION

This handbook provides information about policies, procedures, regulations, and activities at the University with which each Assumption University student should be familiar. In addition to this handbook, students are responsible for understanding the Assumption University Academic Catalog and Advising Guide, as well as other University publications. The policies stated herein are subject to revision, notice of which is made through normal channels of communication.

THE CONDUCT CODE

Assumption University strives to maintain an environment consistent with its mission and respectful of the rights of all individuals within the University community. All members of this community are freely and voluntarily united by this agreement in the pursuit of intellectual growth and discovery. The rules, policies, and regulations of the University, collectively known as the Conduct Code. The University reserves the right to deny the privilege of enrollment or continued enrollment to any student whose conduct or attitude is believed to be detrimental to the welfare of the University.

Students are held responsible for their conduct from the time they are notified of their acceptance for admission through the awarding of degree. The Conduct Code and Community Standards process apply to students' conduct even if a student withdraws from the University while a complaint is pending.

The Office of Student Affairs has a responsibility for student accountability to the benefit and welfare of the University community, as well as the individual student. The University reserves the right to dismiss a student at any time without any definite public charge.

Assumption University is also aware of its responsibility to the larger Worcester community in which it is located. Students are expected to observe all local laws and to conduct themselves off-campus in a way that reflects well on their association with the University community. Students involved in off-campus incidents may be subject to University disciplinary procedures.

RIGHTS AND RESPONSIBILITIES

The following statement of students' rights and responsibilities is intended to reflect the philosophical base upon which the Conduct Code is built. This philosophy acknowledges the existence of both rights and responsibilities, which is inherent to an individual not only as a student but as a community member.

1. Rights of Assumption University Students

- Right to a respectful, educational, and safe community that fosters intellectual growth in keeping with the mission of the University.
- Right to an academic environment that is intellectually engaging and challenging. Students have the right to class work that stimulates their minds, provided by professors who take great care and pride in the service they provide to their students. Professors will make themselves available to their students to support each student's successful academic career.
- Right to pursue knowledge and the resources and staff necessary to expand that knowledge and understanding.
- Right to a supportive and knowledgeable staff and faculty to aid them in pursuing academic and personal success.
- Right not to be discriminated against based on race, color, religion, national origin, age, sex, sexual orientation, gender identity, gender expression, genetic information or family medical history, disability, marital or parental status, military or veteran status, immigration status, or any other unique attribute of any individual.
- The right to live without the fear of intimidation, force, threats, or emotional, verbal, or physical abuse of any kind.
- Right to free expression. Community members have the right to express their ideas freely, without fear of censure or retribution.
- Right to a healthy environment. Community members have the right to programs and services that promote and support a healthy lifestyle including the right to well-maintained facilities and a healthy food selection.
- Right to privacy, including the right and protection from unwarranted or unauthorized searches of person, personal spaces, and property in accordance with University policy.
- Right to due process through the Community Standards process. This includes the right to a fair and unbiased hearing.
- Right to appeal. Students have the right to a fair and equitable process in conduct and academic matters.

2. Responsibilities of Assumption University Students

- All Assumption University students are considered adults and therefore bear full and ultimate responsibility for their actions.
- Responsibility to comply with federal, state, and local laws.
- Responsibility to know and abide by all Assumption University policies.
- Responsibility to respect the rights of the other members of the Assumption University community.
- Responsibility to follow proper institutional protocols when exercising the right to free expression.
- Responsibility to respect and honor the Mission of the University.
- Responsibility to respect the environment, specifically the buildings and grounds of the University.
- Responsibility to regularly and frequently check their Assumption University email account.

IMPORTANT DEFINITIONS

The following selected terms are defined to facilitate a more thorough understanding of the University's Community Standards process. This list is not intended to be exhaustive of all terms referenced in this document that might require additional clarification.

- **Administrative Hearing:** a hearing that consists of a meeting or meetings with a single hearing officer to adjudicate a disciplinary charge.
- **Complainant:** Any person who is alleged to have been subject to another student's misconduct. If the complainant is an Assumption University student, that student will have the same rights as are provided to the respondent. In the absence of a student complainant, the University is the complainant.
- **Conduct Board:** A group of students, faculty, and/or staff authorized to determine whether a student has violated University policy and to recommend sanctions that may be imposed when a violation of University policy has been committed.
- **Hearing Officer:** University official authorized to resolve allegations or impose outcomes for students alleged to have violated University policy.
- **Possession:** Physically holding or controlling the subject item or owning or controlling a room, vehicle, or other area where the item is present, knowingly, or unknowingly.
- **Preponderance of the Evidence Standard:** The burden of proof standard used in determining a violation of the Conduct Code. A preponderance of the evidence standard means that **it is more likely than not** that a violation of University policy occurred.
- **Respondent/Alleged:** Any student alleged to have violated University policy.
- **Student:** All persons (other than faculty, staff, or administrators) who have accepted an invitation of admission to the University, who are enrolled in, or taking or auditing University courses, either full or part-time, in-person or remotely. Persons who are not currently enrolled for a particular term, or are between terms, but who have a continuing relationship with the University (e.g., students on a temporary leave with an intent to return) are considered students.
- **University Premises/Property:** all land, buildings, facilities, and other property in the possession of or owned, leased, used, operated, or controlled by the University.
- **Witness:** Any person with direct knowledge of the alleged violation.

COMMUNITY STANDARDS POLICIES

Alcohol Policies

- a. Alcohol Consumption, Possession, or Purchase by a Minor
 - i. Any person under the age of 21 in the Commonwealth of Massachusetts may not lawfully possess, consume, purchase, attempt to purchase, or transport alcoholic beverages.
- b. Alcohol Provision or Sale
 - i. Students of legal age may not provide alcoholic beverages to individuals not of legal age at any time.
 - ii. Students may not sell alcohol to any other person for any reason.
 - iii. Students of legal age may possess and consume alcoholic beverages at approved University functions and/or when served at a campus facility/event authorized to provide alcoholic beverages.
 - iv. All student organization sponsored events where alcohol may be served must be approved by the appropriate University official and must follow all University policies and regulations. At all times, alcohol use must be consistent with the concept of moderate and responsible consumption. Furnishing alcohol to any person under the age of 21 or enabling underage alcohol consumption is strictly prohibited for student organizations.
- c. Alcohol in a Dry Building, Open Container Policy, or Empty Container Policy
 - i. Open containers are defined as: any container where the original factory seal has been broken (beer cans, wine bottles, liquor bottles, etc.). Additionally, solo cups, clear water bottles, or unsealed bottles are also considered an open container. University officials reserve the right to inspect a student's container upon information or belief that the student is intoxicated or under the influence of drugs.
 - ii. Consumption or possession of alcoholic beverages in open containers is prohibited in common areas of residence halls, including hallways, lounges, lobbies, stairwells, and bathrooms.
 - iii. Students may not transport alcohol in common areas of campus or University residence halls in open containers. Students of legal age may transport alcohol in common areas of campus or University residence halls in closed containers and in suitable packaging, consistent with the concept of moderate and responsible consumption.
 - iv. Students of legal age may possess and consume alcoholic beverages only in designated upper-class residential areas including Aubuchon, Authier, Bissonnette, Dion, Dufault, Living/Learning Center, Moquin, Plough, Cesareo, Young, Wachusett, and West Halls.

- v. Alcoholic beverages are never permitted, regardless of the age of the student, in Alumni, Desautels, Hanrahan, Nault, Salisbury, or Worcester Halls, or in the outside areas, public areas (hallways, lounges, etc.), athletic fields, or other campus buildings unless specifically designated. This includes alcohol containers used for decorative purposes.
- d. Drinking Games, Drinking Paraphernalia, or Forced Alcohol Consumption
 - i. Participation in drinking games involving the consumption of alcohol, consuming shots of alcohol, and any type of binge drinking or forced alcohol consumption (e.g. chugging, “shot-gunning,” etc.) is prohibited in residence halls and on University property.
 - ii. Possession or use of binge drinking paraphernalia or any instrument of alcohol abuse (e.g. funnels, beer pong tables, etc.) is prohibited in residence halls and on University property.
- e. Alcohol Intoxication
 - i. Regardless of age, the abusive or dangerous use of alcohol is prohibited on and off campus, including but not limited to disruptive, disorderly, or dangerous conduct related to the consumption of alcohol.
- f. Alcohol in Bulk Containers
 - i. Common source containers of alcoholic beverages, including beer kegs and alcoholic punch are prohibited in residence halls and on University property without authorization from appropriate University officials.
- g. Operating Under the Influence of Alcohol
 - i. Driving on or off campus while under the influence of alcohol is prohibited.
- h. Transport Due to Alcohol Intoxication
 - i. Students acting in a manner that appears to impair their ability to function due to alcohol intoxication may be assessed for intoxication by Campus Police. Students who are determined to need medical care by Campus Police may be transported to an area hospital or urgent care for further evaluation.
- i. Assessment Due to Alcohol Intoxication
 - i. Students acting in a manner that appears to impair their ability to function due to alcohol intoxication may be assessed for intoxication by Campus Police.
- j. Protective Custody for Alcohol Intoxication
 - i. Students acting in a manner that appears to impair their ability to function due to alcohol intoxication may be assessed for intoxication by Campus Police. Students that become belligerent and/or disorderly with Campus Police or other University staff may be placed into Protective Custody by Campus Police.

Drug Policies

- a. Drug Possession and/or Use
 - i. Possession or use of marijuana or related paraphernalia is prohibited. While individuals 21 years or older in the State of Massachusetts may purchase and possess marijuana at authorized dispensaries, Federal law, including the Drug Free Schools and Communities Act prohibits marijuana; therefore marijuana is not permitted on the Assumption campus. This includes but is not limited to edibles, concentrates, tinctures, oils, and any plant matter. Please refer to [Massachusetts State Law](#) for more information.
 - ii. Possession of use of illicit drugs, controlled substances, or drug paraphernalia is prohibited.
- b. Drug Sale and/or Distribution
 - i. Sale, distribution, or manufacture of any controlled drug, substance, or drug paraphernalia including marijuana is prohibited.
- c. Operating Under the Influence of Drugs
 - i. Operating a vehicle under the influence is prohibited.
- d. Transport Due to Drug Use
 - i. Students acting in a manner that appears to impair their ability to function due to drug impairment may be assessed for intoxication by Campus Police. Students who are determined to need medical care by Campus Police may be transported to an area hospital or urgent care for further evaluation.

Prohibited Conduct:

Property Policies

- a. Property Damage
 - i. Damage to University property or another person's property
 - ii. Possession, sale, or distribution of stolen University property or another person's property.
- b. Property Theft
 - i. Theft or possession, sale, or distribution of stolen property.
- c. Property Misuse
 - i. Misuse of University property, facilities, or another person's property

without authorization.

d. Littering and Graffiti

- i. Destruction of property including but not limited to failing to remove trash, spraying graffiti, intentional destruction of buildings or facilities.

e. Unauthorized Entry

- i. Entering any University premises (building, room, residence hall, residential room, facilities, bathroom, use of keys and/or ID cards) without authorization.

Violent or Endangering Behavior Policies

a. Threatening Conduct

- ii. Acts of intimidation or coercion, whether stated or implied.

b. Violent or Endangering Behavior

- i. Conduct that threatens or endangers the health or safety of any person.
- ii. Violent behavior including but not limited to fighting, verbal, or physical abuse, or contributing to the violence of others.

c. Sexual Misconduct

- i. Sexual assault, sexual exploitation, or sexual harassment.
- ii. Relationship violence.
- iii. Stalking (electronic, physical, by proxy, or other).
- iv. Creation of a hostile and/or harassing environment related to sexuality.
- v. Bias related conduct regarding another person's sexuality, sexual orientation, gender, gender identity, or gender expression.

Verbal Abuse and Harassment Policies

a. Verbal Abuse

- i. Verbal abuse or willful damage to the reputation or psychological well-being of another, regardless of intent.

b. Bullying

- i. Systematic bullying over time by any means, including but not limited to verbal, physical, emotional, exploitative functions, electronic media, social media.

c. Harassment

- i. Harassment of another in any manner including written correspondence, electronic mail/media, phone, or by proxy.
 - ii. Bias related harassment
- d. Inappropriate Expression
 - i. Conduct that is lewd, indecent, obscene, or degrading or demeaning to others, including, but not limited to, expression based on gender, race, religion, cultural background, ability, sexuality, sexual orientation, gender, gender identity, or gender expression. Expression may be but is not limited to verbal, social, electronic, in-person, online, direct, or by proxy.
- e. Social Media Misuse
 - i. Posting social media content that is considered, including, but not limited to, a threat of violence, harmful to self or others, or a violation of any other University policy through social media or other electronic means.

Civility Policies

- a. Conduct Unbecoming of a University Student
 - i. Including but not limited to inappropriate statements made to students University officials, non-compliance with University officials, or avoidance of University officials.
- b. Disorderly Conduct
 - i. Conduct that creates a community-based incident. This includes but is not limited to property damage, physical altercations, promoting violence, inciting disorderly groups of students or other individuals, verbal abuse of students or other individuals.
 - ii. Retaliation. Retaliation is defined as any adverse action related to participation in an education program taken against a person because a person has filed a report or participated in any in the filing of an incident report or complaint, investigation or hearing process related to community standards.
- c. Failure to Comply
 - i. Failure to comply with the directions of University officials or individuals working in conjunction with the University who are acting in performance of their duties.
- d. Violating Privacy
 - i. Use of devices, electronic or other, to violate the privacy of another person.
- e. Failure to Adhere to University Sanctions
 - i. Failure to adhere to, or complete any disciplinary sanction imposed by the

Hearing Officer or other University official.

- f. Public Urination
 - i. Any form of urination or defecation outside of restroom facilities.

Honor Code Policies

- a. Honor Code
- b. Any form of dishonesty, including but not limited to theft, falsification of information, fraud, willful deception, falsification of identification, improper use, or disclosure of information.

Hazing Policies

- a. Any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person.
- b. Any violation of [Massachusetts State Law](#) regarding hazing.

Smoking Policies

- a. Smoking of any type in any building or prohibited area. This includes cigarettes, cigars, pipes, e-cigarettes, juuls, dab pens, or vaporizers. Only tobacco products are permitted on the Assumption campus and must be used outside and at least 100 feet away from any building.

Weapons Policies

- a. Weapons are not permitted on the University campus other than by use of Campus Police officers. Possessing explosives, dangerous chemicals, and weapons including, but not limited to, firearms, bows and arrows, slingshots, hunting and other knives, blowguns, BB guns, pellet guns, air-soft guns, etc.

Gambling Policies

- a. The University fully supports the prohibition of gaming as defined under [Massachusetts State Law](#) regarding gambling.
- b. Gambling is prohibited on campus in all forms.

Guest Policies

- a. Anyone on campus after 6:00 PM that is a non-student, faculty or staff must be registered through the on-line guest Visitor Pass system. Guests must be with their host at all times, have a valid form of ID at all times, and have their Visitor Pass

Identification Policies

- a. Failure to be in possession of or present Assumption University ID.

Discriminatory and/or Bias Related Policies

- a. The verbal or physical conduct that denigrates or shows hostility toward an individual on the basis of race, color, gender, gender identity, gender expression, national origin, religion, age, ability, or sexual orientation.
- b. Any member of the University community may report an incident of discrimination and/or bias through the [Bias Incident Reporting Form](#).

Other University Policies

- a. Quiet Hours Policy
 - i. Quiet hours begin at 12:00 AM on Sunday - Thursday of each week. Quiet hours begin at 2:00 AM on Friday and Saturday. Quiet hours are 24 hours during study periods and final exams.
- b. Consideration Hours Policy
 - i. At all times, students are asked to respect the right to privacy and a reasonable volume within the residence halls.
- c. Gathering Policy
 - i. Double room, triple room, and suite-based residence halls are permitted gatherings that is double the occupancy of the room, plus two. Apartment-based residence halls are permitted gatherings that are five times the occupancy of the room, plus five.
- d. Visitation Policy
 - i. Visitation policy relating visiting residential students on campus. Visitation takes place between 9:00 AM - 12:00 AM on weekdays and between 9:00 AM - 2:00 AM on weekends

Federal, State, or Local Law Policies

- a. Violations of any federal, state or local law.

Sexual Misconduct

- a. Aiding and Facilitating – Promoting or encouraging the commission of any behavior prohibited outlined in the Sexual Misconduct policy.
- b. Exploitation – Any person taking non-consensual or abusive sexual advantage of another.
- c. Gender Discrimination – Discriminating another member of the University community on the basis of their gender, gender identity, and/or gender expression.
- d. Hostile Environment – Conduct that has the purpose or effect of unreasonably interfering with an individual’s learning, working, or living environment, or limiting

or depriving an individual of the ability to participate in or benefit from the University's employment or educational programs and/or activities.

- e. Inducing Incapacitation – Providing alcohol or drugs to an individual, with or without the individual's knowledge, with the purpose or intent of taking advantage of that individual's impairment or intoxication.
- f. Relationship Violence – Violent and/or endangering behavior that is verbal, physical, or psychological between partners in a romantic relationship.
- g. Retaliation – Seeking retribution against a reporting party, responding party, or any individual for exercising their rights under the Sexual Misconduct policy or making a report or complaint, testifying, assisting, conducting, participating or refusing to participate in an investigation, hearing, or other proceeding under this policy.
- h. Sexual Assault – Any sexual act directed against another person, without the consent of the other person, including instances where the other person is incapable of giving consent.
- i. Sexual Discrimination – Treating any person unfavorably because of that person's sex, including the person's sexual orientation, gender, gender identity, gender expression or pregnancy.
- j. Sexual Harassment – Any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, nonverbal, graphic, physical, or otherwise.
- k. Non-Consensual Sexual Touching – Sexual touching without consent of another person including instances where the other person is incapable of giving consent.
- l. Non-Consensual Sexual Intercourse – Sexual intercourse without consent of another person including instances where the other person is incapable of giving consent.
- m. Sexual Misconduct – Having or attempting to have sexual contact with another individual without affirmative consent.
- n. Stalking – Engaging in a course of conduct directed at a specific individual that would cause a reasonable person to: (a) fear for the individual's safety or the safety of others; or (b) suffer substantial emotional distress.

Residential Life Policies

- a. Violation of Residential Life policies. Each Fall, an updated list of Residential Life policies will be published on the Residential Life website.

THE COMMUNITY STANDARDS PROCESS

When University policy is not observed, the University reserves the right to take disciplinary action through the Community Standards process. The Division of Student Affairs oversees and administers this process.

The Community Standards process is initiated when an alleged incident of misconduct is reported. The Vice President for Student Affairs/Dean of Students or their designee will review any reports submitted to determine appropriate follow-up. One or more of the following steps may be taken:

- Notice of Hearing (Administrative Hearing or Conduct Board Hearing).
- Initiation of Investigation
- Implementation of interim measure(s) to remain in place until final resolution of the case.

The University may impose interim measures. These measures are implemented prior to a hearing and remain in effect until a decision is rendered in the conduct process and the alleged student has been formally notified of a change in their status. Interim sanctions may include but are not limited to; a “no contact” order, ban from a particular residence and/or area of campus, suspension from residence, and/or suspension from the University.

A hearing (Administrative or Conduct Board) may take place to determine a student’s role in an alleged violation of the Conduct Code. Hearings and/or other forms of conduct proceedings rarely occur remotely using Zoom or other remote platforms.

- Administrative Hearings take place between a hearing officer(s) and the student(s) alleged to have potentially violated policy. In cases involving multiple students, the hearing officer(s) decides whether to meet with students individually or in groups.
- Conduct Board Hearings may be convened at the discretion of the Vice President for Student Affairs, or their designee. Boards consist of members of the University community and are advised by Vice President for Student Affairs, or their designee, who may also serve as a board member.

Students found in violation of University policy will be subject to sanctions. Notification of hearing decisions will be communicated in writing to the charged student(s) via email within five (5) business days of the completion of all investigations and hearings. When appropriate, parties such as parents, coaches, and/or complainants may also be informed of the outcome of the hearing.

Generally, the University notifies students’ parents/guardians when an alcohol and/or drug violation occurs. The Family Educational Rights and Privacy Act (FERPA) allows the University to do so when students are under 21 years of age or are considered financial dependents. FERPA prohibits notifying a student’s parents/guardians if these criteria do not apply.

- Students are presumed not in violation of the Conduct Code until determined otherwise. However, the University may impose interim measures, to remain in place until final resolution of the case, depending on the nature and/or severity of the incident or in situations that may impact the safety of the University community.
- Students will be notified of their hearing date, time, and location at least two (2) business days in advance. The University may conduct a hearing in the absence of students charged if

the students charged do not attend the hearing.

- Students have the right to review the Incident Report(s) containing their name prior to the hearing. Students can contact their Hearing Officer to read a copy of the Incident Report(s) in the office of the Hearing Officer. Incident Report(s) may be redacted for the student(s) should it contain names or other identifying information. Incident Reports cannot be taken out of the Hearing Officer's office, nor can they be sent over email or any other digital distribution.
- Students have the right to a hearing in which they may present information and bring witnesses. However, the names and relevance of each witness a student plans to bring must be submitted to the hearing officer no less than 24 hours prior to the hearing for approval. Witnesses should be able to provide direct information related to the alleged violations being reviewed. The university reserves the right to supplement the registered witness list or elect not to hear from witnesses if the adjudicator deems their participation unnecessary to make an informed determination.
- Students may request an individual hearing but must do so in writing at least 24 hours prior to their scheduled hearing. Student wishing to pursue this option should email communitystandards@assumption.edu. The hearing officer (or chair of the hearing board as it may be) will consider the request and communicate the decision to the student prior to the hearing.
- Students that may need special accommodations for a hearing due to a medical need and/or disability should request an accommodation through the Assistant Dean for Student Development.
- Students who do not attend their hearing forfeit the right to appeal.
- Students may be held responsible for Conduct Code violations that are revealed during a hearing.
- Students have the right to receive written notification regarding findings related to them reached in any hearing.
- The Community Standards process uses preponderance of evidence to determine students' responsibility. Hearing officers and boards will examine whether it is more likely than not that a violation occurred and decide accordingly.
- Hearings will be closed to the public unless the Vice President for Student Affairs/Dean of Students or designee determines otherwise.
- Students may bring another member of the University community into a hearing as an advisor. Advisors may not participate directly in the hearing but may lend personal support to students.
- Any recordings of the hearing are the sole property of Assumption University.
- In the absence of a formally specified procedure or policy, the directives of the Vice President for Student Affairs or designee will have the full force of procedure/policy.
- The University reserves the right to assign responsibility for violations on one or more

individuals or groups (room, pod, floor, townhouse, residence hall, or residential area) in situations where:

- It is difficult to accurately determine degrees of responsibility or Responsible parties cannot be identified.
- A student, while not actively involved in the incident, possesses knowledge of violation(s).

Appeal Process

Students who participate in their hearing may appeal the outcome of their case. Appeals are considered by the Vice President of Student Affairs/Dean of Students, their designee, or an Appeal Board. Appeal Boards consist of members of the University community and are advised by the Vice President of Student Affairs/Dean of Students or designee.

Students have five (5) business days from the date of their decision letter to submit a formal letter of appeal to the Office of Student Affairs unless the safety of the University requires greater expediency. Appeal letters should state the grounds for appeal and provide a rationale to support the stated grounds.

The following are the only grounds upon which appeals may be sought:

- A material procedural error that impacted the outcome.
- Previously unavailable relevant evidence that would affect the outcome; and/or
- The sanction being disproportionate to the violation.

The appeal officer or board will:

- Uphold the decision and sanction of the hearing officer or board.
- Reverse the decision of the hearing officer or board and remove all sanctions.
- Modify the decision of the hearing officer or board and/or modify the sanctions given.

The appeal officer or board may choose to meet with the student submitting the appeal to discuss the matter in person. The appeals process is intended to foster checks and balances in the conduct process rather than rehear the case. The decision of the appeal officer or board is final.

OUTCOMES

Outcomes will be designed to promote accountability, address the misconduct's effect on the impacted parties and the community. Outcomes are commensurate with the severity of the violation, at the sole discretion of the University.

As a result of engaging in the Community Standards process, students will be able to:

- Recognize how their actions impacted the Assumption University community.
- Articulate connections between their values and decision making.
- Identify resources, strategies and skills that will promote holistic development and avoid future violations.
- Evaluate positive and negative courses of action critically and proficiently.
- Demonstrate an understanding of the community standards process and what outcomes would be advanced if they were to engage in future violations.

Restorative Justice is the key operational philosophy of the Community Standards process. This process seeks to examine the harmful impact of the alleged behavior and then determines what can be done to repair that harm while holding the student who caused it accountable for their actions. Accountability for the responsible student means accepting responsibility and acting to repair the harm done. While the Community Standards process is educational in nature, certain behaviors or patterns of behavior may be so harmful to the University community that it may require serious sanctions, such as removal from University housing, suspension, or dismissal from the University.

To evaluate each incident with the appropriate context, outcomes will be determined on a case-by-case basis in light of all the circumstances. All outcomes are issued at the discretion of the Assistant Dean of Student Development or designee. Determining factors might include:

- Nature and severity of the violation
- Multiple policy violations in a single incident
- Individual history of policy violations
- Individual mitigating or aggravating circumstances
- Timeframe over which the violations occurred
- Harm incurred by the impacted party or parties
- Demeanor or behavior demonstrated throughout the incident and Community Standards process

STATUS-BASED OUTCOMES

Disciplinary Warning: serves as an official warning to the student that subsequent violations of the Student Code of Conduct may result in higher-level sanctions.

Disciplinary Probation: a status for a determined period which indicates that similar or more severe violations of the Student Code of Conduct may result in suspension, or dismissal from the University.

Weekend Suspension: Suspension from campus residence and/or from the entire campus grounds for one or more weekends.

Conditional Housing: A status for a determined period which indicates that similar or more severe violations may result in removal from Housing or more severe sanctions.

Area Ban: Student is not allowed to visit certain buildings or areas on campus.

Change of Residency: Students are assigned to a different residential room or area.

Loss of Privileges: Specific privileges are revoked from students (e.g., visitation to a certain part of campus, guest privileges, Senior Week, etc.).

Removal from Housing: a limitation on or loss of a student's ability to live in University housing. Revocation of housing privileges may include loss of University housing temporarily or permanently, restriction from certain buildings or areas of housing, and other housing-related restrictions.

Suspension from the University: Students are not permitted to be enrolled in the University or on University grounds for a specific period. Violating this sanction may result in arrest for trespassing and/or more severe sanctions.

Expulsion: Students are permanently barred from enrollment and banned from entering campus grounds. To be found on campus property may result in one's arrest from trespassing.

EDUCATION-BASED OUTCOMES

Creative Sanction: Outcome determined by the student and the Hearing Officer that will help the student to repair harm caused by their behavior.

Reflective Assignment: Written assignment on a student's behavior and how they will seek to improve their behavior in the future.

Substance Use Referral: Formal assessment of the student's substance use.

Fire Safety Review: Research and written reflection on the importance of fire safety.

University Partner Referral: Meeting with another faculty, staff, or student to restore community and repair harm done from the incident.

Financial Restitution: Students must pay designated amount for cost of repairs, replacements, and reimbursements.

OUTCOME GUIDELINES

Outcome guidelines are intended to alert students and other members of the University community to the seriousness of the violations below and what one might typically expect because of being found responsible for a particular violation. Please note that this is not an exhaustive list of violations and outcomes may be assessed for any violation of University Policy. Determination of appropriate outcomes remains at the discretion of the Office of Community Standards.

Alcohol-Related Violations

Category	First Violation	Second Violation	Third Violation	Fourth Violation
Consumption or possession of alcohol under prohibited circumstances	Disciplinary Warning and educational outcome	Disciplinary Probation and educational outcome	Weekend Suspensions and/or privilege removal	Removal from Housing / Suspension
Assessment or transport for alcohol intoxication	Disciplinary Warning and Substance Assessment	Disciplinary Probation, substance assessment, and educational outcome	Removal from Housing/ Suspension	Suspension or Expulsion
Empty containers	Educational Resolution	Disciplinary Warning and educational outcome	Disciplinary Probation and educational outcome	Weekend Suspensions
Drinking games and paraphernalia	Educational Resolution	Disciplinary Warning and educational outcome	Disciplinary Probation and active outcome	Weekend Suspensions
Driving under the influence of alcohol	Suspension or Expulsion	Expulsion		
Possession or use of marijuana and/or paraphernalia	Disciplinary Warning or Disciplinary Probation	Disciplinary Probation, substance assessment and educational outcome	Removal from Housing or Suspension	

Possession or use of other illicit drugs	Disciplinary Probation, substance assessment	Weekend Suspension	Suspension or Expulsion	
Sale, manufacture, or distribution of drugs	Suspension or Expulsion	Expulsion		
Bias Related Violation	Disciplinary Probation/ Weekend Suspension and educational outcome	Suspension or Expulsion	Expulsion	
Guest Policy Violation	Educational Resolution	Disciplinary Warning and educational sanction	Disciplinary Probation and loss of guest/gathering privileges	
Quiet Hours Violation	Educational Resolution	Disciplinary Warning and educational sanction	Disciplinary Probation and loss of guest/gathering privileges	
Disrespect or non-compliance with staff directives	Educational Resolution or Disciplinary Warning	Educational Resolution or Disciplinary Probation	Weekend Suspension or Area Ban	
Uncivil or Disorderly Conduct	Disciplinary Probation and educational sanctions	Weekend Suspension and educational sanction	Removal from Housing	
Theft	Disciplinary Warning/Probation, Restitution, educational outcome	Weekend Suspensions and education outcome	Suspension or Expulsion	
Vandalism or Property Damage	Disciplinary Warning or Educational Resolution and Restitution	Removal of Privileges and/or Weekend Suspensions	Removal from Housing or Suspension	
Gathering Policy Violation	Educational Resolution	Disciplinary Warning	Disciplinary Probation or Removal from Housing	

Possessing an unlit candle or incense	Educational Resolution and Fire Safety Review	Disciplinary Warning or Disciplinary Probation	Removal from Housing	
Possession of Vaporizers	Educational Resolution	Disciplinary Warning	Disciplinary Probation	
Tampering with fire safety equipment	Disciplinary Warning and Fire Safety Review	Disciplinary Probation and educational outcome	Removal from Housing	
Smoking indoors or open flame	Disciplinary Probation and Fire Safety Review	Removal from Housing	Suspension or expulsion	
Conduct that threatens or endangers the health or safety of any person	Disciplinary Probation or Suspension and educational outcome	Suspension or Expulsion		
Possession of a weapon	Disciplinary Probation or Suspension; Expulsion	Suspension or Expulsion		
Physical violence: pushing, punching, fighting etc.	Disciplinary Probation or Suspension and active outcome; Expulsion.	Suspension or Expulsion		

ADDITIONAL COMMUNITY STANDARDS PROTOCOLS AND PROCEDURES

Sexual Misconduct/Title IX Policy

Complete information is available on the University's Title IX webpage:

<https://www.assumption.edu/people-and-departments/organization-listing/office-title-ix>

Sexual Misconduct is antithetical to the mission and values of the University and will not be tolerated. The University prohibits all forms of Sexual Misconduct and will take prompt action to eliminate such conduct, prevent its recurrence, and remedy its effects. Assumption University is committed to maintaining a safe and respectful learning, living, and working environment for all members of the University community free from gender-based discrimination and violence, including, but not limited to: Sexual Harassment, Sexual Assault, Sexual Exploitation, Relationship Violence, and Stalking.

In keeping with the University's commitment, outcomes may be enacted that are proportionate to the misconduct given the facts and circumstances of each report, the impact of the conduct on the impacted party and larger community, and accountability of the responding party.

Previously Adjudicated Cases

Students that attended Assumption University prior to the 2024-2025 Academic Year may have been found responsible for a Community Standards violation or violations. As outlined in sanctioning policies at the time, these students may have “points” associated with these violations. Students found responsible for violations will maintain these violations on their record and are subject to the reporting guidelines detailed in our Record Retention Policy. Previous violations will be considered when sanctioning students in accordance with the 2024-2025 Student Handbook. For example, a student may have incurred 6 points for a marijuana-related incident. If this student is found responsible for a second marijuana-related incident, they can typically expect to receive the sanction outlined under the “second violation” category. Students with status-based sanctions can typically expect to maintain that status as detailed in their initial outcome. Students are expected to complete any outstanding outcomes related to violations that occurred prior to the 2024-2025 policy updates.

Record Retention

When a student is found responsible for violations of the Code of Conduct, a record will be established and maintained within the Office of Community Standards. Disciplinary records are protected by the Family Educational Rights and Privacy Act (FERPA) and are not released to parents/guardians/family members, employers, or graduate schools without the written consent of the student. Student records, with some exceptions, will be maintained for seven years after the date of incident. Exceptions include but are not limited to: cases where a student has been suspended or expelled from University housing, suspended, or expelled from the University, and/or qualify under Title IX. The Office of Community Standards may also maintain records for any pending or unresolved conduct matters. The Office of Community Standards may provide the following information to the requesting party: date of violation(s), specific policy that was breached, status-based outcomes.

The Call for Help Policy

Students who seek medical assistance on behalf of themselves or others during an alcohol or other drug related emergency will not be held accountable through the University’s Community Standards process for possession or use of alcohol or other drugs. Students may be held accountable for violations regarding behavior or assault. This policy also applies to student organizations and their members. The recipient of medical attention will not be held accountable through the University’s Community Standards process but will be required meet with a member of Community Standards to discuss substance use and possible resources. Recommendation for additional follow-up may be made based upon the needs of the student.

The Call for Help Policy does not apply to individuals experiencing an alcohol or drug-related medical emergency found by University officials.

The University strongly encourages students to seek help by reaching out to University officials (Resident Assistants, Resident Directors, Campus Police Officers) when medical assistance may be necessary. This protocol is not intended to address possible violations of criminal laws or their consequences outside the University.

In any emergency involving alcohol or other drugs, call Campus Police at 508-767-7777, at extension 7777, or 508-767-7225 immediately for medical assistance.

Off-Campus Violations

The University reserves the right to take disciplinary action against Assumption University students who are involved in any off-campus incidents of criminal activity or otherwise non-criminal behavior that the University deems inappropriate, particularly when such incidents have implications for campus safety and/or an effect on the reputation or operation of the University.

Criminal Charges

When the University is aware that criminal charges have been brought against an Assumption University student by local, Commonwealth, or federal authorities, the University reserves the right to suspend/expel that student from the University, and/or from residence, and/or take any other action which is deemed appropriate, pending the outcome of the conduct process.

Double Jeopardy

The University may adjudicate matters that are being dealt with in a court of law; this does not constitute double jeopardy. University officials may, at their discretion, consider the actions taken by civil authorities.

Search and Seizure

One of the basic student rights is the right to privacy. The right to be secured and protected against unreasonable searches and seizures is part of this right to privacy.

- **Cursory Search** - When University authorities have reason to suspect that a violation of University policy is occurring or has occurred, they reserve the right to investigate the situation and confiscate evidence of such violations. In addition, they may make a cursory search of the student's room, motor vehicle, and person, including refrigerators, closets, wardrobes, desks, and large bags or boxes. Material evidence such as alcoholic beverages and containers, drug paraphernalia, suspicious odors, disruptive behavior, or behavior which is suspect, will generally be considered the basis for such a search.
- **Routine Entry and Inspection of Premises** - University authorities reserve the right to enter all campus premises on a regular basis to examine them or to make such repairs, additions, or alterations, as they deem necessary. In addition, the University reserves the right to enter the premises to take those precautions that might be found necessary to protect the health and safety of the occupants, other persons therein, or others in the residence hall/building. The University may take disciplinary action against any violators of University policy, even if the violation is observed as part of a routine operation.
- **Search** - When University authorities have reasonable suspicion that serious violations of federal, State, local laws, or University policy are occurring or have occurred, they may, with the approval from either the President of the University, the Vice President for Student Affairs/Dean of Students or their designee, or a lawfully issued search warrant, thoroughly search a student's person, room, common living space, motor vehicle, and belongings. Evidence obtained will be confiscated and used in criminal and/or University procedures.
- **Federal, State, and Local Authority** - It should be noted that federal, State, and local officials may exercise their legitimate authority in conducting search and seizure procedures without the consent of the University.

Students need not be present when inspection occurs.

Bystander Information

Students, faculty or staff who witness or have knowledge of verbal or physical harassment, conflicts that may escalate into assault or battery potential volatile situations or are concerned about the immediate health or well-being of another should contact Campus Police at 508-767-7225. If the situation requires immediate intervention, contact the Campus Police emergency number at extension 7777.

All members of the Assumption University community are strongly encouraged to download the [RAVE Guardian app](#), as this is an additional resource to report any possible issue/concern and is a direct link to Public Safety/Campus Police.

Students, faculty or staff who have information about students in need of assistance should contact the Vice President of Student Affairs/Dean of Students at 508-767-7325 or submit a [CARE Team Reporting Form](#).

Designated campus authorities will keep the bystander's name confidential when possible. Since a suspected person's rights are a fundamental and legitimate concern, campus authorities will act in a way that takes bystander reports seriously, while respecting a suspected person's free speech, presumption of innocence, search-and-seizure, and privacy rights. All persons' behaviors are bound by the Conduct Code and the laws of the Commonwealth of Massachusetts.

Appendix C

RAVE Guardian App

The **RAVE Guardian** APP can be a valuable personal safety tool while on campus



Download the RAVE APP



For more information about the RAVE Guardian APP

Appendix D

Memorandum of Understanding ~
City of Worcester Police Department &
Assumption University Department of Public Safety
for Sexual Misconduct Investigations

**MOU between City of Worcester Police and Assumption
University Department of Public Safety for Sexual Misconduct
Investigations.**

This Memorandum of Understanding (MOU) is entered into by and between Assumption University Department of Public Safety (Police) and City of Worcester POLICE Department.

I. Purpose

The purpose of this MOU is to comply with M.G.L. c.6 §168E (c) and 610 CMR 14.00.

II. Primary Points of Contact

The primary points of contact between the ASSUMPTION UNIVERSITY POLICE and WORCESTER POLICE on matters involving the interpretation and enforcement of this MOU shall be:

Chief Steven B. Carl
Assumption University
500 Salisbury Street
Worcester, MA. 01609
508-767-7225

Chief Steven Sargent
Worcester Police
9-11 Lincoln Square
Worcester, MA 01608
508-799-8466

III. Jurisdiction

ASSUMPTION UNIVERSITY POLICE department shall have primary jurisdiction for investigating an incident of sexual misconduct occurring on the ASSUMPTION UNIVERSITY campus. WORCESTER POLICE generally shall have primary jurisdiction for investigating an incident of sexual misconduct occurring outside the ASSUMPTION UNIVERSITY campus, but the parties recognize that circumstances may require a cross-jurisdictional or multi-jurisdictional response.

IV. Agreed Upon Protocols

- A. It is expected that WORCESTER POLICE will contact the ASSUMPTION UNIVERSITY POLICE as promptly as practical under the circumstances, regarding any report(s) of sexual misconduct occurring on or around the ASSUMPTION UNIVERSITY campus;
- B. Depending on the location of the alleged incident, either the ASSUMPTION UNIVERSITY POLICE or WORCESTER POLICE will have primary responsibility for any investigation. ASSUMPTION UNIVERSITY POLICE and WORCESTER POLICE shall provide investigative support to each other upon request and as appropriate;
- C. The ASSUMPTION UNIVERSITY POLICE will respond to any ASSUMPTION UNIVERSITY community member who reports an incident of sexual misconduct in accordance with ASSUMPTION UNIVERSITY's policies and practices, including without limitation, the ASSUMPTION UNIVERSITY policies for addressing incidents of sexual misconduct .

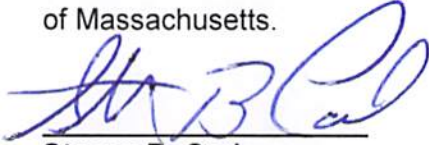
- D. For cases involving a cross- or multi-jurisdictional response, information may be shared between the ASSUMPTION UNIVERSITY POLICE and WORCESTER POLICE, as permitted by federal and state law and where the impacted party consents to the release of relevant documentation and information generated or acquired during WORCESTER POLICE or ASSUMPTION UNIVERSITY POLICE department investigations;
- E. The ASSUMPTION UNIVERSITY and WORCESTER POLICE agree that notification of the Worcester County District Attorney's Office, will be made by the party with primary responsibility investigating an incident of sexual misconduct occurring on or around the ASSUMPTION UNIVERSITY campus, as permitted by federal and state law, and where the impacted party consents to the release of relevant documentation and information generated or acquired during WORCESTER POLICE or ASSUMPTION UNIVERSITY POLICE department investigations;
- F. The survivor of all incidents of sexual misconduct shall have the decision-making authority to determine which Police Department they want to have investigative authority, subject to jurisdictional authority.
- G. The ASSUMPTION UNIVERSITY and WORCESTER POLICE shall review this MOU no less than every three years in accordance with M.G.L. c.6 §168E (c) and 610 CMR 14.00, including without limitation, the feasibility determination set forth in 610 CMR 14.04(2).
- H. AUPD shall meet with WPD to discuss active sexual assault investigations involving Assumption University. The meetings shall take place along with other UCHLEA (University, College, and Hospital Law Enforcement Agencies) in the City of Worcester. This group meets monthly and shares information on active investigations and best practices.

V. Effective Date

This agreement is entered into and effective as of the date last signed below and shall remain in effect until terminated by either the ASSUMPTION UNIVERSITY POLICE or the WORCESTER POLICE upon not less than thirty (30) days prior written notice by one party to the other.

VI. Signature

This MOU is executed as a document under seal governed by the laws of The Commonwealth of Massachusetts.



Steven B. Carl
Associate Vice President for Public Safety
ASSUMPTION UNIVERSITY

07-26-2022
[Insert Date]



Steven Sargent
Chief of Police
WORCESTER POLICE

7-26-22
[Insert Date]