2026 Annual Campus Security & Fire Safety Report



Containing crime statistics for calendar years 2023, 2024, and 2025

Prepared by: Assumption University Campus Police and Assumption University Title IX
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Introduction

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) originated with the Crime Awareness and Campus Security Act of 1990 and was renamed in 1998 in memory of Jeanne Clery. The law requires institutions of higher education participating in federal student financial aid programs to prepare and distribute an Annual Security Report by October 1 of each year. The report contains information regarding campus safety and security policies, crime prevention efforts, and statistics for certain crimes reported within Clery geography during the previous three calendar years.

In accordance with the Higher Education Opportunity Act of 2008, institutions with on-campus student housing facilities must also provide fire safety policies, procedures, and fire statistics. As a result, Assumption University publishes an Annual Security and Fire Safety Report.

This report also includes information required by the Violence Against Women Reauthorization Act of 2013 (VAWA), including policy statements, prevention and awareness programming, and information regarding the University's response to reports of sexual assault, dating violence, domestic violence, and stalking.

This report covers Assumption University's main campus in Worcester, Massachusetts, and includes information regarding the University's satellite campus in Rome, Italy. The Rome campus is owned by Assumption University and consists of a multi-use facility known as Villino Dufault. The location is not patrolled by Assumption University Police Officers, and the Department of Public Safety/Campus Police does not exercise law enforcement authority in Italy. Crimes occurring at the Rome location are reported to local law enforcement authorities and on-site program personnel.

Assumption University complies with these laws by providing the following information to all enrolled students and current employees. The report is also available online through the University's Public Safety and Title IX webpages.

Assumption University

Chief of Police / Director of Public Safety Statement

The Assumption University Police Department is committed to protecting the safety and security of the Assumption University community and to fulfilling its law-enforcement and public-safety responsibilities in a professional, responsive, and accountable manner.

The Annual Campus Security & Fire Safety Report provides an opportunity to communicate openly with students, faculty, staff, parents, and visitors regarding campus safety, crime prevention, emergency preparedness, reporting procedures, and available resources. It also reflects the University's commitment to transparency and accountability in addressing campus safety.

Campus safety is a shared responsibility. The Assumption University Police Department works closely with University administrators, Residence Life, Student Affairs, Facilities, Health Services, Athletics, the Title IX Director, and other campus partners to identify safety concerns, respond to incidents, support those affected by crime or emergencies, and develop strategies to reduce risk and enhance campus security.

Our approach is both proactive and responsive. The Department maintains a visible law-enforcement presence, responds to calls for service and emergencies, conducts directed patrols, monitors campus access points as staffing and operational demands permit, investigates reported crimes, and works with appropriate University partners to address identified safety concerns.

No campus can be completely free from the possibility of crime or other emergencies. Our responsibility is to identify and respond to known risks, provide appropriate public-safety services, and continually evaluate and improve our practices consistently with available resources, applicable law, University policy, and professional standards.

Every member of the University community has an important role in campus safety. Students, faculty, and staff are encouraged to remain aware of their surroundings, follow University safety policies, promptly report suspicious activity or concerning behavior, and contact the Assumption University Police Department when assistance is needed. Early reporting and timely communication can provide an opportunity for an appropriate and effective response.

I encourage every member of the Assumption University community to review this Annual Campus Security & Fire Safety Report and become familiar with the safety resources, policies, reporting procedures, and emergency information it contains.

The Assumption University Police Department remains committed to working collaboratively with the University community to promote a safe, secure, and supportive environment in which our students can learn and our faculty and staff can work.

Christopher J. Shea Chief of Police

Assumption University Police Department

Confidentiality and Confidential Reporting

Assumption University respects the privacy interests of students and employees who report crimes, discrimination, harassment, sexual misconduct, or other concerning behavior. The University will protect the privacy of individuals involved to the fullest extent possible and will limit disclosures to those with a legitimate need to know in order to respond appropriately, provide supportive measures, investigate allegations, comply with legal obligations, and maintain campus safety.

In responding to requests for academic, on-campus living, University employment, transportation, or other supportive measures, the University will make reasonable efforts to safeguard personal information and limit disclosures to the minimum necessary to implement those measures. The University does not include the names or other identifying information of complainants in publicly available records, except as permitted or required by law.

Impacted individuals and witnesses who do not wish to pursue action through the University's Title IX, Sexual Misconduct, Non-Discrimination, conduct process or the criminal justice system are encouraged to consider making a confidential report. A Campus Security Authority (CSA) may submit anonymous or statistical information regarding an incident without identifying the victim when appropriate. The purpose of confidential reporting is to respect an individual's wishes while enabling the University to identify crime trends, assess potential threats to the campus community, and accurately disclose crime statistics as required by the Clery Act. Reports made in this manner are included in the University's annual crime statistics but do not contain personally identifying information.

Individuals should understand that confidentiality cannot always be guaranteed. In cases involving sexual harassment, sexual assault, dating violence, domestic violence, stalking, or other conduct covered by the University's Discrimination and Sexual Misconduct Prevention and Response Policy, federal and state laws may require the University to respond to known incidents to protect the safety of the campus community and address the reported conduct.

The University offers access to designated Confidential Resources, who can provide support, discuss reporting options, and assist individuals without triggering a University response, except in limited circumstances required by law. A current list of on-campus and off-campus confidential resources is available through the University's Title IX and counseling resource webpages.

On Campus Confidential Resources are Campus Priests/ Rabbis, medical team in Health Services and Counselors, along with our Pathways for Change Advocate, when acting within the scope of their professional responsibilities, are not considered Campus Security Authorities and are not required to report crimes for inclusion in the University's annual crime statistics.

As a matter of policy, pastoral and professional counselors are encouraged, when appropriate, to inform individuals they are counseling of voluntary and confidential reporting options available through the institution and local law enforcement.

Department of Public Safety/Campus Police

Department of Public Safety/Campus Police

The Assumption University Department of Public Safety/Campus Police is located on the lower level of Kennedy Memorial Hall, 500 Salisbury Street, Worcester, Massachusetts 01609. The department operates 24 hours a day, seven days a week, and is staffed year-round by sworn police officers and civilian personnel. Campus Police officers patrol the campus using marked police vehicles, bicycles, and foot patrols to help maintain a safe and secure environment for all members of the University community.

The Department is led by Christopher Shea, Chief of Police and Director of Public Safety. The command staff consists of the Chief of Police, a Deputy Administrative and Operations Lieutenant, and Sergeants responsible for the supervision of police operations. Public Safety personnel are supported by a Communications Dispatch Center that operates 24 hours a day, 365 days per year, and a staffed Campus Gatehouse during university business hours. Contact information for the Department of Public Safety is as follows:

Emergency: (508) 767-7777 or Extension 7777

Non-Emergency Dispatch (24/7): (508) 767-7225

Chief of Police: Christopher Shea

Email: cj.shea@assumption.edu

Location: Kennedy Memorial Hall, Room 003

The officers of the Assumption University Department of Public Safety/Campus Police are graduates of recognized police academies, complete annual in-service training, and maintain current CPR and First Responder certifications. Campus Police officers are authorized under Massachusetts General Laws Chapter 22C, Section 63, to investigate criminal offenses occurring on University property and possess arrest authority as provided by law. The Department maintains cooperative working relationships with local, state, and federal law enforcement agencies, which provide assistance when necessary.

The Department is committed to the principles of community policing and works collaboratively with students, faculty, staff, and visitors to foster a safe, secure, and welcoming campus environment. In addition to enforcing the laws of the Commonwealth of Massachusetts, Campus Police are responsible for enforcing University policies and regulations, including traffic and parking rules. The Department also provides crime prevention education, emergency response services, safety awareness programming, and emergency notification support.

All Department personnel receive annual training regarding Title IX, sexual assault, domestic violence, dating violence, stalking, harassment prevention, and Campus Security Authority responsibilities to ensure compliance with federal and state requirements.

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)

Sex Offender Registry Information:

In accordance with the federal Campus Sex Crimes Prevention Act, Assumption University advises members of the campus community where they may obtain law enforcement information concerning

registered sex offenders.

In Massachusetts, the Sex Offender Registry Board (SORB) classifies registered sex offenders as Level 1, Level 2, or Level 3 according to their risk of reoffense and degree of dangerousness. Under Massachusetts law, information about Level 2 and Level 3 offenders is available to the public, and information about Level 1 offenders is not.

Information about Level 3 offenders, and Level 2 offenders classified after July 12, 2013, may be obtained through the Massachusetts Sex Offender Registry Board's public website, www.mass.gov/orgs/sex-offender-registry-board. Complete Level 2 and Level 3 information may also be requested from the Worcester Police Department or directly from the Sex Offender Registry Board, consistent with Massachusetts law. In-person requests may be made at a Worcester Police Department station by presenting valid government-issued identification and completing the required request form. National information is available through the U.S. Department of Justice's Dru Sjodin National Sex Offender Public Website at www.nsopw.gov.

Questions about this information may be directed to the Department of Public Safety/Campus Police at (508) 767-7225.

Campus Security Authorities (CSAs) and Clery Geography

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires Assumption University to collect, classify, and disclose information regarding certain crimes reported to Campus Police, Campus Security Authorities (CSAs), or local law enforcement agencies that occur within the University's Clery geography.

Officials with significant responsibility for student and campus activities may include administrators, residence life staff, student affairs personnel, athletic staff, student organization advisors, student conduct officials, and others whose duties involve substantial interaction with students outside the classroom.

CSAs play an important role in the University's campus safety and compliance efforts by promptly reporting information regarding potential Clery-reportable crimes through established University reporting channels. CSAs are not responsible for investigating incidents, determining whether a crime occurred, assessing credibility, or determining responsibility for policy violations.

Information reported to a CSA is reviewed to determine whether:

- The incident constitutes a Clery-reportable crime;
- A Timely Warning or Emergency Notification is required;
- Additional safety measures are necessary; and
- The incident must be included in the University's annual crime statistics.

Assumption University provides annual training to all designated CSAs regarding their obligations under the Clery Act and Campus SaVE Act.

Clery Geography

In accordance with federal law, crimes are classified and reported based on the location where they occurred. The geographic categories used for Clery reporting are:

- **On-Campus Property:** Buildings or property owned or controlled by the University within the same reasonably contiguous geographic area and used in direct support of, or in a manner related to, the University's educational purposes.
- **On-Campus Student Housing Facilities:** A subset of on-campus property consisting of student housing facilities owned or controlled by the University. Crime statistics for these facilities are reported separately as required by the Clery Act.
- **Non-Campus Property:** Buildings or property owned or controlled by the University, or by officially recognized student organizations, that are used in direct support of educational purposes, frequently used by students, and not located within the University's main campus.
- **Public Property:** Public thoroughfares, streets, sidewalks, parking facilities, and other public property that are within, immediately adjacent to, or accessible from campus.

Crime statistics published in this Annual Security and Fire Safety Report are compiled and disclosed in accordance with Clery Act reporting requirements and are categorized using these geographic definitions.

Individuals designated as CSAs are required to complete annual Clery Act training regarding their reporting obligations.

Reporting Crimes to a Campus Security Authority

Members of the University community are encouraged to promptly report criminal activity, emergencies, suspicious behavior, and safety concerns to Campus Police or a Campus Security Authority.

When a CSA receives information regarding a potential Clery-reportable crime, the CSA should:

1. Obtain available information regarding the nature of the incident, date, time, and location.

2. Encourage the reporting party to contact the Department of Public Safety/Campus Police if emergency assistance or law enforcement intervention is needed.
3. Submit the information through the University's designated Clery/CSA reporting process as soon as reasonably possible.
4. Report the information regardless of whether the reporting party chooses to pursue criminal charges or participate in a University disciplinary process.
5. Respect the privacy of the reporting party while fulfilling the University's legal obligations under the Clery Act.

The responsibility of a CSA is to report information that has been disclosed to them; administrative CSAs are not responsible for investigating incidents, determining whether a crime occurred, or proving the facts of a report.

Reports submitted to a CSA are reviewed by University officials to determine whether the incident is a Clery-reportable offense, whether additional safety measures are necessary, and whether the information should be included in the University's annual crime statistics.

Shared Responsibility for Community Safety

In the Augustinian tradition, community members are called to act with integrity, compassion, respect, and concern for one another. Preventing sexual and interpersonal violence is a shared responsibility that requires awareness, education, intervention, and accountability. Through active participation in prevention efforts, prompt reporting of concerns, and support for those impacted by violence, all members of the University community contribute to a safer and respectful campus environment.

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 2022, Assumption University entered into a formal Memorandum of Understanding with the City of Worcester Police Department for sexual misconduct investigations, consistent with M.G.L. c. 6, §168E(c) and 610 CMR 14.00. The MOU is included as Appendix C.

Monitoring of Off-Campus Student Organizations

Assumption University does not officially recognize any student organizations that own, lease, or control off-campus locations, including off-campus housing facilities. Accordingly, the University does not use local law enforcement agencies to monitor or record criminal activity at off-campus locations of student organizations. If the University recognizes a student organization with an off-campus location in the future, it will review and update this policy.

Reporting Crimes and Other Emergencies

Members of the Assumption University community are encouraged to promptly report crimes, suspicious activity, emergencies, and other safety concerns to the Department of Public Safety/Campus Police. In an emergency, community members should call extension 7777 from a campus phone or (508) 767-7777 from an off-campus phone.

Assumption University also provides RAVE Guardian, a mobile safety application that allows users to communicate directly with Campus Police, submit tips, request assistance, and utilize safety-related resources. The application is available at no cost to individuals with a current assumption.edu email address.

The Department of Public Safety/Campus Police is located in the lower level of Kennedy Memorial Hall, 500 Salisbury Street, Worcester, Massachusetts 01609. Campus Police may be reached on a non-emergency basis twenty-four hours a day at (508) 767-7225.

Individuals may also report crimes directly to local law enforcement by calling 911. Upon request, Campus Police will assist individuals in contacting appropriate law enforcement authorities.

Reports received by Campus Police are evaluated and assigned for investigation or appropriate follow-up. Reported incidents are documented in the Department's records management system and, when applicable, included in the University's Daily Crime Log and Clery Act crime statistics.

Investigations may result in criminal charges, referral to another law enforcement agency, referral to University disciplinary processes, or a determination that no violation occurred based on the available information.

Rome Campus Reporting

Assumption University Campus Police do not patrol or investigate crimes occurring at the University's Rome, Italy location. Individuals wishing to report an emergency, crime, or suspicious activity occurring in Rome should contact local emergency services, local law enforcement authorities, or the designated onsite program administrator or faculty coordinator. Reports received by University officials concerning the Rome campus are reviewed and included in Clery Act reporting processes, when applicable.

Campus Sexual Violence Elimination Act (Campus SaVE Act)

Commitment to Safety, Respect, and Human Dignity

Consistent with its Catholic and Augustinian mission, Assumption University is committed to fostering a campus environment grounded in respect for the dignity of every person, concern for the common good, and the creation of a community in which all individuals can live, learn, work, and thrive free from violence, harassment, and discrimination.

The University recognizes that sexual assault, domestic violence, dating violence, stalking, and other forms of interpersonal violence threaten not only individual well-being but also the safety and integrity

of the campus community. Through prevention, education, reporting mechanisms, support services, accountability measures, and community engagement, Assumption University seeks to promote a culture of safety, respect, responsibility, and care for one another.

Campus SaVE Act Overview

The Campus Sexual Violence Elimination Act (Campus SaVE Act), enacted as part of the Violence Against Women Reauthorization Act (VAWA) of 2013, amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Campus SaVE Act was enacted to increase transparency regarding incidents of sexual and interpersonal violence, establish rights and resources for individuals affected by such conduct, strengthen institutional response requirements, and expand prevention and educational programming on college campuses. The law became effective for institutional reporting beginning in 2014 and remains a core component of Clery Act compliance requirements.

The Campus SaVE Act strengthened and expanded existing campus safety requirements by:

- Expanding reporting and statistical disclosure requirements for sexual assault, domestic violence, dating violence, and stalking;
- Requiring institutions to provide comprehensive prevention and awareness education programs for students and employees;
- Establishing rights, information, and resources for individuals affected by sexual and interpersonal violence;
- Requiring institutions to maintain fair and impartial procedures for addressing reports of sexual assault, domestic violence, dating violence, and stalking.

Assumption University's Response and Compliance Framework

To fulfill its obligations under the Clery Act, VAWA, and the Campus SaVE Act, Assumption University maintains a coordinated prevention, response, and reporting system involving the Department of Public Safety/Campus Police, the Title IX Office, Campus Security Authorities (CSAs), Student Affairs professionals, Human Resources personnel, and other trained University officials.

The University has established procedures designed to:

1. Identify and train Campus Security Authorities who have responsibilities under the Clery Act;
2. Encourage prompt reporting of crimes and prohibited conduct;
3. Provide individuals with information regarding rights, resources, supportive measures, and reporting options;
4. Collect, classify, and disclose Clery-reportable crimes as required by federal law;
5. Maintain policies and procedures addressing sexual assault, domestic violence, dating violence, and stalking;
6. Provide prevention, awareness, and risk-reduction education for students and employees; and

7. Promote a safe campus environment through collaboration, accountability, and community responsibility.

Reporting and Support Resources

Any individual who experiences, witnesses, or becomes aware of conduct that may constitute sexual assault, domestic violence, dating violence, stalking, or other forms of prohibited conduct is encouraged to report the incident promptly.

Reports may be made to:

Assumption University Department of Public Safety/Campus Police

Kennedy Memorial Hall, Room 003 Emergency: (508) 767-7777 or Extension 7777

Non-Emergency Dispatch (24/7): (508) 767-7225 Chief of Police: Christopher Shea

Email: cj.shea@assumption.edu

Title IX Office

Alumni Hall, Office 109

S. Teixeira (Tex), L.P.D. University Title IX Coordinator Phone: (508) 767-7200

Email: titleix@assumption.edu

Individuals may choose to report to the University, or law enforcement agencies, both, or neither, consistent with applicable law. The University will provide information regarding available reporting options, supportive measures, and resources regardless of whether a formal complaint is filed.

Campus Response and Resources

Individuals affected by sexual assault, domestic violence, dating violence, or stalking are provided information regarding available rights, resources, and support services. Depending upon the circumstances, these may include:

- Assistance contacting law enforcement;
- Information concerning orders of protection, restraining orders, or no-contact directives;
- Counseling and advocacy services;
- Medical and mental health resources;
- Academic, housing, transportation, and employment accommodations when reasonably available;
- Supportive measures designed to preserve access to University programs and activities; and
- Information regarding applicable institutional procedures and processes.

Sexual Assault, Dating Violence, Domestic Violence, and Stalking Prevention, Awareness, and Response

Assumption University is committed to maintaining a community founded upon dignity, respect, safety, and mutual responsibility. Consistent with its Catholic and Augustinian mission, and in compliance with Title IX, the Violence Against Women Act (VAWA), the Campus Sexual Violence Elimination (SaVE) Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and applicable Massachusetts law, the University prohibits sexual assault, dating violence, domestic violence, stalking, sexual harassment, and other forms of sex-based misconduct.

The University promotes prevention, education, awareness, support, and accountability through coordinated efforts involving Title IX Office, Department of Public Safety/Campus Police, Office of Student Affairs, Residential Life, Counseling Services, Human Resources, and other campus partners.

Prevention and Awareness Programs

Assumption University provides primary prevention and awareness programs for incoming students and new employees and conducts ongoing prevention and awareness campaigns throughout the academic year. These programs are designed to:

- Promote awareness of sexual assault, dating violence, domestic violence, and stalking;
- Define consent and educate community members regarding healthy relationships;
- Encourage safe and positive bystander intervention;
- Educate individuals regarding risk-reduction strategies;
- Increase awareness of reporting options and available resources;
- Explain University policies and procedures addressing prohibited conduct; and
- Foster a campus culture grounded in respect, accountability, dignity, and concern for others.

Additional information regarding prevention programming and educational initiatives is available through the Title IX Office.

Procedures Following Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Individuals who experience sexual assault, dating violence, domestic violence, or stalking are encouraged to seek assistance as soon as possible. Prompt action may help protect personal safety, preserve evidence, facilitate access to medical care, and support future legal, criminal, or University processes.

Preserving Evidence

Individuals should preserve evidence that may assist in a criminal investigation, protective-order proceeding, or University process. Evidence preservation may include avoiding bathing, showering, washing, changing clothing, eating, drinking, smoking, brushing teeth, cleaning the area where the incident occurred, or otherwise altering physical evidence. If clothing is changed, items should be preserved in a paper bag whenever possible.

The absence of physical evidence does not prevent an individual from reporting an incident, obtaining assistance, or receiving supportive measures.

Medical Care

Individuals are encouraged to seek medical care as soon as possible following an incident. Medical professionals can assess and treat injuries, address health concerns, discuss available options, and assist with evidence preservation and collection.

Reporting Options

Individuals who experience, witness, or become aware of conduct that may constitute sexual assault, dating violence, domestic violence, stalking, sexual harassment, or other forms of sex-based misconduct are encouraged to report the incident promptly.

Assumption University Department of Public Safety/Campus Police

Kennedy Memorial Hall, Room 003 Emergency: (508) 767-7777 or Extension 7777

Non-Emergency Dispatch (24/7): (508) 767-7225 Chief of Police: Christopher Shea

Email: cj.shea@assumption.edu

Title IX Office

Alumni Hall, Office 109

Stephanie M. Teixeira (Tex), L.P.D. University Title IX Coordinator Phone: (508) 767-7200

Email: titleix@assumption.edu

Reports may also be made to local law enforcement by calling 911.

Individuals may choose to report to the University, law enforcement, both, or neither, consistent with applicable law. Reporting to the University does not require participation in a criminal investigation, and reporting to law enforcement does not require participation in a University process. Criminal, civil, and institutional remedies may be pursued simultaneously or separately.

Supportive Measures and Assistance

Regardless of whether a formal complaint or criminal report is filed, Assumption University will provide information regarding available supportive measures, resources, reporting options, and assistance.

Depending on the circumstances, supportive measures may include:

- Academic accommodations;
- Housing modifications;
- University based work-related adjustments;
- Safety planning;
- Mutual no-contact directives;
- Safety escort services;
- Assistance contacting law enforcement;
- Referrals to counseling, medical, advocacy, and community resources; and
- Other reasonably available measures designed to support safety and continued access to University programs and activities.

The University will provide information regarding available protective measures, including abuse prevention orders under Massachusetts General Laws Chapter 209A, harassment prevention orders under Chapter 258E, University no-contact directives, and other available safety-related measures.

On-Campus Resources

Counseling Services (508) 767-7329

Health Services (508) 767-7329

Campus Ministry (508) 767-7419

Community Resources

Sexual Assault Resources

Pathways for Change

24-Hour Sexual Assault Crisis Hotline 1-800-870-5905

Rape Crisis Program of Worcester

24-Hour Crisis Services and Advocacy

(508) 799-5700

Domestic Violence, Dating Violence, and Stalking Resources

YWCA Central Massachusetts Daybreak Program 24-Hour Domestic Violence Hotline

(508) 755-9030

Law Enforcement Resources

Worcester Police Department Emergency 911

Worcester Police Department Special Victims/Rape Investigation Unit

(508) 799-8661

Institutional Procedures

Reports of sexual assault, dating violence, domestic violence, stalking, and other forms of sex-based misconduct are addressed in accordance with the University's Discrimination and Sexual Misconduct Prevention and Response Policy and other applicable University policies.

University processes are independent of any criminal investigation or court proceeding. Individuals may pursue criminal, civil, administrative, and institutional processes simultaneously or separately. The University may proceed with its processes regardless of whether criminal charges are filed, dismissed, or resolved.

When applicable, complainants and respondents are provided rights and procedural protections consistent with University policy and applicable law. Individuals participating in University proceedings may have an advisor or support person present as permitted by University policy.

Students or employees found responsible for violations of University policy may be subject to disciplinary action, up to and including suspension, expulsion, termination of employment, or other appropriate sanctions.

Disclosure of Disciplinary Outcomes

Upon written request, Assumption University will disclose to the alleged victim of a crime of violence, as defined in 18 U.S.C. 16, or a nonforcible sex offense, the report on the results of any disciplinary proceeding the University conducts against a student who is the alleged perpetrator of that crime or offense. If the alleged victim died as a result of the crime or offense, the University will provide the results to the alleged victim's next of kin upon written request. Requests should be submitted to the Office of Student Affairs.

In addition, in cases alleging dating violence, domestic violence, sexual assault, or stalking, the University will provide both the complainant and the respondent with simultaneous written notification of the result of any institutional disciplinary proceeding, without a request. The notification will include the University's procedures for appeal, if any; any change to the result; and when the result becomes final.

Domestic Violence, Dating Violence, and Stalking

Domestic violence, dating violence, and stalking may violate University policy, Massachusetts law, or both. The University is committed to providing a safe and supportive environment for individuals affected by interpersonal violence.

The Department of Public Safety/Campus Police receives ongoing training regarding domestic violence, dating violence, stalking, sexual assault, trauma-informed response, victim assistance, and applicable reporting requirements. The University may implement supportive measures and other appropriate safety-related actions designed to protect individuals and preserve access to University programs and activities while reports are being reviewed or addressed.

The University encourages all members of the campus community to promptly report domestic violence, dating violence, stalking, threats, intimidation, unwanted contact, surveillance, or other concerning conduct.

Privacy and Confidentiality

The University is committed to protecting the privacy of individuals involved in reports to the greatest extent permitted by law while balancing its responsibility to provide a safe and nondiscriminatory educational and working environment.

Information regarding confidential resources, privacy protections, reporting options, supportive measures, and advocacy services is available through the Title IX Office and the University's Discrimination and Sexual Misconduct Prevention and Response Policy.

Consistent with the Clery Act, timely warnings and emergency notifications are issued without identifying victims or disclosing information that would compromise an individual's privacy. Statistical information contained in this Annual Security Report does not include personally identifying information.

Additional Information

Complete information regarding definitions, reporting options, jurisdiction, procedures, supportive measures, prevention programs, confidential resources, and the rights of complainants and respondents is available through the University's **Discrimination and Sexual Misconduct Prevention and Response Policy** and the **Title IX Office**.

Transparency and Crime Statistics

Assumption University is committed to transparency and informed decision-making regarding campus safety. In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the University collects, classifies, and publishes statistics concerning reports of sexual assault, domestic violence, dating violence, stalking, hazing, and other Clery-reportable crimes occurring within Clery geography and reported to Campus Police, Campus Security Authorities (CSAs), or local law enforcement agencies.

Campus Police believe an informed community is a safer community. Crime statistics and crime-related information are communicated to the University community on a timely basis through a variety of methods, including:

- Daily administrative crime and incident reports distributed to appropriate University officials;
- Public crime logs maintained by Campus Police and available for review during regular business hours, including records from the preceding 60 days;
- The Campus Police and Public Safety website; and
- The University's Annual Security and Fire Safety Report (ASFSR).

The University compiles crime statistics using applicable federal reporting requirements and offense definitions. Statistics include crimes reported directly to Campus Police, information received from designated Campus Security Authorities, and reports provided by local law enforcement agencies when applicable. Campus Security Authorities include Campus Police and officials with significant responsibility for student and campus activities, such as faculty, administrators, coaches, advisors, and staff members, unless specifically exempted under federal law, including professional and pastoral counselors acting within the scope of their confidential roles.

The Annual Security and Fire Safety Report includes crime statistics for the University's Clery geography, including on-campus property, on-campus student housing facilities, public property immediately adjacent to and accessible from campus, and certain non-campus locations owned or controlled by the University. Where required by law, crime statistics obtained from local law enforcement agencies are incorporated into the report. Statistics related to University-operated satellite locations are also included for periods during which those facilities are utilized for University programs and activities.

The Annual Security and Fire Safety Report is published each year and made available to all current and prospective students and employees. The report is intended to provide the campus community with information regarding campus security policies, crime prevention efforts, reporting procedures, emergency response practices, fire safety information, and annual crime statistics.

Timely Warnings

In accordance with the Clery Act, the University issues a Timely Warning to alert the campus community to any Clery Act crime that is reported to Campus Police, a Campus Security Authority, or local law enforcement, occurs within the University's Clery geography, and is considered to represent a serious or continuing threat to students and employees.

The decision to issue a Timely Warning is made by the Chief of Police/Director of Public Safety, or a designee, on a case-by-case basis in light of all the facts surrounding the crime, including the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

Timely Warnings are distributed to students and employees by campus-wide email and may also be distributed through the RAVE Alert System, postings in residence halls and academic buildings, and the University website. Timely Warnings are issued as soon as pertinent information is available and do not include the names or other identifying information of victims.

Safety Alerts may also be issued for non-Clery crimes occurring on campus or for serious crimes occurring off campus in the local area. Safety Alerts are informational and may suggest general safety precautions.

Security of Campus Facilities and Access

Assumption University is committed to maintaining a safe and secure environment for students, faculty, staff, and visitors. Most academic, administrative, and recreational facilities are open during normal business hours and for scheduled evening, weekend, and holiday programs and events.

Access to University facilities outside normal operating hours is limited to authorized individuals. Residence halls are not open to the public and are accessible only to authorized residents and approved guests. Access to residential facilities is managed through University-issued credentials and established Residential Life procedures.

The University employs several measures designed to enhance campus security and deter criminal activity, including:

- Twenty-four-hour Department of Public Safety/Campus Police operations;
- Vehicle, bicycle, and foot patrols conducted throughout campus;
- Controlled vehicle access at designated campus entrances;
- Electronic access control systems in designated facilities;
- Security cameras in select campus locations; and
- Campus-wide emergency notification and communication systems.

Identification, Guest Access, and Security Practices

Students and employees are issued University identification cards, which may also serve as access credentials for designated facilities. Guests visiting residential facilities must comply with applicable Residential Life guest registration and visitation procedures.

Members of the campus community are encouraged to report suspicious persons, suspicious activity, unsafe conditions, or security concerns immediately to the Department of Public Safety/Campus Police by dialing extension 7777 or (508) 767-7777.

Community members are also encouraged to avoid actions that compromise building security, including propping or bypassing secured doors. Many campus facilities are equipped with door alarms designed to support building security and life-safety measures.

Fire alarm systems throughout campus are monitored by the Department of Public Safety/Campus Police and designated monitoring services.

Access Control and Security Cameras

Assumption University utilizes electronic card access systems in many residential and campus facilities to enhance security and manage authorized access. Community members should not permit unknown or unauthorized individuals to enter secured facilities.

Security cameras are located in selected areas of campus to support safety and security operations. Camera systems are generally recorded for investigative and security purposes and may be reviewed when incidents, emergencies, policy violations, or other significant events are reported. The presence of security cameras does not replace individual responsibility for personal safety and security.

Residence Halls

Assumption University's residential facilities include Dion Hall, Moquin Hall, Dufault Hall, Plough Hall, West Hall, Cesareo Hall, Worcester Hall, Nault Hall, Alumni Hall, Desautels Hall, Young Hall, Hanrahan Hall, Salisbury Hall, Wachusett Hall, Aubuchon Hall, Bissonnette Hall, Authier Hall, and the Living Learning Center.

Residence halls are not open to the public and are accessible only to authorized residents and approved guests in accordance with University and Residential Life policies. Access to residential facilities is managed through University-issued credentials, electronic access control systems in designated buildings, and established guest registration procedures.

Students are encouraged to maintain responsibility for their personal safety and the security of their residential communities by keeping room doors secured, carrying University identification cards and keys, preventing unauthorized access to residence halls, and promptly reporting suspicious activity, lost credentials, or security concerns to the Department of Public Safety/Campus Police.

Residence halls are secured during designated University break and vacation periods in accordance with Residential Life procedures.

Campus Grounds and Facilities

The Facilities Department is responsible for the maintenance of campus buildings, grounds, infrastructure, and safety-related systems. The Department of Public Safety/Campus Police routinely monitors campus facilities and grounds and reports security concerns or hazardous conditions to appropriate University personnel.

Students, faculty, staff, and visitors are encouraged to report maintenance concerns, safety hazards, inadequate lighting, damaged doors or locks, or other physical security concerns to the Facilities Department during normal business hours or to Campus Police at any time. Conditions presenting an immediate threat to health or safety should be reported directly to Campus Police.

Rome Campus

Assumption University maintains a study-abroad location at Villino Dufault, Via San Pio V, 55, Rome, Italy. The University's Department of Public Safety/Campus Police does not patrol this location and does not exercise law enforcement authority in Italy.

Individuals wishing to report a crime, emergency, or suspicious activity occurring at the Rome campus should contact local emergency services, local law enforcement authorities, on-site security personnel, or the designated University program administrator or faculty coordinator. Safety concerns, hazardous conditions, or property-related issues should be reported to on-site personnel responsible for facility operations.

Crime Prevention and Safety Awareness Programs

Assumption University believes that crime prevention, education, and community engagement are essential components of maintaining a safe campus environment. The Department of Public Safety/Campus Police, in collaboration with Student Affairs, the Title IX Office, Residential Life, Human Resources, and other University partners, offers a variety of programs, services, and resources designed to promote personal safety, crime prevention, and community responsibility. Crime prevention and safety initiatives include:

- **Campus Police Patrols** – Campus Police officers conduct vehicle, bicycle, and foot patrols throughout campus, including residential areas, to promote safety, visibility, and community engagement.
- **Alarm and Life Safety Systems** – University buildings are equipped with fire alarm, intrusion alarm, and other safety systems that are monitored by the Department of Public Safety/Campus Police and designated monitoring services.
- **Courtesy Safety Escorts and Transportation** – Campus Police provides on-campus safety escorts and transportation assistance to students upon request, subject to officer availability and operational priorities.
- **RAVE Guardian** – Assumption University provides the RAVE Guardian mobile safety application, which offers a direct connection to Campus Police and allows users to access safety resources, submit tips, and communicate with designated guardians.
- **Gatehouse Operations** – Gate Attendants monitor campus entrances during designated hours, provide information and assistance to visitors, and support campus access and traffic management efforts.
- **Sexual Assault, Dating Violence, Domestic Violence, and Stalking Prevention Programs** – The University provides prevention and awareness programming for students and employees addressing consent, healthy relationships, bystander intervention, risk reduction, reporting options, and available resources, consistent with the Violence Against Women Act (VAWA), Campus SaVE Act, and Title IX requirements.
- **Bystander Intervention Training** – Incoming students participate in educational programs designed to empower community members to recognize concerning behavior, safely intervene when appropriate, and support individuals who may be affected by violence, harassment, or discrimination.
- **Alcohol and Other Drug Education** – First-year students are required to complete online education programs addressing alcohol and other drug awareness, risk reduction, decision-making, and related health and safety concerns.
- **Peer Education Programs** – Student-led wellness and prevention initiatives provide education and awareness regarding personal safety, healthy relationships, sexual assault prevention, mental health, alcohol and drug awareness, and other community well-being topics.
- **Rape Aggression Defense (R.A.D.) Program** – Self-defense education and personal safety training opportunities may be offered to members of the campus community.
- **Timely Warnings and Emergency Notifications** – The University issues Timely Warnings and Emergency Notifications, when appropriate, to provide information about significant threats to the health or safety of the campus community and to promote informed decision-making.
- **Emergency Preparedness and Evacuation Drills** – Academic, administrative, and residential facilities participate in evacuation drills and emergency preparedness exercises designed to strengthen campus readiness and safety awareness.

Additional information regarding crime prevention, personal safety, emergency preparedness, and available safety resources is available through the Department of Public Safety/Campus Police and other University offices.

Emergency Medical Services

Assumption University Campus Police officers are certified First Responders and maintain training in First Aid, Cardiopulmonary Resuscitation (CPR), Automated External Defibrillator (AED) use, and Naloxone (Narcan®) administration. AEDs are available to responding officers and are strategically located throughout campus to provide rapid assistance during medical emergencies.

In the event of a medical emergency, Campus Police will coordinate an appropriate response, including requesting emergency medical services and arranging ambulance transport to a local hospital when necessary. Individuals should immediately contact Campus Police by dialing extension 7777 from a campus phone or (508) 767-7777 from a mobile phone, or by calling 911, to report a medical emergency.

For non-emergency medical care, students may access services through Student Health Services, located in the Health and Wellness House. Student Health Services is staffed by licensed healthcare professionals and provides evaluation, treatment, health education, and referral services to support student health and well-being.

Campus Police works collaboratively with Student Health Services, local emergency medical providers, and area hospitals to promote a coordinated response to medical emergencies and support the health and safety of the University community. The University's emergency response capabilities include the availability of trained first responders, AEDs, and Naloxone to assist individuals experiencing life-threatening medical emergencies, including suspected opioid overdoses.

Personal Safety Awareness

Assumption University is committed to promoting a safe and secure environment through education, prevention, and community responsibility. While the University maintains a variety of security measures, including Campus Police patrols, emergency communication systems, access controls, safety education, and crime prevention programs, personal awareness remains an important component of campus safety.

Members of the campus community are encouraged to remain aware of their surroundings, take reasonable precautions to protect themselves and their property, and promptly report suspicious activity, crimes, emergencies, or safety concerns to the Department of Public Safety/Campus Police. Assumption University provides **RAVE Guardian**, a mobile safety application available at no cost to individuals with a current assumption.edu email address. The application provides a direct connection to Campus Police and offers additional personal safety and emergency communication features.

The Department of Public Safety/Campus Police encourages students, faculty, staff, and visitors to:

- Utilize well-lit and regularly traveled pathways when moving throughout campus.
- Request a safety escort from Campus Police when desired.
- Secure residences, offices, vehicles, and personal belongings.
- Avoid permitting unauthorized individuals access to secured buildings.
- Promptly report lost or stolen keys, identification cards, or access credentials.
- Report suspicious people, suspicious activity, safety hazards, or criminal behavior to Campus Police.

Additional safety information, crime prevention resources, emergency preparedness guidance, and security awareness materials are available through the Department of Public Safety/Campus Police and the University's crime prevention and safety education programs.

Drugs and Alcohol

Assumption University is committed to maintaining a safe, healthy, and educational environment consistent with its mission and applicable federal, state, and local laws. The University prohibits unlawful possession, use, manufacture, distribution, or sale of controlled substances and the unlawful possession or use of alcohol on University property or as part of University activities.

In accordance with the laws of the Commonwealth of Massachusetts, alcoholic beverages may only be possessed or consumed by individuals who are twenty-one (21) years of age or older. The furnishing, sale, service, distribution, or provision of alcohol to people under the age of twenty-one is prohibited. Students, employees, and visitors are expected to comply with all applicable laws and University policies regarding alcohol consumption.

Unlawful possession, use, manufacture, distribution, or sale of controlled substances is prohibited by University policy and may result in disciplinary action, criminal penalties, or both. Evidence of prohibited drug use or possession, including the presence of illegal drugs, drug paraphernalia, or other indicators of unlawful drug activity, may result in investigation and action under applicable University procedures.

Students and employees found responsible for violations of University drug and alcohol policies may be subject to educational interventions, disciplinary sanctions, referral for assessment or treatment, removal from University housing, suspension, termination of employment, expulsion, criminal prosecution, or other corrective actions as appropriate.

Assumption University provides alcohol and other drug prevention, education, and awareness programs for students and employees, including prevention education for incoming students and ongoing programming designed to promote informed decision-making, personal well-being, and community safety.

Additional information regarding student expectations, prohibited conduct, and applicable disciplinary procedures can be found in the Student Handbook, Employee Handbook, and related University policies.

Hazing Prevention, Reporting, and Transparency

Assumption University complies with the federal Stop Campus Hazing Act (SCHA), which amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as well as the Massachusetts Anti-Hazing Law, Massachusetts General Laws Chapter 269, Sections 17, 18, and 19. The University prohibits all conduct that constitutes hazing under federal law, Massachusetts law, or University policy.

Definition of Hazing

Assumption University prohibits any intentional, knowing, reckless, or negligent act committed by an individual or group in connection with recruitment, initiation, affiliation, membership, participation, or continued membership in a student organization, athletic team, club, group, or other University-affiliated activity that endangers, causes, creates a risk of, or is reasonably likely to cause physical injury, psychological harm, emotional distress, intimidation, humiliation, degradation, coercion, or harm to the health, safety, or well-being of an individual or group.

For purposes of federal reporting under the Clery Act, hazing includes any intentional, knowing, or reckless act committed by a person, whether individually or in concert with others, against another person regardless of that person's willingness to participate, that is committed in the course of initiation into, affiliation with, or maintenance of membership in a student organization and causes or creates a risk of physical or psychological injury.

A person's willingness to participate, perceived consent, actual consent, or prior participation in similar activities does not excuse, justify, or eliminate responsibility for hazing. The express or implied consent of a participant shall not be a defense to hazing under University policy or applicable law.

Participation in hazing, facilitation of hazing, planning or organizing hazing, encouraging hazing, failure to report known hazing as required by law or University policy, retaliation against an individual who reports hazing or participates in a hazing investigation, knowingly providing false information during a hazing investigation, or interference with a University investigation or response to alleged hazing may constitute separate violations of University policy.

Reporting Hazing

All members of the University community share responsibility for maintaining a safe environment and are strongly encouraged to report known or suspected hazing.

Reports may be made to:

Assumption University Police Department

Emergency: 508-767-7777 (or Extension 7777 from a campus phone) Non-Emergency / Dispatcher (24 Hours): 508-767-7225

Office of Student Affairs

Lauren Haynie, Vice President of Student Affairs/ Dean of Students Email: lhaynie@assumption.edu

Office of Community Standards (Student Conduct)

Marcie Harrington and Madison Pimental Phone: 508-767-7656 / 508-767-7101

Email: communitystandards@assumption.edu Location: Salisbury Hall, 1st Floor

Department of Athletics

Eric Gobiel, Director of Athletics Email: ep.gobiel@assumption.edu

Reports may also be made to any Campus Security Authority (CSA), University official, coach, advisor, faculty member, or administrator with responsibility for student organizations, athletics, or student conduct.

University employees are required to report possible incidents of hazing through designated University reporting channels. Students and employees are expected to report known or suspected hazing as soon as reasonably possible. Failure to report hazing may constitute a violation of University policy and may also violate applicable law.

Hazing may also be reported through the University's Hazing Reporting Form.

The University prohibits retaliation against any individual who, in good faith, reports hazing, provides information during an investigation, participates in a proceeding, or otherwise assists in the University's response to a hazing allegation. Retaliation may constitute a separate violation of University policy.

Amnesty

Individuals who possess knowledge of a hazing incident, did not actively participate in the prohibited conduct, and make a timely and truthful report may be considered for amnesty from certain University conduct violations arising from the incident. Amnesty applies only to University disciplinary proceedings and does not prohibit criminal, civil, or regulatory action by external authorities.

Hazing Prevention and Education

Assumption University provides ongoing prevention and awareness initiatives designed to educate students and employees regarding:

- The definition and dangers of hazing.
- Individual and organizational accountability.
- Bystander intervention and reporting options.
- Organizational leadership and responsibility.
- Community expectations regarding dignity, respect, and safety.
- The requirements of federal and Massachusetts law.
- University policies governing student organizations, athletics, and other campus groups.

Educational efforts may include orientation programs, student organization training, athletic department education, residence life programming, leadership development initiatives, and other campus-wide prevention and awareness programs.

Campus Hazing Transparency Report

In accordance with the Stop Campus Hazing Act, Assumption University maintains and publishes a Campus Hazing Transparency Report containing information regarding qualifying findings of responsibility for hazing involving student organizations, as required by federal law. The Campus Hazing Transparency Report is maintained separately from this Annual Security Report and is updated in accordance with applicable federal requirements.

Hazing Statistics

The Stop Campus Hazing Act requires institutions of higher education to collect and disclose hazing statistics within the Annual Security Report when incidents meet the federal definition of hazing and applicable Clery Act reporting requirements.

Hazing Incidents Reported for Clery Act Purposes

Calendar year	Hazing incidents
2025	0

During calendar year 2025, Assumption University received no reports of hazing that met the federal definition of hazing and Clery Act reporting criteria for inclusion in the University's Annual Security Report.

Massachusetts Anti-Hazing Law

Massachusetts General Laws Chapter 269, Sections 17, 18, and 19 prohibit hazing and establish criminal penalties for individuals who participate in, organize, or knowingly permit hazing activities. Massachusetts law further requires educational institutions to provide notice of the law to students and student organizations and requires certain individuals to report hazing incidents. Assumption University expects all students, employees, student organizations, athletic teams, and recognized campus groups to comply with these legal requirements and all applicable University policies concerning hazing prevention, reporting, and accountability.

Missing Student Notification Procedure

Assumption University takes the safety and well-being of its students seriously. In accordance with the Higher Education Opportunity Act of 2008 and the Clery Act, the University has established procedures for responding to reports of students who may be missing from University-owned or operated on-campus housing facilities.

Any member of the University community who has reason to believe that a residential student may be missing should immediately notify the Department of Public Safety/Campus Police. Reports of missing students will be investigated promptly and thoroughly in collaboration with appropriate University officials and, when appropriate, law enforcement agencies.

The Department of Public Safety/Campus Police will initiate an investigation upon receipt of a missing student report and will make reasonable efforts to locate the student, determine their welfare, and verify their status. Students do not need to be missing for 24 hours before a report can be made.

For students residing in on-campus housing, the University will notify the student's designated confidential emergency contact within 24 hours of the determination that the student is missing. If the student is under eighteen (18) years of age, is not emancipated, and resides in University housing, the University will notify the student's parent or legal guardian within 24 hours of the determination that the student is missing, in addition to any designated emergency contact.

The University will also notify the appropriate law enforcement agency within 24 hours of determining that a residential student has been missing, unless the law enforcement agency was the entity that made the determination.

Students residing in on-campus housing are encouraged to identify and annually update a confidential emergency contact through University processes. This contact information will be maintained confidentially, will be accessible only to authorized University officials, and will be disclosed only to authorized personnel or law enforcement agencies in furtherance of a missing student investigation.

The University's missing student procedures are intended to support a timely, coordinated, and effective response while protecting student privacy to the extent permitted by law. Additional information regarding emergency contacts and student safety resources is available through the Office of Student Affairs and the Department of Public Safety/Campus Police.

Emergency Notifications and Emergency Response

Assumption University is committed to providing timely and accurate information to the campus community in the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees, or visitors occurring on campus. In accordance with the Clery Act, the University will, upon confirmation of a significant emergency or dangerous situation, initiate emergency notification procedures unless issuing a notification would compromise efforts to assist a victim, contain the emergency, respond to the incident, or otherwise mitigate the emergency.

The Department of Public Safety/Campus Police, in coordination with appropriate University officials, is responsible for confirming significant emergencies, determining the appropriate segment or segments of the campus community to notify, determining the content of notifications, and initiating emergency notification procedures using one or more communication systems.

Assumption University maintains an Emergency Response and Recovery Plan and utilizes a multi-layered emergency communication system designed to provide timely information and instructions during emergencies. Depending upon the nature and scope of the incident, emergency response actions may include evacuation, shelter-in-place instructions, restricted access to specific areas, or other safety measures determined appropriate by University officials.

Emergency Notification Systems

The University utilizes multiple communication methods to notify the campus community during emergency situations, including:

- **RAVE Alert System** providing emergency text messages, voice messages, and email notifications;
- **Campus Emergency Broadcast System**, including audible alerts and emergency messaging capabilities;
- **University Email** communications;
- **University Website** emergency announcements and updates;
- **University Voicemail and Other Electronic Communications Systems**, as appropriate; and
- Other communication methods deemed necessary based upon the circumstances of the incident.

Assumption University may use one or more communication methods to communicate emergency information, protective actions, and updates as additional information becomes available.

Emergency Response Procedures

When a significant emergency or dangerous situation is reported, the Department of Public Safety/Campus Police will assess available information, confirm the nature of the emergency when possible, and coordinate response efforts with appropriate University officials and external emergency responders.

Depending on the circumstances, emergency notifications may be issued to the entire campus community or to specific segments of the community affected by the incident. Notifications will provide information regarding the nature of the emergency and recommended protective actions, when known and appropriate.

Examples of situations that may require an emergency notification include, but are not limited to:

- Fire or explosion;
- Severe weather or natural disaster;
- Hazardous material incident;
- Active threat or violent criminal behavior;
- Public health emergency;
- Significant utility failure; or

- Other situations presenting an immediate threat to health or safety.

Emergency Response Testing

Assumption University tests, at least once each calendar year, its emergency notification and emergency response procedures to assess operational readiness and promote campus preparedness. Emergency notification system tests may include announced or unannounced exercises, tabletop exercises, drills, and other emergency preparedness activities.

Each test is documented, including a description of the exercise, the date, the time, and whether it was announced or unannounced, and an after-action report is prepared. In conjunction with at least one test each year, the University publicizes its emergency response and evacuation procedures to students and employees.

Residence halls and academic buildings participate in evacuation drills and emergency preparedness exercises designed to familiarize students, faculty, staff, and visitors with emergency procedures and evacuation routes.

Information regarding emergency response and evacuation procedures is distributed to the University community and made available through University communications and public safety resources.

Emergency Response and Evacuation Procedures

In the event of an emergency, members of the University community should follow instructions provided through official University communication systems and by emergency responders.

The University will provide follow-up information and updates as conditions change and as additional information becomes available. This section aligns with Clery Act emergency notification requirements and Assumption University's commitment to maintaining a safe, informed, and prepared campus community.

Emergency Messages

Sent by broadcast, RAVE text message, and email

No.	Message	Text
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 WarningSystem. 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.”

Crime Statistics

Unfounded

A reported crime may be classified as unfounded only when a sworn or commissioned law enforcement officer, following a full investigation, determines that the report is false or baseless. Crimes reported to the University are included in Clery Act statistics unless they are determined to be unfounded by law enforcement. The number of unfounded crimes is disclosed in this Annual Security Report as required by federal law.

Unfounded Crimes

Year	Unfounded crimes
2023	0
2024	0
2025	0

Hate Crime

Assumption University defines a hate crime as a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a protected characteristic. A bias is a preformed negative opinion or attitude toward a person or group based on race, religion, ethnicity, national origin, disability, sexual orientation, gender, or gender identity.

The University classifies and reports hate crimes in accordance with the definitions and requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Reports of crimes motivated by bias are investigated and documented by the appropriate law enforcement authorities, and qualifying incidents are included in the University's Annual Security Report as required by federal law.

Hate Crimes

Year	Hate crimes (all categories of bias)
2023	0
2024	0
2025	0

Hazing

The **Stop Campus Hazing Act (SCHA)** amended the Jeanne Clery Campus Safety Act and requires institutions of higher education to collect and disclose statistics for reported hazing incidents.

Institutions began collecting hazing statistics on **January 1, 2025**, and those statistics are required to be published in an Annual Security Report.

Hazing Incidents

Year	Hazing incidents
2025	0

Criminal Offenses

Offense	Year	Rome Campus	On Campus	Noncampus	Public Property	Total	Residential*
Murder/Non-negligent Manslaughter	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Negligent Manslaughter	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Rape	2023	0	1	0	0	1	1
	2024	0	4	0	0	4	4
	2025	0	2	0	0	2	2
Fondling	2023	0	1	0	0	1	1
	2024	0	7	0	0	7	7
	2025	0	4	0	0	4	4
Incest	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Robbery	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Aggravated Assault	2023	0	1	0	0	1	0
	2024	0	1	0	0	1	0
	2025	0	0	0	0	0	0
Burglary	2023	0	4	0	0	4	4
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Arson	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0

VAWA Offenses

Offense	Year	Rome Campus	On Campus	Noncampus	Public Property	Total	Residential*
Domestic Violence	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Dating Violence	2023	0	3	0	0	3	3
	2024	0	2	0	0	2	2
	2025	0	0	0	0	0	0
Stalking	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	1	0	0	1	0

Arrests

Offense	Year	Rome Campus	On Campus	Noncampus	Public Property	Total	Residential*
Weapons Violations	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Drug Law Violations	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0
Liquor Law Violations	2023	0	0	0	0	0	0
	2024	0	0	0	0	0	0
	2025	0	0	0	0	0	0

Disciplinary Referrals

Offense	Year	Rome Campus	On Campus	Noncampus	Public Property	Total	Residential*
Weapons Violations	2023	0	5	0	0	5	5
	2024	0	20	0	0	20	20
	2025	0	22	0	0	22	22
Drug Law Violations	2023	0	0	0	0	0	0
	2024	0	8	0	0	8	8
	2025	0	20	0	0	20	20
Liquor Law Violations	2023	0	67	0	0	67	67
	2024	0	81	0	0	81	81
	2025	0	125	0	0	125	125

**Residential (on-campus student housing) figures are included in the On Campus figures. Disciplinary referrals do not include actions strictly for school policy violations; liquor law violations do not include drunkenness or driving under the influence.*

Annual Fire Safety Report

Overview

In accordance with the Higher Education Opportunity Act of 2008 and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), Assumption University publishes this Annual Fire Safety Report for all on-campus student housing facilities. This report contains information regarding fire safety systems, fire prevention and education efforts, fire safety policies, procedures for reporting fires, and fire statistics for University residential facilities.

Assumption University is committed to maintaining a safe living and learning environment through fire prevention, education, regular inspections, and emergency preparedness. The Assumption University Campus Police and Facilities Department work hand in hand with the Worcester Fire Department to ensure the Assumption campus follows all federal, state, and local fire and safety requirements.

Health and Fire Safety Inspections

The University conducts periodic health and fire safety inspections of residential facilities to identify and address fire hazards, safety concerns, maintenance issues, and violations of University policies. Authorized University personnel, including Residential Life staff, Facilities personnel, Campus Police, and other designated officials, may enter residential facilities as permitted by University policy for inspections, maintenance, repairs, emergencies, safety concerns, policy enforcement, and other legitimate University purposes.

Conditions presenting a fire, health, or safety hazard may be addressed immediately and referred to the appropriate University office for follow-up.

Fire Safety Regulations

The misuse, unauthorized activation, tampering with, damage to, or obstruction of fire alarms, smoke detectors, sprinkler systems, fire extinguishers, emergency lighting, exit signs, fire doors, or other fire safety equipment is prohibited by University policy and may violate Massachusetts law.

To reduce fire hazards and promote life safety within residential facilities, certain items and activities are prohibited in residence halls, apartments, and townhouses. Prohibited items may include open-flame devices, candles, incense, fireworks, unauthorized cooking devices, hazardous materials, space heaters, unauthorized electrical equipment, combustible decorations, and other items determined to present a fire or life-safety risk.

Additional information regarding prohibited items and residential fire safety expectations is available through the Office of Residential Life and applicable residential policies.

Violations of fire safety policies may result in disciplinary action, removal of prohibited items, housing sanctions, restitution, referral to law enforcement, or other actions permitted under University policy.

Outdoor Cooking Grills

The use of outdoor cooking grills is permitted only in designated areas and in accordance with applicable University policies and fire safety requirements.

Only approved propane-fueled grills may be used on University property. Charcoal grills, lighter-fluid-operated grills, and other prohibited cooking devices are not permitted. Grills must be operated only in approved locations, maintained a safe distance from buildings and combustible materials, and may not be left unattended while in use.

Propane tanks may not be stored inside residence halls, apartments, townhouses, stairwells, or other

University buildings.

Additional requirements governing outdoor grills are maintained by Residential Life and Facilities Operations.

Fire Drills and Emergency Evacuation Procedures

Assumption University conducts fire drills and evacuation exercises in residential facilities to familiarize residents with evacuation routes, emergency procedures, and life-safety protocols.

When a fire alarm sounds, all occupants are required to evacuate immediately using the nearest safe exit and proceed to a designated assembly area. Elevators should not be used during fire alarms or fire emergencies.

Occupants should:

- Remain calm and evacuate immediately;
- Follow posted evacuation routes;
- Move to a safe location away from the building and emergency operations;
- Follow instructions provided by emergency responders and University personnel; and
- Remain outside until authorized personnel indicate it is safe to re-enter.

Failure to evacuate during an alarm, drill, or emergency may result in disciplinary action and creates a safety risk for both occupants and emergency responders.

False Alarms and Fire Safety Equipment

The intentional activation of a false fire alarm, misuse of fire extinguishers, tampering with smoke detectors, sprinkler systems, fire alarms, emergency lighting, exit signage, or other fire protection equipment is prohibited.

Such conduct may endanger the safety of the community and may result in disciplinary action up to and including removal from University housing, suspension, expulsion, restitution, and referral to law enforcement authorities where appropriate.

Fire Safety Education and Prevention

Assumption University promotes fire safety awareness through:

- Student orientation programs;
- Residence hall education and training;
- Health and fire safety inspections;
- Fire drills and evacuation exercises;
- Fire safety communications and awareness campaigns; and
- Collaboration among Residential Life, the Department of Public Safety/Campus Police, Facilities Operations, and local fire officials.

Students are encouraged to familiarize themselves with evacuation routes, fire safety equipment locations, and emergency procedures for the buildings they occupy.

Fire Alarm Monitoring and Fire Protection Systems

All residence halls are equipped with fire alarm systems and smoke detection devices designed to provide early warning notification in the event of a fire emergency.

Residence hall fire alarm systems are monitored twenty-four (24) hours per day, seven (7) days per week by the Department of Public Safety/Campus Police and designated monitoring services.

Most residential facilities are also protected by automatic fire sprinkler systems and other fire suppression

equipment designed to enhance occupant safety and limit fire spread.

The University regularly inspects, tests, and maintains fire protection systems in accordance with applicable codes, regulatory requirements, and industry standards.

Residence Hall Fire Safety Systems

The following table identifies the fire safety systems present in each University residential facility, including fire alarm monitoring, smoke detection, sprinkler protection, portable fire extinguishers, and evacuation drill frequency.

Residence hall	Fire alarm monitoring (on-site & off-site)	Full sprinkler system	Minimum evacuation/fire drills per year	Smoke detectors	Fire extinguishers
Alumni Hall	Yes	Yes	2	Yes	Yes
Desautels Hall	Yes	Yes	2	Yes	Yes
Hanrahan Hall	Yes	Yes	0*	Yes	Yes
Young Hall	Yes	Yes	0*	Yes	Yes
Nault Hall	Yes	Yes	0*	Yes	Yes
Salisbury Hall	Yes	Yes	2	Yes	Yes
Aubuchon Hall	Yes	Yes	2	Yes	Yes
Bissonnette Hall	Yes	Yes	2	Yes	Yes
Dion Hall	Yes	Yes	2	Yes	Yes
Moquin Hall	Yes	Yes	2	Yes	Yes
Dufault Hall	Yes	Yes	2	Yes	Yes
Authier Hall	Yes	Yes	2	Yes	Yes
Worcester Hall	Yes	Yes	2	Yes	Yes
Wachusett Hall	Yes	Yes	2	Yes	Yes
Living & Learning Center	Yes	Yes	3**	Yes	Yes
Plough Hall	Yes	Yes	2	Yes	Yes
West Hall	Yes	Yes	2	Yes	Yes
Cesareo Hall	Yes	Yes	4**	Yes	Yes

*Offline (not occupied) for all of calendar year 2025: Hanrahan, Young, and Nault Halls

**Summer Housing

Full Sprinkler System: Sprinklers installed throughout the building, including residential rooms.

Fire Safety Improvements

The Department of Public Safety/Campus Police and Facilities Operations annually review residential fire safety systems, inspection results, fire incidents, and fire protection equipment to identify maintenance needs, repairs, upgrades, and opportunities to improve campus fire safety.

Fire protection systems are routinely evaluated, tested, inspected, and maintained in accordance with applicable fire safety requirements and industry standards.

Reporting a Fire

Students, employees, and visitors should immediately report any fire or suspected fire to:

Department of Public Safety/Campus Police

Emergency: (508) 767-7777 or Extension 7777

Non-Emergency: (508) 767-7225

Emergency Services 911

All fires should be reported, including fires that have been extinguished prior to the arrival of emergency responders.

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 mandatory building evacuation in response to a fire emergency.

Fire-Related Injury: Any injury sustained as a result of a fire, including injuries incurred during fire suppression, rescue efforts, evacuation, or exposure to fire-related hazards.

Fire-Related Death: Any death resulting from a fire or fire-related injuries.

Fire Safety System: Any mechanism or system designed to detect, warn of, suppress, or control a fire, including fire alarms, smoke detectors, sprinkler systems, fire extinguishers, fire doors, emergency notification systems, and related equipment.

Value of Property Damage: The estimated replacement cost of property damaged by fire, including damage caused by smoke, water, and fire suppression activities.

Fire Log

Assumption University maintains a Fire Log that records all fires occurring in on-campus student housing facilities. The Fire Log includes the nature, date, time, and general location of each reported fire.

Fire Log entries are made within two business days of receiving information regarding a fire. The most recent sixty (60) days of the Fire Log are available for public inspection through the Department of Public Safety/Campus Police during normal business hours. Fire Log records older than sixty days are available within two business days of a request for inspection.

Fire Statistics: Main Campus, Worcester, MA and Rome Campus

Residence hall	2023 fires	2024 fires	2025 fires	2023 injuries	2024 injuries	2025 injuries	2023 deaths	2024 deaths	2025 deaths
Alumni Hall	0	0	0	0	0	0	0	0	0
Desautels 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
Nault Hall*	0	0	0	0	0	0	0	0	0
Salisbury Hall	0	0	0	0	0	0	0	0	0
Aubuchon Hall	0	0	0	0	0	0	0	0	0
Bissonnette Hall	1	0	0	0	0	0	0	0	0
Dion Hall	0	0	0	0	0	0	0	0	0
Moquin Hall	1	0	0	0	0	0	0	0	0
Dufault Hall	0	0	0	0	0	0	0	0	0
Authier Hall	0	0	0	0	0	0	0	0	0

Residence hall	2023 fires	2024 fires	2025 fires	2023 injuries	2024 injuries	2025 injuries	2023 deaths	2024 deaths	2025 deaths
Worcester Hall	0	0	0	0	0	0	0	0	0
Wachusett Hall	0	0	0	0	0	0	0	0	0
Living & Learning Center	0	0	0	0	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
Totals	**2**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**
Villino Dufault (Rome)	0	0	0	0	0	0	0	0	0

No fires occurred in on-campus student housing in 2025. Fire alarm activations that did not involve an actual fire are not reported as fires.

Campus Map


PARKING LEGEND
A La Maison Lot
B Taylor Lot
C Kennedy Lot
D The Hill Lot
E Martel Lot
F The Valley Lot
G Plourde Lot
H Laska Gymnasium Lot
I Hagan Center Lot
J Lower Level Lot by HSB
K LLC Lot Upper
L LLC Lot Lower
M Plough, Cesareo, West Lots
N Chapel & Admissions Lot
O Testa Lot — Visitors
P Testa Lot — Lower Level
CHAPEL ROAD
OLD ENGLISH ROAD
SALISBURY STREET
N
Find yourself in the company of friends
1 La Maison Francaise
2 Bishop Wright Hall
3 Taylor Dining Hall
4 Alumni Hall
5 Desautels Hall
6 Founders Hall
7 Testa Science Center
8 Admissions House
9 Carriage House
10 Emmanuel House
11 Chapel of the Holy Spirit
11a Tinsley Campus Ministry Center
12 Emmanuel d'Alzon Library
13 Information Technology Center
14 Fuller Hall
15 Switzer Building
16 DiPasquale Media Center
17 Kennedy Memorial Hall
17a Public Safety
18 Power Plant
19 Tsotsis Family Academic Center
20 Hagan Campus Center
20a Charlie's
20b Pierre's Pub
21 Laska Gymnasium
22 Richard J. and Sophia Catrambone Health Sciences Center
23 Plourde Recreation Center
24 Salisbury Hall
25 Aubuchon Hall
26 Nault Hall
27 Hanrahan Hall
28 Young Hall
29 Tennis Courts
30 Bissonnette Hall
31 Moquin Hall
32 Dion Hall
33 Wellness Center
34 Maintenance Facility
35 Authier Hall
36 Dufault Hall
37 Normand R. Marois Field
38 Brian Kelly '83 Stadium
39 H.L. Rocheleau Athletic Field
40 Worcester Hall
41 Wachusett Hall
42 Gayraud Living-Learning Center
43 Plough Hall
44 West Hall
45 Cesareo Hall
Assumption University

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 Assumption University. When possible, all provided information is verified prior to publication. The Campus Police Department makes 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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DISCRIMINATION AND SEXUAL MISCONDUCT PREVENTION POLICY

1. Preamble and Rationale for Policy

Assumption University (hereinafter “Assumption” or “the University”) is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, which are free from discrimination and harassment based on a protected characteristic, and retaliation for engaging in a protected activity.

The University values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance 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 a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of a protected characteristic, and for allegations of retaliation.

Above and beyond these laws and requirements, Assumption seeks to promote a culture that appropriately and adequately supports both survivors and respondents, educates all students, faculty, and staff on topics such as consent and sexual misconduct, and that ensures gender equity across the community.

2. Glossary

- ***Advisor*** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the Resolution Process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.
- ***Appeal Decision-maker(s)*** means the person or panel who accepts or rejects a submitted appeal request, determines whether an error occurred that substantially affected the investigation or original determination, and directs corrective action, accordingly.
- ***Complainant*** means an individual who is alleged to be the victim/ survivor of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity.
- ***Confidential Resource*** means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- ***Day*** means a business day when Assumption University is in normal operation.
- ***Decision-maker(s)*** means the person or panel who hears evidence, determines relevance, and makes the Final Determination of whether this Policy has been violated and/or assigns sanctions.

- ***Directly Related Evidence*** is evidence connected to the complaint, but which is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and cannot be relied upon by the Decision-maker(s). Compare to Relevant Evidence, below.
- ***Education Program or Activity*** means locations, events, or circumstances where Assumption University exercises substantial control over both the Respondent and the context in which the harassment, discrimination, and/or retaliation occurs and also includes any building owned or controlled by a student organization that is officially recognized by Assumption University.
- ***Final Determination*** is a conclusion by the standard of proof that the alleged conduct did or did not violate policy.
- ***Finding*** is a conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").
- ***Formal Complaint*** means a document submitted or signed by a Complainant or signed by the Title IX Coordinator alleging a Respondent engaged in harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity and requesting that Assumption University investigate the allegation(s).
- ***Formal Grievance Process*** means "Process A," a method of formal resolution designated by Assumption to address conduct that falls within the policies included below, and which complies with the requirements of the Title IX regulations (34 C.F.R. § 106.45) and the Violence Against Women Act § 304.
- ***Grievance Process Pool*** includes any Investigators, Hearing Decision-maker(s), Appeal Decision-maker(s), and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same complaint).
- ***Informal Resolution*** means a complaint resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a formal Final Determination being reached.
- ***Institution*** means Assumption University.
- ***Investigator*** means the person(s) authorized by Assumption 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 of Relevant Evidence and a file of Directly Related Evidence.
- ***Mandated Reporter*** means an Assumption employee who is obligated by policy and law to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator. This definition includes "responsible employees" per HR and other similar policies and definitions.
- ***Notice*** means that an employee, student, or third party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- ***Official with Authority (OWA)*** means an Assumption employee who has responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of Assumption.
- ***Parties*** means the Complainant(s) and Respondent(s), collectively.

- ***Process A*** means the Formal Grievance Process detailed below and defined above.
- ***Process B*** means the administrative resolution procedures detailed in Appendix F that only apply when Process A does not, as determined by the Title IX Coordinator.
- ***Recipient*** means a postsecondary education program that receives federal funding.
- ***Relevant Evidence*** is evidence that tends to prove (inculpatory) or disprove (exculpatory) an issue in the complaint.
- ***Remedies*** are post-Final Determination actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to Assumption's education program.
- ***Respondent*** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected characteristic, or retaliation for engaging in a protected activity under this Policy.
- ***Resolution*** means the result of an Informal Resolution or Formal Grievance Process.
- ***Sanction*** means a consequence imposed on a Respondent who is found to have violated this Policy.
- ***Sexual Harassment*** is an umbrella category including the offenses of sexual harassment, sexual assault, stalking, dating violence, and domestic violence. See Section 17.B. for greater detail.
- ***Student*** is any individual who has accepted an offer of admission, or who is registered or enrolled for credit or non-credit bearing coursework, and who maintains an ongoing relationship with Assumption University.
- ***Title IX Coordinator*** is at least one official designated by Assumption to ensure compliance with Title IX and Assumption's Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- ***Title IX Team*** refers to the Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.

3. Applicable Scope

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from or different treatment in activities, such as admission, athletics, or employment. At other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, it can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence. When an alleged policy violation is reported, the allegations are subject to resolution using Assumption's "Process A" or "Process B,"[1] as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of the Assumption community, a Formal Complaint may be filed and a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of Assumption community. This community includes, but is not limited to, students, student organizations, faculty, administrators, and staff. The procedures below may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of

which may be addressed and investigated in accordance with this Policy.
Assumption recognizes that reports and/or Formal Complaints 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 and harassment or retaliation.

4. Title IX Coordinator

S. Teixeira (Tex) 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:
S. Teixeira (Tex)
University Title IX Coordinator, Director of Title IX Alumni Hall, Office 109
508-767-7200
titleix@assumption.edu

5. Independence and Conflict 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: 508-767-7200
presoffice@assumption.edu

[1] Conduct that occurred before August 14, 2020 can be resolved using Process B.

6. Administrative Contact Information

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to the Title IX Coordinator or via the University's Office of Title IX website.[2]
Assumption University has determined that the following administrators are Officials with Authority to address and correct harassment, discrimination, and/or retaliation. In addition to the Title IX Team members listed below may also accept notice or complaints on behalf of Assumption University.

- President and the Cabinet
- Dean of Students
- Dean of Student Conduct
- Director of Residential Life
- Director of Campus Recreation
- Director of Athletics Inquiries may be made externally 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
Massachusetts Commission Against Discrimination 1 Ashburton Place, Suite 601, Boston, MA 02108
Phone: (617) 994-6000
Email: mcad@mass.gov Facsimile: (617) 994-6024

U.S. Equal Employment Opportunity Commission JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
1-800-669-4000

[2] https://www.assumption.edu/people-and-departments/organization-listing/office-title-ix

7. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase "document filed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint, and requests that Assumption University investigate the allegations.
If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

A. In-person, by telephone or by email to the Title IX Coordinator. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address listed for the Title IX Coordinator or any other official listed.
B. Online, using the University's online Reporting Form posted HERE.[3]
   Online anonymous reports are accepted but can give rise to a need to investigate to determine if the parties can be identified. If not, no further formal action is taken, though measures intended to protect the community may be enacted. The Assumption tries to provide supportive measures to all Complainants, which may be impossible with an anonymous report that does not identify the Complainant.

A Formal Complaint means a document submitted or signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that Assumption University investigate the allegation(s).

8. Supportive Measures

Assumption will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available. They are offered, without fee or charge to the parties, to restore or preserve access to the University's education program or activity, including measures designed to protect the safety of all parties and/or the University's educational environment and/or to deter harassment, discrimination, and/or retaliation.
The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, Assumption

will inform the Complainant, in writing, that they may file a Formal Complaint with

[3] Assumption's Online Reporting Form: https://cm.maxient.com/reportingform.php?AssumptionCollege&layout_id=3

Assumption either at that time or in the future, if they have not done so already. The Title IX Coordinator works with the Complainant to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

The 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. In the event a student or employee obtains a court-ordered protective order, they are to notify the Title IX Coordinator immediately. Upon notice of a court-ordered protective order, the Title IX Coordinator will implement appropriate on-campus supportive measures to accommodate the court-ordered protective order. The Assumption will implement measures in a way that does not unreasonably burden the other 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 limitations (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 Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement. To request or change supportive measures, email the Title IX Coordinator titleix@assumption.edu.

9. Emergency Removal

Assumption University can act to remove a student Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

This 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.

In all cases in which an emergency removal is imposed, the student will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such

action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal 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 is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.
This section also applies to any restrictions that a coach or athletic administrator may place on a student- athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline, which may include expulsion.
Assumption University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.
At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.
When the Respondent is an employee, existing provisions for interim action are applicable.

10. Promptness

All allegations are acted upon promptly by Assumption University once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but Assumption University will avoid all undue delays within its control.
Any time the general timeframes for resolution outlined in Assumption University procedures will be delayed, Assumption University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

11. Privacy

Every effort is made by Assumption University to preserve the privacy of reports. Assumption University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, or retaliation, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

Assumption University reserves the right to determine which Assumption University officials have a legitimate educational interest in being informed about incidents that fall within 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, including but not limited to: Division of Student Affairs and the CARE team.

Information will be shared as necessary with Investigators, Hearing Panel members, Decision-maker(s), witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.
Assumption University may contact 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 first before doing so.
Confidentiality and mandated reporting are addressed more specifically below.

12. Jurisdiction of Assumption University

This policy applies to the education program and activities of Assumption University, to conduct that takes place on the campus or on property owned or controlled by the University, at University-sponsored events, or in buildings owned or controlled by the University's recognized student organizations. The Respondent must be a member of Assumption's community in order for its policies to apply.

This policy can also be applicable to the effects of off-campus misconduct that effectively deprives someone of access to Assumption's educational program. Assumption University may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial University interest.
Regardless of where the conduct occurred, Assumption University will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial University interest includes:

A. 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;
B. Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
C. Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
D. Any situation that is detrimental to the educational interests or mission of Assumption University.

If the Respondent is unknown or is not a member of the University community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.
Further, even when the Respondent is not a member of the University's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, Assumption may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from University property and/or events.

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

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination, harassment, or retaliation in an externship, study abroad program, or other environment external to Assumption University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

13. 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 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 discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, Assumption University will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint, unless both parties' consent to have the current policy (if different) used.

14. Online Harassment and Misconduct

The policies of Assumption University 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 use University networks, technology, or equipment.

Although Assumption may not control websites, social media, and other venues in which harassing communications are made, when such communications are reported to the University, it will engage in a variety of means to address and mitigate the effects.

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.

15. Policy on 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.

16. Disability Discrimination and Accommodation Policy

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 the procedures in Appendix F. For details relating to disability accommodations in Assumption's Resolution Process, see page 63.

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.

Director of Human Resources Fuller Hall, first floor
508-767-7283
askhr@assumption.edu

17. Discriminatory Harassment Policy

Discriminatory harassment is defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities, including disparate treatment.

Assumption University does not tolerate discriminatory harassment of any employee, student, visitor, or third-party. Assumption University will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment." Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. 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 harassment 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 encompass actual and/or attempted offenses.

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, and/or physical conduct that is severe or pervasive and objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, Assumption University may also impose sanctions on the Respondent through application of the appropriate grievance process below.

Assumption University 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 status. 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.

18. Other Civil Rights Offenses

Violation of any Assumption policies may constitute a Civil Rights Offense when the violation is motivated by the Complainant's actual or perceived protected characteristic(s), and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

A. **Harm/Endangerment**, defined as:

i. threatening or causing physical harm;

ii. extreme verbal, emotional, or psychological abuse; or

iii. other conduct which threatens or endangers the health or safety of any person or damages their property.

B. **Intimidation**, defined as:

i. implied threats or

ii. acts that cause the Complainant reasonable fear of harm.

C. **Hazing**, defined as:

i. acts likely to cause physical or psychological harm or social ostracism,

ii. to any person within Assumption community,

iii. when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy, located in the Student Handbook).

D. **Bullying,** defined as:

i. repeated and/or severe aggressive behavior

ii. that is likely to intimidate or intentionally hurt, control, or physically or mentally diminish the Complainant,

iii. that is not speech or conduct that is otherwise protected by the First Amendment.

19. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the Commonwealth of Massachusetts regard Sexual Harassment as an unlawful discriminatory practice.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Sexual harassment is defined as conduct on the basis of sex or that is sexual that one or more of the following:

A. Quid Pro Quo Sexual Harassment:

i. An Assumption University employee,

ii. Conditions, the provision of an aid, benefit, or service of Assumption,

iii. on an individual's participation in unwelcome sexual conduct.

B. Hostile Environment Sexual Harassment:

i. Unwelcome conduct

ii. determined by a reasonable person,

iii. to be so severe, and

iv. pervasive, and objectively offensive,

v. that it effectively denies a person equal access to Assumption University's education program or activity

C. Sexual Assault

i. **Rape:**

- Penetration, no matter how slight,
- of the vagina or anus,
- with any body part or object, or
- oral penetration by a sex organ of another person,
- without the consent of the Complainant.

ii. **Fondling:**

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- 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.

iii. **Incest**:

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

iv. **Statutory Rape**:

- Sexual intercourse,

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

Consent: Consent is the:

- knowing,
- voluntary, and
- clear permission
- by words or actions
- to engage in sexual activity.

Individuals may 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.

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. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

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

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.

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.

As used in the offenses above, the following definitions and understandings apply:

i. **Force:** Force is the use of physical violence and/or physical imposition to gain sexual access. 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,” “Okay, don’t hit me, I’ll do what you want.”).

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not 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.

ii. **Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain 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.

iii. **Incapacitation:**

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if they engage

in sexual activity with someone who is incapable of giving consent.
It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. "Should have known" is an objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment.
Incapacitation occurs when someone 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, or how" of their sexual interaction).
Incapacitation is determined through consideration of all relevant indicators of an individual's state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.
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 drugs.

D. **Interpersonal Violence** includes dating violence and domestic violence.

i. **Dating Violence**:

- Violence,
- on the basis of sex,
- committed by a person,
    - who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
  - 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.
  - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.

II. **Domestic Violence**:

- Violence,
- on the basis of sex,
    - committed by a current or former spouse or intimate partner of the Complainant, by a person:
  - with whom the Complainant shares a child in common; or
  - who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; or
  - who is similarly situated to a spouse of the Complainant under the domestic or family violence laws of Massachusetts; or
  - by any other person who is protected from that person's acts under the domestic or family violence laws of Massachusetts.

To categorize an incident as Domestic Violence, 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.

E. Stalking:

- engaging in a course of conduct,
- on the basis of sex,

- directed at the Complainant, that
- would cause a reasonable person to fear for the person's safety; or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

i. *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.

ii. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the Complainant.

iii. *Substantial emotional distress* means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

20. Preservation of Evidence

The preservation of evidence in incidents of sexual assault and stalking is critical to potential criminal prosecution and to obtaining restraining/protective orders and is particularly time sensitive.

A. **Sexual Assault**

i. Seek forensic medical assistance at the St. Vincent Hospital, 123 Summer Street, Worcester, MA 01608, ideally within 120 hours of the incident (sooner is better).[4]

ii. Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.

iii. If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.

iv. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or secure evidence container the hospital or police.

v. Seeking medical treatment can be essential even if it is not for the purposes of collecting forensic evidence.

B. **Stalking**

i. Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.

ii. Make a secondary recording of any voice messages and/or save the audio files to a cloud server.

iii. Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).

iv. Save copies of e-mail and social media correspondence, including notifications related to account access alerts.

v. Take timestamped photographs of any physical evidence including notes, gifts, etc. in place when possible.

vi. Save copies of any messages, to include those showing any request for no further contact.

vii. Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

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

21. Other Sexual Misconduct Offenses

[4] A comprehensive list of designated SANE site hospitals can be found at: https://www.mass.gov/info-details/designated-sane-site-hospitals

In addition to the forms of sexual harassment described above, which are covered by Title IX, Assumption additionally prohibits the following offenses as forms of sexual misconduct that may be within or outside of Title IX when the act is based upon the Complainant's actual or perceived protected characteristic.

A. **Sexual Harassment:**
In Massachusetts, sexual harassment is defined as unwanted sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. It is considered sexual harassment when submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions. This is also known as Quid Pro Quo harassment.

B. **Sexual Exploitation** occurs when:
- an individual takes non-consensual or abusive sexual advantage of another
- for their own benefit or for the benefit of anyone other than the person being exploited, and
- that conduct does not otherwise constitute Sexual Harassment under this Policy.

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

i. 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)
ii. Invasion of sexual privacy (e.g., doxxing)
iii. Knowingly making an unwelcome disclosure of (or threatening to disclose) an individual's sexual orientation, gender identity, or gender expression
iv. Taking pictures, video, or audio recording of another 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
v. Prostituting another person
vi. 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
vii. Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of 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
viii. Misappropriation of another person's identity on apps, websites, or other

venues designed for dating or sexual connections (e.g., spoofing)

ix. 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

x. Knowingly soliciting a minor for sexual activity

xi. Engaging in sex trafficking

xii. Knowingly creating, possessing, or disseminating child sexual abuse images or recordings

Sanctions for the above-listed Civil Rights Offenses range from warning through expulsion/termination.

22. Retaliation

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this Policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Assumption will take all appropriate and available steps to protect individuals who fear that they may be subjected to retaliation.

Assumption and any member of the University community are prohibited from taking materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Filing a complaint within Process B could be considered retaliatory if those charges could be applicable under Process A, when the Process B charges are made for the purpose of interfering with or circumventing any right or privilege provided afforded within Process A that is not provided by Process B. Therefore, Assumption University vets all complaints carefully to ensure this does not happen, and to assure that complaints are tracked to the appropriate process.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

23. Mandated Reporting

All Assumption University employees (full and part-time faculty, staff and administrators, including student employees) are expected to report actual or suspected discrimination, harassment, and/or retaliation to appropriate officials immediately, although there are some limited exceptions.

To make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting institutional resources. Within the institution, some resources may maintain confidentiality and are not required to report actual or suspected harassment, discrimination, or retaliation in a way that identifies the parties. They may offer options and resources without any obligation to inform an outside agency or institution official unless a Complainant has requested the information be shared.

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 reports 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 reporting options for a Complainant or third party (including parents/guardians when appropriate):

A. **Confidential Resources**

Assumption employees designated as a confidential resource will maintain confidentiality when acting under the scope of their licensure, professional ethics, professional credentials, or official designation, except in extreme cases of immediacy of threat or danger or abuse of a minor/elder/individual with a disability, or when required to disclose by law or court order.

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

i. **Students:**

- **Assumption University Counseling Services**
  508-767-7409
  Salisbury Hall
  https://my.assumption.edu/services/counseling/Pages/default.aspx

  Counseling Services provides support and counseling to Student victims 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 victim 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 of Assumptionist community, also provide confidential pastoral counseling.
- **Campus Advocate**
  advocate@assumption.edu
  The Campus Advocate provides confidential, nonjudgmental support to Student victims 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 victims of Sexual Misconduct.

ii. **Employees**

- **Employee Assistance Program**

E4 Wellness
508- 842-2780 or 1-800-828-6025, 24 hours a day, 7 days a week
EAP provides Employees with confidential assessment, counseling, and referral services free of charge.

B. **Mandated Reporters and Formal Notice/Complaints**

All Assumption employees (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment.

Employees must also promptly share all details of behaviors under this Policy that they observe or have knowledge of, even if not reported to them by a Complainant or third party.

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

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Title IX Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from Assumption.

Supportive measures may be offered as the result of such disclosures without formal Assumption action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment, discrimination, 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.

Though this may seem obvious, when a Mandated Reporter is engaged in harassment or other violations of this Policy, they still have a duty to report their own misconduct, though Assumption is technically not on notice simply because a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.

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

24. When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of their duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the University proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator’s decision should be based on results of an internal risk assessment that show a compelling risk to health and/or safety that requires the University to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and Assumption University’s ability to pursue a Formal Grievance Process fairly and effectively.

If the Title IX Coordinator executes a written complaint, they do not become the Complainant.

The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy regardless of their participation in the investigation.

When Assumption proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this Policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant, though this does not extend to the provision of evidence or testimony.

Assumption University's ability to remedy and respond to notice may be limited if the Complainant does not want the University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the University to honor that request, the University will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the University, and to have the incidents investigated and properly resolved through these procedures. Please consider that delays may cause limitations on access to evidence, or present issues with respect to the status of the parties.

25. 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 the campus community. The University will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

26. False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to 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 policy violation determination.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation, hearing, or informal resolution can be subject to discipline under appropriate University policies.

27. Amnesty

The Assumption community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to Assumption University officials or participate in grievance 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 report 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.

28. 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):

A. All "primary crimes," which include criminal homicide, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson
B. 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
C. VAWA-based crimes,[5] which include sexual assault, domestic violence, dating violence, and stalking
D. Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug law violations

All personally identifiable information is kept private, but statistical information must be shared with the Department of Public Safety/Campus Police regarding the type of incident and its general location (on or off campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include student affairs/student conduct staff, campus law enforcement, 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.

RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION POLICY (PROCESS "A")

1. Overview

Assumption University will act on any formal or informal notice/complaint of violation of the Policy that is received by the Title IX Coordinator, or any other Official with Authority, by applying these procedures, known as "Process A."

The procedures below apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) involving students, staff, administrator, or faculty members.

If a dismissal occurs under Process A, please see Appendix B for a description of the procedures applicable to the resolution of such offenses, known as "Process B."

Process B can also apply to sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined above) when jurisdiction does not fall within Process A, as determined by the Title IX Coordinator.

The procedures below may be used to address collateral misconduct arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by the Policy will be addressed through procedures described in the student, faculty, and staff handbooks.

[5] VAWA is the Violence Against Women Act, enacted in 1994 and codified in part at 42 U.S.C. sections 13701 through 14040.

2. Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of this Policy, the Title IX Coordinator initiates a prompt initial assessment to determine the next steps Assumption needs to take.

The Title IX Coordinator will initiate at least one of following responses:

A. Offering supportive measures because the Complainant does not want to file a formal complaint; and/or

B. An informal resolution (upon submission of a formal complaint); and/or

C. A Formal Grievance Process including an investigation and a hearing (upon submission of a formal complaint).

The University uses the Formal Grievance Process to determine whether or not the Policy has been violated. If so, the University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to sexual harassment or retaliation, their potential recurrence, or their effects.

3. Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator will engage in an initial assessment, typically within one to five business days. The steps in an initial assessment can include:

A. If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.

If they do not wish to do so, the Title IX Coordinator determines whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.

B. If a formal complaint is received, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed.

The Title IX Coordinator reaches out to the Complainant to offer supportive measures and works with the Complainant to ensure they are aware of the right to have an Advisor.

The Title IX Coordinator works with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.

i. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes, assesses the request, and implements it accordingly. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.

ii. If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.

iii. If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the misconduct alleged falls within the scope of Title IX.

If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:

- an incident, and/or
- a pattern of alleged misconduct, and/or
- a culture/climate concern, based on the nature of the complaint.

If it does not, the Title IX Coordinator determines that Title IX does not apply (and will "dismiss" that aspect of the complaint, if any), assesses which policies may apply and refers the matter for resolution under Process B].

Please note that dismissing a complaint under Title IX is solely a procedural requirement under Title IX and does not limit Assumption University's authority to address a complaint with appropriate processes and remedies.

4. Violence Risk Assessment

In some cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted by the CARE team as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

A. Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
B. Whether the Title IX Coordinator should pursue a formal complaint absent a willing/able Complainant;
C. Whether to put the investigation on the footing of incident and/or pattern and/or climate;
D. To help identify potential predatory conduct;
E. To help assess/identify grooming behaviors;
F. Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
G. Whether to permit a voluntary withdrawal by the Respondent;
H. Whether to impose transcript notation or communicate with a transfer Assumption University about a Respondent;
I. Assessment of appropriate sanctions/remedies (to be applied post-hearing); and/or
J. Whether a Clery Act Timely Warning/Trespass order is needed.

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

VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, or other CARE team members.

A VRA authorized by the Title IX Coordinator should occur in collaboration with the CARE team. Where a VRA is required by the Title IX Coordinator, a Respondent refusing to cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

A VRA is not an evaluation for an involuntary behavioral health hospitalization (e.g. Section 12 of Chapter 123 of the Massachusetts General Laws), nor is it a psychological or mental health assessment. A VRA assesses the risk of actual or potential 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.

5. Dismissal (Mandatory and Discretionary)[6]

Assumption University must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

A. The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or

B. The conduct did not occur in an educational program or activity controlled by Assumption University (including buildings or property controlled by recognized student organizations), and/or the University does not have control of the Respondent; and/or

C. The conduct did not occur against a person in the United States[7]; and/or

D. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or activity of Assumption University.

Assumption University may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

A. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or

[6] These dismissal requirements are mandated by the 2020 Title IX Regulations, 34 CFR §106.45.

[7] If a complaint alleges that misconduct occurred on the University's Rome campus, further investigation may be warranted.

B. The Respondent is no longer enrolled in or employed by Assumption; and/or

C. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Such a Complainant is still entitled to supportive measures, but the formal grievance process is not applicable.

Upon any dismissal, Assumption will promptly send written notice of the dismissal and the rationale for doing so simultaneously to the parties.

6. Counterclaims

Assumption University is obligated to ensure that the grievance process is not abused for retaliatory purposes. Assumption University permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims by a Respondent may be made in good faith, but are, on occasion, also made for the purpose of retaliation. Counterclaims made with retaliatory intent will not be permitted.

Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur.

Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

7. Right to an Advisor

The parties may each have one Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process. It is only mandatory that they have an Advisor at the hearing.

Choosing an Advisor who is also a witness in the process is permissible but may create actual or perceived bias and/or conflict-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 hearing Decision-maker(s).

Witnesses are not entitled to Advisors within the process, though they can be advised externally.

A. **Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the Resolution Process. The parties may choose Advisors from inside or outside of Assumption

University community.

The Title IX Coordinator will also offer to assign a trained Advisor to any party if the party so chooses. If the parties choose an Advisor from the pool available from Assumption, the Advisor will have been trained by Assumption and be familiar with Assumption's Resolution Process.

If the parties choose an Advisor from outside the pool of those identified by Assumption, the Advisor may not have been trained by Assumption and may not be familiar with Assumption policies and procedures.

Parties also have the right to choose not to have an Advisor in the initial stages of the Resolution Process, prior to a hearing.

B. **Advisor's Role in Meetings and Interviews**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

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.

C. **Advisors in Hearings/Assumption-Appointed Advisor**

Under the Title IX Regulations, a form of indirect questioning is required during the hearing but must be conducted by the parties' Advisors. The parties are not permitted to directly question each other or any witnesses. If a party does not have an Advisor for a hearing, Assumption will appoint a trained Advisor for the limited purpose of conducting any questioning of the parties and witnesses.

D. **Pre-Interview Meetings**

Advisors and their advisees may request to meet with the Investigator(s) conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and Assumption's policies and procedures.

E. **Advisor Violations of Assumption Policy**

All Advisors are subject to the same Assumption University policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of 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.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

F. **Sharing Information with the Advisor**

Assumption University expects that the parties may wish to have the University share documentation and evidence related to the allegations with their Advisors. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

The University also provides a consent form that authorizes the University to share such information directly with their Advisor. The parties must either complete and submit this

form to the Title IX Coordinator or provide similar documentation demonstrating consent to a release of information to the Advisor before the University is able to share records with an Advisor.

G. **Privacy of Records Shared with Advisor**
Advisors must maintain the privacy of the records shared with them.

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

The University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

I. **Expectations of the Parties with Respect to Advisors**
A party may elect to change Advisors during the process. The parties are expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators or participating in a hearing (or as soon as possible if a more expeditious meeting is necessary or desired).

J. **Assistance in Securing an Advisor**
The Assumption University Campus Advocate provides confidential, nonjudgmental support to Student victims 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.
Complainants may also wish to contact organizations such as:

- The Victim Rights Law Center: www.victimrights.org
- The National Center for Victims of Crime: www.victimsofcrime.org
- The Time's Up Legal Defense Fund: www.nwlc.org/times-up-legal-defense-fund

Respondents may wish to contact organizations such as:

- Families Advocating for Campus Equality (FACE): www.facecampusequality.org

8. Resolution Processes

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with Assumption University policy. Although there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose, with the exception of information the parties agree not to disclose related to Informal Resolution, discussed below. Assumption encourages parties to discuss any sharing of information with their Advisors before doing so.

A. **Informal Resolution**

Informal Resolution can include three different approaches:

A. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation.

B. When the parties agree to resolve the matter through an alternate resolution mechanism as described below, usually before a formal investigation takes place; see discussion in b., below.

C. When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process (similar to above, but usually occurs post-investigation); see discussion in c., below.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, Assumption will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University.

Assumption 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.

B. **Alternative Resolution Approaches**

Alternate Resolution is an informal mechanism by which the parties reach a mutually agreed upon resolution of an allegation. All parties must consent to the use of an Alternate Resolution mechanism.

The Title IX Coordinator may look to the following factors to assess whether Alternate Resolution is appropriate, or which form of Alternate Resolution may be most successful for the parties:

- The parties' amenability to Alternate Resolution;
- Likelihood of potential resolution, taking into account any power dynamics between the parties;
- The parties' motivation to participate;
- Civility of the parties;
- Results of a violence risk assessment/ongoing risk analysis;
- Disciplinary history;
- Whether an emergency removal is needed;
- Skill of the Alternate Resolution facilitator with this type of allegation;
- Complaint complexity;
- Emotional investment/capability of the parties;
- Rationality of the parties;
- Goals of the parties;
- Adequate resources to invest in Alternate Resolution (time, staff, etc.)

The ultimate determination of whether Alternate Resolution is available or successful is to be made by the Title IX Coordinator. The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions.

Results of complaints resolved by Informal Resolution or Alternate Resolution are not appealable.

C. **Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all of the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the University are able to agree on responsibility, sanctions, and/or remedies.

If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of the University policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the sexual harassment or retaliation, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

D. **Negotiated Resolution**

The Title IX Coordinator, with the consent of the parties, may negotiate and implement an agreement to resolve the allegations that satisfies all parties and the University. Negotiated Resolutions are not appealable.

9. Grievance Process Pool

The Formal Grievance Process relies on a pool of individuals ("the Pool") to carry out the process.

A. **Pool Member Rules**

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

- To provide appropriate intake of and initial guidance pertaining to complaints
- To act as an Advisor to the parties
    - To serve in a facilitation role in Informal Resolution or Alternate Resolution if appropriately trained in appropriate resolution modalities (e.g., mediation, restorative practices)
    - To perform or assist with initial assessment
    - To investigate complaints
    - To serve as a hearing facilitator (process administrator, no decision-making role)
    - To serve as a Decision-maker(s) regarding the complaint
    - To serve as an Appeal Decision-maker(s)

B. **Pool Member Appointment**

The Title IX Coordinator, in consultation with the President, appoints the Pool, which acts with independence and impartiality. Pool members may be Assumption University faculty or staff, or may be appointments of external individuals.

C. **Pool Member Training**

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

- The scope of Assumption University's Sexual Harassment Policy and Procedures
- 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
- 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.

10. Formal Grievance Process: Notice of Investigation and Allegations

The Title IX Coordinator will provide written Notice of the Investigation and Allegations (the "NOIA") to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent's ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of 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 implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- 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

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 charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person or emailed to the parties' Assumption University-issued email or designated accounts. Once emailed and/or received in-person, notice will be presumptively delivered.

11. Resolution Timeline

Assumption University will make a good faith effort to complete the resolution process within sixty-to-ninety (60-90) business days, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

12. Appointment of Investigators

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints Pool members to conduct the investigation, usually within two (2) business days of determining that an investigation should proceed.

13. 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 demonstrated 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) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, 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 of Assumption University.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, 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.

Assumption University operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

14. Investigation Timeline

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

Assumption University will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

15. Delays in the Investigation Process and Interactions with Law Enforcement

Assumption University 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 accommodations for disabilities or health conditions.

The University will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. The University will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the University will implement supportive measures as deemed appropriate.

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.

16. Investigation Process Steps

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve

interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.
All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.
The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
    - In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
    - Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
    - Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
    - 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 all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the NOIA.
    - Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings.
    - Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible.
    - When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
    - Interview all available, relevant witnesses and conduct follow-up interviews as necessary
    - Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions
    - Complete the investigation promptly and without unreasonable deviation from the intended timeline
- Provide regular status updates to the parties throughout the investigation
- Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
    - Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
- The Investigator(s) gather, assess, and synthesize evidence, but make no conclusions, engage in no policy analysis, and render no recommendations as part of their report
- Prior to the conclusion of the investigation, provide the parties and their respective

Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Assumption University does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days. Each copy of the materials shared will be watermarked on each page with the role of the person receiving it (e.g., Complainant, Respondent, Complainant's Advisor, Respondent's Advisor).

- The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
- The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
- The Investigator(s) shares the report with the Title IX Coordinator and/or legal counsel for their review and feedback
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

17. Witness Role and Participation in the Investigation

Witnesses (as distinguished from the parties) who are employees of Assumption University are encouraged to cooperate with and participate in Assumption University's investigation and resolution process. Student witnesses and witnesses from outside Assumption University community are encouraged to cooperate with Assumption University investigations and to share what they know about a complaint.

Although in-person interviews for parties and all potential witnesses are ideal, circumstances (e.g., study abroad, summer break) may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing.

Assumption University will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

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. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

18. Recording of Interviews

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

Neither the investigation nor the hearing will consider: (1) incidents not relevant or not directly related to the possible violation(s), unless they evidence a pattern; or (2) questions and evidence about the Complainant's sexual predisposition; or (3) questions and evidence about the Complainant's prior sexual behavior, unless such questions and evidence about the

Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

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

20. Referral for Hearing

The investigation does not consider incidents not directly related to the possible violation unless they evidence a pattern.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

21. Hearing Decision-makers Composition

Assumption University will designate a three-person Hearing Panel.

The Decision-maker(s) will not have had any previous involvement with the investigation. The Title IX Coordinator may elect to have an alternate from the Pool sit in throughout the hearing process in the event that a substitute is needed for any reason.

Those who have served as Investigators will be witnesses in the hearing and therefore may not serve as Decision-maker(s). Those who are serving as Advisors for any party may not serve as Decision-maker(s) in that matter.

The Title IX Coordinator may not serve as a Decision-maker(s) in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Chair or designee.

22. Evidentiary Considerations in the Hearing

Any evidence that the Decision-maker(s) determines is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility, assuming Assumption uses a progressive discipline system. This information is only considered at the sanction stage of the process and is not shared until then.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-maker(s) renders a determination based on the preponderance of the evidence; whether it is more likely than not that the Respondent violated the Policy as alleged.

23. Hearing Notice

No less than ten (10) business days prior to the hearing,[8] the Title IX Coordinator or the Chair will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

[8] Unless an expedited hearing is agreed to by all parties.

- 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.
- Description of any technology that will be used to facilitate the hearing.
    - Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator as soon as possible, preferably at least five (5) business days prior to the hearing.
    - A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker(s) based on demonstrated bias or conflict of interest. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.
    - Information on how the hearing will be recorded and how the parties can access the recording after the hearing.
    - A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Chair may reschedule the hearing.
    - Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they wish to conduct cross-examination and do not have an Advisor, and Assumption will appoint one. Each party must have an Advisor present if they intend to cross-examine others. There are no exceptions.
    - A copy of all the materials provided to the Decision-maker(s) about the complaint unless they have already been provided.[9]
    - An invitation to each party to submit to the Chair an impact and/or mitigation statement pre-hearing that the Decision-maker(s) will review during any sanction determination.
    - An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Whether parties can/cannot bring mobile phones/devices into 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 or during the summer, as needed, to meet the resolution timeline followed by Assumption and remain within the 60-90 business-day goal for resolution. Employees who do not have 12-month contracts are still expected to participate in Resolution Proceedings that occur during months between contracts.

24. Alternative Hearing Participation Options

[9] The final investigation report may be shared using electronic means that preclude downloading, forwarding, or

otherwise sharing.

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator or the Chair at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Chair can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator or the Chair know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

25. Pre-Hearing Preparation

After any necessary consultation with the parties, the Chair will provide the names of persons who have been asked to participate in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) (or have proffered a written statement or answered written questions), unless all parties and the Chair assent to the witness's participation in the hearing. The same holds for any relevant evidence that is first offered at the hearing. If the parties and Chair do not assent to the admission of evidence newly offered at the hearing, the Chair may delay the hearing and/or instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker(s) must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than two (2) business days prior to the hearing. Decision-maker(s) will only be removed if the Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the complaint.

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker(s) who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker(s) is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10)-business-day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Chair at a pre-hearing meeting or at the hearing and will be exchanged between each party by the Chair.

26. Pre-Hearing Meetings

The Chair may convene a pre-hearing meeting(s) with the parties and/or their Advisors to invite them to submit the questions or topics they (the parties and/or their Advisors) wish to ask or discuss at the hearing, so that the Chair can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking a question for the first time at the hearing or from asking for a reconsideration based on any new information or testimony offered at the hearing. The Chair must document and share with each party their rationale for any exclusion or inclusion at a pre-hearing meeting.

The Chair, only with full agreement of the 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 investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Chair will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be

argued to be relevant.
The Chair may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Chair may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings.

The pre-hearing meeting(s) will be recorded.

27. Hearing Procedures

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment and/or retaliation, even though those collateral allegations may not specifically fall within the Policy.

Participants at the hearing will include the Chair, the hearing facilitator, the Investigator(s) who conducted the investigation, the parties (or three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.
The Chair will answer all questions about procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Chair will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and will then be excused.

28. Joint Hearings

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual 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 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 with respect to each alleged policy violation.

29. The Order of the Hearing – Introductions and Explanation of Procedure

The Chair explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s)/Chair on the basis of bias or conflict of interest. The Title IX Coordinator will rule on any such challenge of the Chair being biased or having a conflict of interest.
The hearing facilitator may attend to logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

30. Investigator Presentation of Final Investigation Report

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.
Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Chair will direct that it be disregarded.

31. Testimony and Questioning

Once the Investigator(s) present the report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order

determined by the Chair. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors ("cross-examination").

All questions are subject to a relevance determination by the Chair. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Chair upon request if agreed to by all parties and the Chair), the proceeding will pause to allow the Chair to consider it (and state it if it has not been stated aloud), and the Chair will determine whether the question will be permitted, disallowed, or rephrased.

The Chair may invite explanations or persuasive statements regarding relevance to the Advisors if the Chair so chooses. The Chair will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Chair will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Chair will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Chair has final say on all questions and determinations of relevance. The Chair may consult with legal counsel on any questions of admissibility. The Chair may ask Advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the Advisors on relevance once the Chair has ruled on a question.

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

32. Refusal to Submit to Questioning; Inferences

Any party or 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. The Decision-maker(s) can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination or answer other 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. It is otherwise considered off-limits, and an Advisor who is an institutional employee is temporarily alleviated from mandated reporter responsibilities related to their interaction with their advisee during the resolution process

33. Hearing Recordings

Hearings (but not deliberations) are recorded by Assumption University for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings
are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of Assumption University will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

34. Deliberation, Decision-making, and Standard of Proof

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. A simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Chair will ensure that each of the parties has an opportunity to review any impact statement

submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding. The Decision-maker(s) will review the statements and any pertinent conduct history provided by the appropriate administrator and will recommend the appropriate sanction(s).

The Chair will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence not relied upon in its determination, credibility assessments, and any sanctions or recommendations.

This report is typically three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact and/or mitigation statement(s) in determining appropriate sanction(s). The Chair will ensure that each of the parties has an opportunity to review any submitted impact and/or mitigation statement(s) once they are submitted.

The Decision-maker(s) will also review any pertinent conduct history provided by the Dean of Student Conduct and will determine the appropriate sanction(s).

The Chair will then prepare a written statement detailing all findings and final determinations, the rationale(s) explaining the decision(s), the evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) or recommendation(s) and rationales explaining the sanction(s) and will deliver the statement to the Title IX Coordinator.

This statement is typically three to five (3-5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

35. Notice of Outcome

Using the deliberation statement, the Title IX Coordinator will work with the Chair to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within seven (7) business days of receiving the Decision-maker(s)'s deliberation statement.

The Notice of Outcome will then be shared with the parties simultaneously. Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official Assumption University records, or emailed to the parties' Assumption University-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will articulate the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Assumption University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent Assumption University is permitted to share such information under state or federal law; any sanctions issued which Assumption University is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to Assumption University's educational or employment program or activity, to the extent Assumption University

is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).
The Notice of Outcome will also include information on when the results are considered by Assumption University to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

36. Rights of the Parties: See Appendix D

37. Sanctions

Factors considered when determining a sanction/responsive action may 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
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, 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. Assumption University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this Policy. The most serious offenses are likely to result in suspension/expulsion/termination.

If it is later determined that a party or witness intentionally provided false or misleading information, that action could be grounds for re-opening a grievance process at any time, and/or referring that information to another process for resolution.

A. **Student Sanctions**

The following are the common sanctions that may be imposed upon students singly or in combination:[10]

i. **Disciplinary 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.

ii. **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.

iii. **Area Ban:** Ban from certain non-academic area(s) for a specified length of time.

iv. **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.

v. **Revocation of Privileges:** Restrictions placed on activities and/or use of University services and facilities for a specified period of time.

vi. **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.

vii. **Disciplinary 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 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.

viii. **Community Restitution:** Repayment to the University or to an affected party for damages resulting from a policy violation.

[10] Assumption University policies on transcript notation will apply to these proceedings.

ix. **Suspension from the University:** 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.

x. **Expulsion from the University:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Assumption University -sponsored events.

xi. **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.

xii. **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.

xiii. **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 Actions**

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

i. Verbal or Written Warning
ii. Performance Improvement Plan/Management Process
iii. Enhanced Supervision, Observation, or Review
iv. Required Counseling, Training or Education
v. Probation
vi. Denial of Pay Increase/Pay Grade
vii. Loss of Oversight or Supervisory Responsibility
viii. Demotion, Transfer or Reassignment
ix. Delay of (or referral for delay of) Tenure Track Progress
x. Assignment to New Supervisor
xi. Suspension/Administrative Leave with or without Pay
xii. Termination
xiii. Other Actions: The University may assign any other responsive actions as

deemed appropriate.

38. Withdrawal or Resignation Before Complaint Resolution

A. **Students**

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent permanently withdraw from Assumption University, the resolution process ends, as Assumption University no longer has disciplinary jurisdiction over the withdrawn student.
However, the University will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment and/or retaliation. The student who withdraws or leaves while the process is pending may not return. A hold will be placed on their ability to be readmitted. They may also be barred from Assumption University property and/or events.
If the student Respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the resolution process may continue remotely, and that student is not permitted to return to Assumption University unless and until all sanctions have been satisfied.

B. **Employees**

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.

39. Appeals

Any party may file a request for appeal (“Request for Appeal”), but it must be submitted in writing to the Title IX Coordinator within seven (7) days of the delivery of the Notice of Outcome.
One person, chosen from the Pool, will be designated by the Title IX Coordinator. No appeal panelists will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process.

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

A. **Grounds for Appeal**

Appeals are limited to the following grounds:

i. A procedural irregularity affected the outcome of the matter

ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter

iii. 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 affected the

outcome of the matter

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Appeal Chair and the parties and their Advisors will be notified in writing of the denial and the rationale.
If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Chair will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request 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. All responses will be forwarded by the Chair to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed to determine if it meets the grounds in this Policy by the Appeal Chair and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in seven (7) business days, which will be circulated for review and comment by all parties.
Neither party may submit any new requests for appeal after this time period. The Appeal Chair will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and the panel will render a decision in no more than seven (7) business days, barring exigent circumstances. All decisions apply the preponderance of the evidence standard.
A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal

Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanctions that may result which Assumption University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent Assumption University is permitted to share under state or federal law.
Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties 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, notice will be presumptively delivered.
Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

B. **Sanctions Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.
If any of the sanctions are to be implemented immediately post-hearing, but pre-appeal, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

If the original sanctions include separation in any form, Assumption University may place

a hold on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal. The Respondent may request a stay of these holds from the Title IX Coordinator within two (2) business days of the notice of the sanctions. The request will be evaluated by the Title IX Coordinator or designee, whose determination is final.

C. **Appeal Considerations**

- Decisions on appeal are to be deferential to the original decision, 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.
- Appeals are not intended to provide for a full re-hearing of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-maker(s) to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Chair/Decision-maker(s) may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.
- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing).
- In rare cases where a procedural error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to Assumption University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

40. Long-Term Remedies/Other Actions

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the institutional community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- 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 support or 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 owes the Respondent to ensure no effective denial of educational access.

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

41. Failure to Comply with Sanctions and/or Responsive Actions

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Decision-maker(s)).
Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees.
A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

42. Recordkeeping

Assumption University will maintain for a period of at least seven years following the conclusion of the Resolution Process, records of:

A. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation
B. Any disciplinary sanctions imposed on the Respondent
C. Any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity
D. Any appeal and the result therefrom
E. Any Informal Resolution and the result therefrom
F. All materials used to train Title IX Coordinators, Investigators, Decision-maker(s), and any person who facilitates an Informal Resolution process. Assumption will make these training materials publicly available on the University's website.
G. Any actions, including any supportive measures, taken in response to a report or Formal Complaint of sexual harassment, including:
    i. The basis for all conclusions that the response was not deliberately indifferent
    ii. Any measures designed to restore or preserve equal access to Assumption's education program or activity
    iii. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances

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

43. Disability Accommodations in the Resolution Process

Assumption University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's Resolution Process.
Anyone needing such accommodations or support should contact the Senior Director of Student

Accessibility and Retention Initiatives (students) or Associate Vice President for Human Resources (employees), who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

44. Revision of this Policy and Procedures

This Policy and procedures supersede any previous policies addressing harassment, sexual misconduct, discrimination, and/or retaliation for incidents occurring on or after August 14, 2020, under Title IX and will be reviewed and updated annually by the Title IX Coordinator. The Assumption reserves the right to make changes to this document 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 any party, such as to accommodate summer schedules. 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.

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 or regulations or court holdings.

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

This Policy and procedures are effective March 15, 2024.

APPENDIX B: PROHIBITED CONDUCT EXAMPLES (TITLE IX)

Examples of possible Title IX Sexual Harassment:

- A professor offers for a student to have sex or go on a date with them in exchange for a good grade. This constitutes sexual harassment regardless of whether the student agrees to the request and irrespective of whether a good grade is promised or a bad grade is threatened.
- A student repeatedly sends graphic, sexually oriented jokes and pictures to hundreds of other students via social media. Many don't find it funny and ask them to stop, but they do not. Because of these jokes, one student avoids the sender on campus and in the residence hall in which they both live, eventually asking to move to a different building and dropping a class they had together.
- A professor engages students in class in discussions about the students' past sexual experiences, yet the conversations are not in any way germane to the subject matter of the class. The professor inquires about explicit details and demands that students answer them, though the students are clearly uncomfortable and hesitant.
- An ex-partner widely spreads false stories about their sex life with their former partner to the clear discomfort and frustration of the former partner, turning the former partner into a social pariah on campus.

Examples of Stalking:

- Students A and B were "friends with benefits." Student A wanted a more serious relationship, which caused student B to end the relationship. Student A could not let go and relentlessly pursued Student B. Student B obtained a campus no-contact order. Subsequently, Student B discovered their social media accounts were being accessed, and things were being posted and messaged as if they were from them,

but they were not. Whoever accessed their account posted a picture of a penis, making it look as if Student B had sent out a picture of themselves, though it was not their penis. This caused them considerable embarrassment and social anxiety. They changed their passwords, only to have it happen again. Seeking help from the Title IX Coordinator, Student B met with the IT department, which discovered an app on their phone and a keystroke recorder on their laptop, both of which were being used to transmit their data to a third party.

- A graduate student working as an on-campus tutor received flowers and gifts delivered to their office. After learning the gifts were from a student they recently tutored, the graduate student thanked the student and stated that it was not necessary and they would appreciate it

if the gift deliveries stopped. The student then started leaving notes of love and gratitude on the tutor's car, both on-campus and at home. Asked again to stop, the student stated by email, "You can ask me to stop, but I'm not giving up. We are meant to be together, and I'll do anything to make you have the feelings for me that I have for you." When the tutor did not respond, the student emailed again, "You cannot escape me. I will track you to the ends of the earth. If I can't have you, no one will."

Examples of Sexual Assault:

- Amanda and Bill meet at a party. They spend the evening dancing and getting to know each other. Bill convinces Amanda to come up to his room. From 11:00 p.m. until 3:00 a.m., Bill uses every line he can think of to convince Amanda to have sex with him, but she adamantly refuses. Despite her clear communications that she is not interested in doing anything sexual with him, Bill keeps at her, questions her religious convictions, and accuses her of being "a prude." He brings up several rumors that he has heard about how she performed oral sex on a number of other guys. Finally, it seems to Bill that her resolve is weakening, and he convinces her perform a sex act on Bill. Amanda would have never done it but for Bill's incessant coercion.
- Jiang is a junior. Beth is a sophomore. Jiang comes to Beth's residence hall room with some mutual friends to watch a movie. Jiang and Beth, who have never met before, are attracted to each other. After the movie, everyone leaves, and Jiang and Beth are alone. They hit it off, soon become more intimate, and start to make out. Jiang verbally expresses his desire to have sex with Beth. Beth, who was abused by a babysitter at the age of five and avoids sexual relations as a result, is shocked at how quickly things are progressing. As Jiang takes her by the wrist over to the bed, lays her down, undresses her, and begins to have intercourse with Beth. Beth has a severe flashback to her childhood trauma. She wants to tell Jiang to stop but cannot. Beth is stiff and unresponsive during the intercourse.
- Kevin and John are at a party. Kevin is not sure how much John has been drinking, but he is pretty sure it's a lot. After the party, he walks John to his apartment, and John comes on to Kevin, initiating sexual activity. Kevin asks John if he is really up to this, and John says yes. They remove each other's clothes, and they end up in John's bed. Suddenly, John runs for the bathroom. When he returns, his face is pale, and Kevin thinks he may have thrown up. John gets back into bed, and they begin to have sexual intercourse. Kevin is having a good time, though he can't help but notice that John seems pretty groggy and passive, and he thinks John may

have even passed out briefly during sex, but he came to again. When Kevin runs into John the next day, he thanks him for the great night. John remembers nothing and decides to make a report to the Dean.

Examples of Retaliation:

- A student-athlete alleges sexual harassment by a coach; the coach subsequently cuts the student-athlete's playing time without a legitimate justification.
- A faculty member alleges gender inequity in pay within her department; the Department Chair then revokes approval for the faculty member to attend a national conference, citing the faculty member's tendency to "ruffle feathers."
- A student from Organization A participates in a sexual harassment investigation as a witness whose testimony is damaging to the Respondent, who is also a member of Organization A; the student is subsequently removed as a member of Organization A because of their participation in the investigation.

APPENDIX C: INFORMAL RESOLUTION

With the exception of complaints involving student Complainants and employee Respondents, a Complainant may seek Informal Resolution in place of an investigation and Formal Resolution, but still must submit a Formal Complaint. A Respondent who wishes to initiate Informal Resolution should contact the Title IX Coordinator. The Title IX Coordinator, on behalf of the University, has the discretion to determine whether the nature of the reported conduct is appropriate for Informal Resolution, to determine the type of Informal Resolution that may be appropriate in a specific case, and to refer a report for Formal Resolution at any time.

The Title IX Coordinator may consider the following factors to assess whether Informal Resolution is appropriate:

- The Parties' amenability to Informal Resolution;
- Likelihood of potential resolution;
- Possible power dynamics between the Parties;
- The nature and severity of the alleged misconduct;
- The Parties' motivation to participate;
- Results of a violence risk assessment/ongoing risk analysis;
- Disciplinary history of the Respondent;
- Complaint complexity;
- Goals of the Parties; and
- Adequate resources (such as time and staffing) to invest in Informal Resolution.

Prior to implementing Informal Resolution, the University will provide the Parties with written notice of the reported misconduct and any potential sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by the University. The University must 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.

Any form of Informal Resolution and any combination of interventions and remedies may be used. If an agreement acceptable to the University, the Complainant, and the Respondent is reached through Informal Resolution, the terms of the agreement are implemented, and the matter is resolved and closed. If an agreement is not reached, and the Title IX Coordinator determines that further action is necessary, or if a Respondent fails to comply with the terms of the Informal Resolution, the non-compliance, and any new violations that may have occurred, may be referred for investigation.

Informal Resolution may not be available where the CARE Team has determined that one or more risk factors are present, particularly situations involving dangerous patterns or significant ongoing threat to the community. The University may decline the request for Informal Resolution. Any Party participating in Informal Resolution, including the Title IX Coordinator, can stop the process at any time and begin or resume the Formal Grievance Process.

Pursuing Informal Resolution does not preclude later use of Formal Resolution if the Informal Resolution fails to achieve a resolution acceptable to the Parties and the University. Where the Complainant or the Respondent withdraws from Informal Resolution or Informal Resolution is otherwise terminated for any reason, any statements or disclosures made by the Parties during the course of the Informal Resolution may be considered in a subsequent investigation and Formal Resolution. Both Parties must agree, as a condition of engaging in Informal Resolution, that statements made, or evidence shared, during the Informal Resolution process will not be considered in the Formal Grievance Process unless all Parties consent.

With any form of Informal Resolution, each Party has the right to consult with an Advisor of their choosing.

Although a non-disclosure agreement (NDA) could result from Informal Resolution, it would have to be mutually agreed-upon by the Parties in an environment of non-coercion verified by the Title IX Coordinator.

1. **Supportive Resolution:** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation. Informal Resolution agreements may involve a host of other interventions and remedies, such as actions designed to maximize the Complainant's access to educational, extracurricular, and/or University employment activities; increased monitoring, supervision, and/or security at locations or activities where the Prohibited Conduct occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or University housing modifications for Student Complainants; workplace modifications for Employee Complainants; one or more of the restorative remedies or other sanctions described in these Procedures, including suspension and termination, in accordance with relevant disciplinary procedures; and/or any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Policy.
2. **Alternative Resolution:** When the Parties agree to resolve the matter through one or more alternative resolution mechanisms including, but not limited to:

a. **Facilitated Dialogue/Mediation**

The Title IX Coordinator or trained professional facilitates a meeting or meetings between the Parties. The availability of this form of Alternative Resolution, and any resolution reached through such form of Alternative Resolution, is subject to the agreement of the Title IX Coordinator, the Complainant and the Respondent. This form of Alternative Resolution may not be used where the allegation involves Sexual Assault.

One-on-One Communication: If a Complainant wishes to address a situation with a Respondent without the direct involvement of a third Party, the Complainant may communicate directly with the Respondent. This form of Alternative

Resolution is appropriate only if the Complainant does not feel threatened, there is no risk of physical harm, and the Complainant reasonably believes the Respondent will be receptive to the communication. Complainants are NOT

required to engage in one-on-one communication before seeking third Party assistance or other help.

b. **Alternative Resolution Agreements**
Alternative Resolution agreements may involve any combination of interventions and remedies, such as actions designed to maximize the Complainant's access to educational, extracurricular, and/or University employment activities; increased monitoring, supervision, and/or security at locations or activities where the Prohibited Conduct occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or University housing modifications for Student Complainants; and workplace modifications for Employee Complainants.

c. **Accepted Responsibility**

When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution Process. Some approaches require a reasonable gesture toward accountability (this could be more than an acknowledgement of harm) and some acceptance, or at least recognition, by the Respondent that catharsis is of value and likely the primary goal of the Complainant. A full admission by the Respondent is not a prerequisite. This willingness needs to be vetted carefully in advance by the Title IX Coordinator before determining that an incident is amenable/appropriate for resolution by this method.

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all Parties and the University are able to agree on responsibility, restrictions and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of University policy and implements agreed-upon restrictions and remedies and determines the appropriate sanction(s) in coordination with other appropriate administrator(s), as necessary. This result is not subject to appeal once all Parties indicate their written assent to all agreed upon resolution terms. When the Parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

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

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply).

Results of complaints resolved by Alternative Resolution are not appealable.

APPENDIX D: STATEMENT OF RIGHTS OF THE PARTIES

- 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.
- 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, including expert 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 sexual predisposition/prior sexual history or irrelevant character evidence excluded by the Decision-maker(s).
- The right to know the relevant and directly related 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 and directly related evidence obtained during the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10)-business-day period 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 at least ten (10) business days 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 post Notification 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.
- The right to a fundamentally fair resolution as defined in these procedures.

APPENDIX : 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: 508-767-7200 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 F: 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.[11]

The implementation of VRAs require specific training and are typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct officers, and/or other Behavioral Intervention Team (BIT) (sometimes also known as CARE teams) members.

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 BIT. The BIT 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 as outlined in the BIT manual 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.

[11] 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: PROCESS B
RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE EQUAL OPPORTUNITY, HARASSMENT, AND NONDISCRIMINATION POLICY

Process B is applicable when the Title IX Coordinator determines Process A is inapplicable, or offenses subject to Process A have been dismissed.

If Process A is applicable, Process A must be applied in lieu of Process B.

Assumption University will act on any formal or informal allegation or notice of violation of the Equal Opportunity, Harassment and Nondiscrimination Policy that is received by the Title IX Coordinator or a member of the administration, faculty, or other employee, with the exception of confidential resources, as articulated in the Policy above.

The procedures described below apply to all allegations of harassment, discrimination, and/or retaliation on the basis of protected characteristic status involving students, staff, faculty members, or third parties.

These procedures may also be used to address collateral misconduct arising from the investigation of or occurring in conjunction with harassing, discriminatory, or retaliatory conduct (e.g., vandalism, physical abuse of another). All other allegations of misconduct unrelated to incidents covered by this Policy will be addressed through the procedures elaborated in the respective student, faculty, and staff handbooks.

1. **Initial Assessment**

Following intake, receipt of notice, or a complaint of an alleged violation of Assumption's nondiscrimination policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five (1-5) business days in duration. Typically, the first steps in the Title IX Coordinator's assessment include:

a. Contact Complainant to offer supportive measures.
b. Communicate with Complainant to ensure they have an Advisor.
c. Inform Complainant of their to options to pursue:

i. A Supportive Response;
- If a Supportive Response is preferred, the Title IX Coordinator works with the Complainant to identify their needs and facilitates implementation. The Complainant can elect to initiate an administrative resolution later, if desired.

ii. an Informal Resolution; or a

- If an Informal Resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for Informal Resolution, which informal mechanism may serve the situation best or is available. and may seek to determine if the Respondent is also willing to engage in Informal Resolution.

iii. an Administrative Resolution.

- If Administrative Resolution is preferred, the Title IX Coordinator initiates the investigation process and determines whether the scope of the investigation will address:
  - Incident
  - A potential pattern of misconduct
  - A culture/climate issue[12]

In many cases, the Title IX Coordinator may determine that a Violence Risk Assessment (VRA) should be conducted as part of the initial assessment. A VRA can aid in ten critical and/or required determinations, including:

- Interim suspension of a Respondent who is a threat to health/safety
  - Whether the Title IX Coordinator should pursue Administrative Resolution absent a willing/able Complainant
  - Whether to put the investigation on the footing of incident and/or pattern and/or climate
- To help identify potentially predatory conduct
- To help assess/identify grooming behaviors
  - Whether a Complaint is amenable to Informal Resolution, and what modality may be most successful
- Whether to permit a voluntary withdrawal by the Respondent
  - Whether to impose transcript notation or communicate with a transfer Assumption about a Respondent
- Assessment of appropriate sanctions/remedies
  - Whether a Clery Act Timely Warning and/or Trespass order/Persona-non-grata is needed

More about Assumption's process for VRA can be found in Appendix E.

Based on the initial assessment, Assumption will initiate one of these responses:

- **Supportive Response** – measures to help restore the Complainant's education access, as described in the Policy.
- **Informal Resolution** – typically used for less serious offenses and only when all parties agree to Informal Resolution, or when the Respondent is willing to accept responsibility for violating policy.

[12] The Title IX Coordinator has the discretion to modify these procedures as necessary to address a culture/climate complaint, including the fact that a named complainant may not be available, or that specific respondents may not be identified. Where a program, department, or division is being investigated, administrators are typically named "respondents" on behalf of the program, and are responsible for implementing remedies, but may not be held responsible for misconduct unless there is evidence of intentional disparate treatment).

- **Administrative Resolution** – investigation of alleged policy violation(s) and recommended finding, subject to a determination by the Title IX Coordinator or Decision-maker(s) and the opportunity to appeal.

The investigation and the subsequent Administrative Resolution determine whether the Equal Opportunity, Harassment, and Nondiscrimination Policy has been violated. If so, the University will promptly implement effective remedies designed to end the discrimination, prevent recurrence, and address the effects.

The process followed considers the preference of the parties but is ultimately determined at the discretion of the Title IX Coordinator. If at any point during the initial assessment or formal investigation the Title IX Coordinator determines that reasonable cause does not support the conclusion that policy has been violated, the process will end, and the parties will be notified. The Complainant may request that the Title IX Coordinator review the reasonable cause determination and/or re-open the investigation. This decision lies in the sole discretion of the Title IX Coordinator, but the request is usually only granted in extraordinary circumstances.

2. **Resolution Process Pool**

The Resolution Process relies on a pool of officials ("Pool") for implementation. Members of the Pool can serve in any of the following roles, at the direction of the Title IX Coordinator:

- To act as optional process Advisors to the parties
- To serve as a Decision-maker(s)
- To serve as an Appeal Decision-maker(s)

The Title IX Coordinator carefully vets Pool members for potential conflicts of interest or disqualifying biases and appoints the Pool, which acts with independence and impartiality. Pool members receive annual training organized by the Title IX Coordinator, including a review of University policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately address allegations, provide accurate information to members of the community, protect safety, and promote accountability.

3. **Counterclaims**

Counterclaims by the Respondent may be made in good faith or may instead be motivated by a retaliatory intent. The University is obligated to ensure that any process is not abused for retaliatory purposes.

The University permits the filing of counterclaims, but uses the initial assessment, described above, to assess whether the allegations are made in good faith. If they are, the allegations will be processed using the resolution procedures below, typically after resolution of the underlying allegation. Counterclaims made with retaliatory intent will not be permitted.

A delay in the processing of counterclaims is permitted, accordingly. Occasionally, allegations and counterclaims can be resolved through the same investigation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory, and may constitute a violation of this Policy.

4. **Advisors**

A. **Advisor Expectations**

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

The University may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

Parties whose Advisors are disruptive or who do not abide by University policies and procedures may face the loss of that Advisor and/or possible Policy violations.

Advisors are expected to consult with their advisees without disrupting University meetings or interviews. Advisors do not represent parties in the process; their role is only to advise.

B. **Expectations of the Parties with Respect to Advisors**

Each party may choose an Advisor who is eligible and available to accompany them throughout the process. The Advisor can be anyone, including an attorney, but should not be someone who is also a witness in the process. A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout.

The parties are expected to provide timely notice to the Investigator(s) and/or the Title IX Coordinator if they change Advisors at any time.

Upon written request of a party, the University will copy the Advisor on all communications between the University and the party. The Advisor may be asked to sign a non-disclosure agreement (NDA) regarding private, sensitive records.

5. **Resolution Options**

Proceedings are private. All persons present at any time during the Resolution Process are expected to maintain the privacy of the proceedings in accord with University Policy.

While there is an expectation of privacy around what is discussed during interviews, the parties have discretion to share their own experiences with others if they so choose but are encouraged to discuss with their Advisors first before doing so.

A. **Informal Resolution**

Informal Resolution is applicable when the parties voluntarily agree to resolve the matter through Alternative Resolution (e.g. mediation, restorative practices, and facilitated dialogue); when the Respondent accepts responsibility for violating Policy; or when the Title IX Coordinator can resolve the matter informally by providing remedies to resolve the situation.

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

It is not necessary to pursue Informal Resolution first in order to pursue Administrative Resolution, and any party participating in Informal Resolution can stop the process at any time and request the Administrative Resolution process. Further, if an Informal Resolution fails after the resolution is finalized, Administrative Resolution may be pursued.

B. **Alternative Resolution**

Alternative Resolution is an informal process, such as mediation or restorative practices, by which the parties mutually agree to resolve an allegation. It may be used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the Administrative Resolution process (described below) to resolve conflicts, as appropriate. The parties must consent to the use of Alternative Resolution.

The Title IX Coordinator determines if Alternative Resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue, and the susceptibility of the conduct to Alternative Resolution.

In an Alternative Resolution, a trained administrator or third party facilitates communication among with the parties to an effective resolution, if possible. Institutionally imposed sanctions are not possible as the result of an Alternative Resolution process, though the parties may agree to accept sanctions and/or appropriate remedies.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution can result in appropriate enforcement actions.

Alternative Resolution is not typically the primary resolution mechanism used to address reports of violent behavior of any kind or in other cases of serious violations of policy, though similarly structured conversations may be made available after the Administrative Resolution process is completed should the parties and the Title IX Coordinator believe it could be beneficial. The results of Alternative Resolution are not appealable.

C. **Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the Resolution Process. If the Respondent accepts responsibility, the

Title IX Coordinator:

a. Concludes that the individual is in violation of University policy;
b. Determines appropriate sanction(s) and/or responsive actions,
c. Promptly promptly implements or coordinates the implementation of the sanctions and/or responsive actions.

If the Respondent accepts responsibility for all of the alleged policy violations and the Title IX Coordinator or designee has determined appropriate sanction(s) or responsive actions, to which the Respondent agrees, and which are promptly implemented, the process is over.
The Complainant may be consulted and will be informed of this outcome.
If the Respondent accepts responsibility for some of the alleged policy violations, the remaining allegations will continue to be investigated and resolved through Administrative Resolution. The parties will be informed of this outcome. The parties are still able to seek Alternative Resolution on the remaining allegations, subject to the stipulations above.

D. **Administrative Resolution via an Investigation and Hearing**

Administrative Resolution can be pursued at any time during the process for any behavior for which the Respondent has not accepted responsibility that would constitute conduct covered by the Equal Opportunity, Harassment, and Nondiscrimination Policy if proven.
Administrative Resolution starts with a thorough, reliable, and impartial investigation.
If Administrative Resolution is initiated, the Title IX Coordinator will provide written notification of the investigation to the parties at an appropriate time during the investigation. Typically, notice is given at least 48 hours in advance of an interview. Advanced notice facilitates the parties' ability to identify and choose an Advisor, if any, to accompany them to the interview. Written notification includes the date, time, and location, if known, of the alleged incident of misconduct and will connect the alleged actions with the specific policies alleged to have been violated, and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' University-issued or designated email account.
Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The notification will include the policies allegedly violated, if known at the time.

Alternatively, the policies allegedly violated can be provided at a later date, in writing, as the investigation progresses, and details become clearer.
The University aims to complete all investigations within a sixty (60) business-day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator, with notice to the parties as appropriate. Investigations can take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.
Once the decision is made to commence an investigation, the Title IX Coordinator or unbiased, impartial, conflict-free designee will conduct the investigation, usually within two (2) business days of determining that an investigation should proceed.
The parties may, at any time during the Resolution Process, 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 Investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. If the bias or conflict relates to the Title IX Coordinator, concerns should be raised with the University President.

The University will make a good faith effort to complete the investigation as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

The University may undertake a short delay in its investigation (several days to weeks, to

allow evidence collection) when criminal charges based on the same behaviors that invoke the University's Resolution Process are being investigated by law enforcement. The University will promptly resume its investigation and Resolution Process once notified by law enforcement that the initial evidence collection process is complete.
University action(s) 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.
Investigations involve interviews with all relevant parties and witnesses, obtaining available, relevant evidence, and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to fully review and respond to all evidence on the record.

6. **Investigation**

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

- Determine the identity and contact information of the Complainant
    - In coordination with institutional partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct
    - Assist the Title IX Coordinator with conducting an initial assessment to determine if there is reasonable cause to believe the Respondent has violated policy
    - If there is insufficient evidence to support reasonable cause, the process is closed with no further action
    - Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses
- Meet with the Complainant to finalize their statement, if necessary
    - Prepare the initial NOIA on the basis of the initial assessment. Notice may be one step or multiple steps, depending on how the investigation unfolds, and potential policy violations may be added or dropped as more is learned. Investigators will update the NOIA accordingly and provide it to the parties.
    - Notice should inform the parties of their right to have the assistance of an Advisor appointed by Assumption or an Advisor of their choosing present for all meetings attended by the advisee
    - When formal notice is given, it should provide the parties with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result
    - Give an instruction to the parties to preserve any evidence that is directly related to the allegations
    - Provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness
    - Make good faith efforts to notify each party of any meeting or interview involving another party, in advance when possible
- Interview all relevant individuals and conduct follow-up interviews as necessary
    - Allow each party the opportunity to suggest questions they wish for the Investigator(s) to ask the other party and witnesses
    - Complete the investigation promptly and without unreasonable deviation

from the intended timeline

- Provide regular status updates to the parties throughout the investigation
    - Prior to the conclusion of the investigation, summarize for the parties the list of witnesses whose information will be used to render a finding
    - Write a comprehensive investigation report fully summarizing the investigation and all evidence
    - Provide the parties with a copy of the draft investigation report when it is completed, including all relevant evidence, directly-related evidence, analysis, credibility assessments, and recommended finding(s)
    - Provide each party with a full and fair opportunity to respond to the report in writing within 7 business days and incorporate that response, if any, into the report
    - Investigators may choose to respond in writing in the report to the responses of the parties, and/or to share the responses between the parties for their responses, while also ensuring that they do not create a never-ending feedback loop
    - Provide the final report to the Title IX Coordinator with a recommended determination, based on a preponderance of the evidence, whether a policy violation is more likely than not to have occurred.

7. **Determination**

Within three (3) business days of receiving the Investigator's recommendation, the Decision-makers from the Pool will review the report and all responses and make the final determination on the basis of the preponderance of the evidence.[13]

If the record is incomplete, the Decision-makers may direct a re-opening of the investigation, or may direct or conduct any additional inquiry necessary, including informally meeting with the parties or any witnesses, if needed.

The investigation recommendation, if any, should be strongly considered but is not binding on the Decision-makers. The Decision-makers may invite and consider impact and/or mitigation statements from the parties if and when determining appropriate sanction(s), if any.

8. **Additional Details of the Investigation Process**

A. **Witness Responsibilities**

Witnesses (as distinguished from the parties) who are Assumption faculty or staff are encouraged to cooperate with and participate in the University's investigation and Resolution Process. Failure of a witness to cooperate with and/or participate in the investigation or Resolution Process constitutes a violation of Policy and may be subject to discipline.

B. **Remote Processes**

Parties and witnesses may be interviewed remotely by phone, video conferencing, or similar technologies if the Investigator(s) and/or Decision-maker(s) determine that timeliness, efficiency, or other causes dictate a need for remote interviewing. Witnesses may also provide written statements in lieu of interviews, or respond to questions in writing, if deemed appropriate by the Investigator(s), though this approach is not ideal. When remote technologies are used, the University makes reasonable efforts to ensure privacy and ensures that any technology does not work to the detriment of any party or subject them to unfairness.

C. **Recording**

[13] When the Title IX Coordinator is the Investigator or has been heavily involved in the process prior to determination, a Decision-maker(s) should be designated from the Pool to ensure there is no conflict of interest.

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

D. **Evidence**

Any evidence that is relevant and credible may be considered, including an individual's prior misconduct history as well as evidence indicating a pattern of misconduct, subject to the limitation in (E) below. The process should exclude irrelevant or immaterial evidence and may disregard evidence lacking in credibility or that is improperly prejudicial.

E. **Prior Sexual History/Patterns**

Unless the Title IX Coordinator/Decision-maker(s) determines it is appropriate, the investigation and the finding do not consider: (1) incidents not directly related to the possible violation(s), unless they evidence a pattern; (2) the irrelevant sexual history of the parties (though there may be a limited exception made with regard to the sexual history between the parties); (3) irrelevant character evidence.

F. **Previous Allegations/Violations**

While previous conduct violations by the Respondent are not generally admissible as information supporting the current allegation, the Investigator(s) may supply the Title IX Coordinator/Decision-maker(s) with information about previous good faith allegations and/or findings, when that information suggests potential pattern and/or predatory conduct.

If Assumption uses a progressive discipline system, previous disciplinary action of any kind involving the Respondent may be considered in determining the appropriate sanction(s).

Character witnesses or evidence may be offered. The investigation and hearing will determine if the character evidence is relevant. If so, it may be considered. If not, it will be excluded.

G. **Notification of Outcome**

If the Respondent admits to the violation(s), or is found in violation, the Title IX Coordinator, in consultation with other administrators as appropriate, determines sanction(s) and/or responsive actions, which are promptly implemented in order to effectively to stop the harassment, discrimination, and/or retaliation; prevent its recurrence; and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

The Title IX Coordinator informs the parties of the determination within two to three (2-3) business days of the resolution, ideally simultaneously, but without significant time delay between notifications. Notifications are made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official University records, or emailed to the parties' University -issued or designated email account. Once mailed, emailed, and/or received in-person, notice is presumptively delivered.

The Notification of Outcome specifies the finding for each alleged policy violation, any sanction(s) that may result which the University is permitted to share pursuant to state or federal law, and the rationale supporting the findings to the extent the University is permitted to share under state or federal law.

The notice will detail when the determination is considered final (See Section 11) and will detail any changes that are made prior to finalization.

Unless based on an acceptance of violation by the Respondent, the determination may be appealed by either party. The Notification of Outcome also includes the grounds on which the parties may appeal and the steps the parties may take to request an appeal of the findings.

More information about the appeal procedures can be found in Section 11.

9. **Sanctions**

Factors considered when determining any sanction(s)/responsive action(s) may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- 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
- Any other information deemed relevant by the Title IX Coordinator/Decision-maker(s)

The sanction(s) will be implemented as soon as is feasible. The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by outside authorities. Assumption University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this Policy. The most serious offenses are likely to result in suspension/expulsion/termination.

A. **Student Sanctions**

The following are the common sanctions that may be imposed upon students singly or in combination:[14]

i. **Disciplinary 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.

ii. **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.

iii. **Area Ban:** Ban from certain non-academic area(s) for a specified length of time.

iv. **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.

v. **Revocation of Privileges:** Restrictions placed on activities and/or use of University services and facilities for a specified period of time.

vi. **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.

vii. **Disciplinary 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 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.

viii. **Community Restitution**: Repayment to the University or to an affected party for damages resulting from a policy violation.

ix. **Suspension from the University:** 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.

[14] Assumption University policies on transcript notation will apply to these proceedings.

x. **Expulsion from the University:** Permanent termination of student status and revocation of rights to be on campus for any reason or to attend Assumption University

-sponsored events.

xi. **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.

xii. **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.

xiii. **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 Actions**

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

i. Verbal or Written Warning
ii. Performance Improvement Plan/Management Process
iii. Enhanced Supervision, Observation, or Review
iv. Required Counseling, Training or Education
v. Probation
vi. Denial of Pay Increase/Pay Grade
vii. Loss of Oversight or Supervisory Responsibility
viii. Demotion, Transfer or Reassignment
ix. Delay of (or referral for delay of) Tenure Track Progress
x. Assignment to New Supervisor
xi. Restriction of Stipends, Research, and/or Professional Development Resources
xii. Suspension/Administrative Leave with or without Pay
xiii. Termination
xiv. Other Actions: The University may assign any other responsive actions as deemed appropriate.

10. **Withdrawal or Resignation while Charges are Pending**

A. **Students**

Assumption University may place a hold, bar access to an official transcript, and/or prohibit graduation as necessary to permit the Resolution Process to be completed.

B. **Employees**

Should an employee resign with unresolved allegations pending, the records of the Title IX Coordinator will reflect that status, and any University responses to future inquiries regarding employment references for that individual will include the former employee's unresolved status and whether the employee is eligible for rehire.

11. **Appeals**

All requests for appeal consideration must be submitted, in writing, to the Title IX Coordinator within 7 business days of the delivery of the written finding of the Title IX Coordinator or Decision-maker(s).

OR An Appeal Decision-maker, chosen from the Pool will be designated by the Title IX Coordinator from those who have not previously been involved in the process. Any party may appeal, but appeals are limited to the following grounds:

A. A procedural error or omission occurred that significantly impacted the outcome (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
B. To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included in the appeal.

When any party requests an appeal, the Title IX Coordinator will share the appeal request with all other parties or other appropriate persons such as the Investigator(s), who may file a response within three (3) business days. Another party may also bring their own appeal on separate grounds.

If new grounds are raised, the original appealing party will be permitted to submit a written response to these new grounds within 7 business days. These responses or appeal requests will be shared with each party. The Appeal Decision-maker will review the appeal request(s) within 7 business days of completing the pre-appeal exchange of materials. If grounds are not sufficient for an appeal, or the appeal is not timely, the Appeal Decision-maker dismisses the appeal.

When the Appeal Decision-maker finds that at least one of the grounds is met by at least one party, additional principles governing the review of appeals include the following:

- Decisions by the Appeal Decision-maker are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is compelling justification to do so.
- Appeals are not intended to be full re-hearings (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the investigation and pertinent documentation regarding the grounds for appeal.
- An appeal is not an opportunity for the Appeal Decision-maker to substitute their judgment for that of the original Investigator(s) or Title IX Coordinator/Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- Appeals granted based on new evidence should normally be remanded to the Investigator(s) for reconsideration. Other appeals should be remanded at the discretion of the Appeal Decision-maker.
- Sanctions imposed as the result of the Administrative Resolution are implemented immediately unless the Title IX Coordinator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
    - For students: Graduation, study abroad, internships/externships, etc., do NOT in and of themselves constitute exigent circumstances, and

students may not be able to participate in those activities during their appeal.

- All parties will be informed in writing within 7 business days of the outcome of the appeal without significant time delay between notifications, and in accordance with the standards for Notice of Outcome as defined above.
- Once an appeal is decided, the outcome is final; further appeals are not permitted, even if a decision or sanction is changed on remand.
- In rare cases when a procedural [or substantive] error cannot be cured by the original Investigator(s) and/or Decision-maker(s) or the Title IX Coordinator (as in cases of bias), the Appeal Decision-maker may recommend a new investigation and/or Administrative Resolution process, including a new Decision-maker(s).
- The results of a new Administrative Resolution process can be appealed once, on any of the three applicable grounds for appeals.
- In cases in which the appeal results in Respondent's reinstatement to the University or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable.

12. **Long-Term Remedies/Actions**

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented, the Title IX Coordinator may implement long-term remedies or actions with respect to the parties and/or the campus community to stop the harassment, discrimination, and/or retaliation; remedy its effects; and prevent its reoccurrence.

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

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Education to the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification
- 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, long-term remedies may also be provided to the Complainant even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedial requirements owed by the University to the Respondent.

13. **Failure to Comply with Sanctions/Interim and Long-Term Remedies/Responsive Actions**

All Respondents are expected to comply with conduct sanctions, responsive actions, and corrective actions within the timeframe specified by the Title IX Coordinator.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s) and responsive/corrective action(s), including suspension, expulsion, and/or termination from the University and may be noted on a student's official transcript. Supervisors are expected to enforce completion of sanctions/responsive actions for their employees.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX

Coordinator.

14. **Recordkeeping**

In implementing this Policy, records of all allegations, investigations, resolutions, and hearings will be kept by the Title IX Coordinator for a minimum of 7 years, or as otherwise required by state or federal law or institutional policy.

15. **Statement of the Rights of the Parties (See Appendix D).**
16. **Disability Accommodation in the Resolution Process**

Assumption University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's Resolution Process. Anyone needing such accommodations or support should contact the Senior Director of Student Accessibility and Retention Initiatives, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

Appendix B ASSUMPTION UNIVERSITY STUDENT HANDBOOK 2025-2026

Assumption University

Student Handbook 2025-2026

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Introduction

We live and learn in community at Assumption University. Our policies and procedures exist to ensure the rights and responsibilities of individuals toward each other and for the betterment of the community.

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 responsible for their conduct from the time they are notified of their acceptance for admission through the awarding of their degree. If a student withdraws from the University with

pending community standards charges, they will remain in place and must be resolved for a student to return to our community.

The Offices of Community Standards and Student Affairs have 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 for egregious behavior that threatens the well-being of other students or the community.

Assumption University is also aware of its responsibility to the larger Worcester community. 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.

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.

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.

Advisor: a person who may accompany a respondent or complainant for the purpose of providing support and guidance. An advisor may not be a complainant, respondent, witness, or other party involved in the case being discussed. An advisor serves as a support person and is not a participant in the hearing in any way.

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.

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: Any student alleged to have violated University policy.

Student: All persons 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.

Community Standards Policies

1. 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, West Hall, and Pierre's Pub.
    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.

2. 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.

3. 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.

4. Violent or Endangering Behavior Policies

a. Threatening Conduct
    i. 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 themselves or others.
        ii. Violent behavior including but not limited to fighting, verbal, or physical abuse, or contributing to the violence of others.
c. Creating a fire hazard or situation that endangers others such as false reports of fire or bombs, possession of fireworks, failing to evacuate, or tampering with, damaging, or removing fire safety equipment

d. 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.

5. 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

6. 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. For this reason, personal recording devices are prohibited.
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.

7. Honor Code Policies

a. Honor Code
    i. 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.

8. 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.
c. Hazing should be reported through the Hazing reporting form.

9. 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.

10. 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.

11. 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.

12. 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

13. Identification Policies

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

14. 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.

15. 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.

16. **Federal, State, or Local Law Policies**
    a. Violations of any federal, state or local law.
17. **Sexual Misconduct**
    a. Aiding and Facilitating
        i. Promoting or encouraging the commission of any behavior prohibited outlined in the Sexual Misconduct policy.
    b. Exploitation
        i. Any person taking non-consensual or abusive sexual advantage of another.
    c. Gender Discrimination
        i. Discriminating another member of the University community on the basis of their gender, gender identity, and/or gender expression.
    d. Hostile Environment
        i. 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
        i. 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
        i. Violent and/or endangering behavior that is verbal, physical, or psychological between partners in a romantic relationship.
    g. Retaliation
        i. 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
        i. 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
                i. 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
        i. 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.
        i. Sexual touching without consent of another person including instances where the other person is incapable of giving consent.
            l. Non-Consensual Sexual Intercourse
        i. Sexual intercourse without consent of another person including instances where the other person is incapable of giving consent.
    m. Sexual Misconduct
        i. Having or attempting to have sexual contact with another individual without affirmative consent.

n. Stalking
   i. 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.

18. Residential Life Policies

a. Violation of Residential Life policies. Each Fall, an updated list of Residential Life policies will be published by the Director of Residential Life to 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 made 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. The Vice President for Student Affairs or designee will determine the type of hearing. Hearings will be held in person. In the rare case that a hearing needs to take place on Zoom or other remote platforms, cameras must be on unless an accommodation is given.

- 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.
- 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 withing 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 and as such, character witnesses are not permitted. 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. Witnesses must attend in person unless an accommodation is made by the Hearing Officer.
- 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 during the Conduct Process should contact Student Accessibility Services.
- Students who do not attend their hearing forfeit the right to appeal.
- If information regarding additional violations is received prior to or during the hearing, the hearing officer will determine if addressed during the hearing or in a separate 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 an advisor of choice to their hearing. An advisor may not be a complainant, respondent, witness, or other party involved in the case being discussed. An advisor may not directly address the hearing officers, board members, witnesses, or otherwise participate in the student conduct process.
- 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 Vice President for Student Affairs 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 reimbursement

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.

The chairperson of a Conduct Board may consider sanctions recommended by the Conduct Board or impose others.

Alcohol-Related Violations

Category	First Violation	Second Violation	Third Violation	Fourth Violation
Consumption or possession of alcohol under prohibited circumstances	Disciplinary Warning and active outcome	Disciplinary Probation and active 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 active outcome	Removal from Housing/ Suspension	Suspension or expulsion
Empty containers	Educational Resolution	Disciplinary Warning and active outcome	Disciplinary Probation and active outcome	Weekend Suspensions
Drinking games and /or paraphernalia	Educational Resolution	Disciplinary Warning and active outcome	Disciplinary Probation and active outcome	Weekend Suspensions
Driving under the influence of alcohol	Suspension or Expulsion	Expulsion		

Drug-Related Violations

Category	First Violation	Second Violation	Third Violation
Possession or use of marijuana and/or paraphernalia	Disciplinary Warning or Disciplinary Probation and active sanction	Disciplinary Probation, substance assessment and active outcome	Removal from Housing/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	

Civility-Related Violations

Category	First Violation	Second Violation	Third Violation
Bias Related Violation	Disciplinary Probation/ Weekend Suspension	Suspension or Expulsion	Expulsion

	and active outcome		
Guest Policy Violation	Educational Resolution	Disciplinary Warning and active sanction	Disciplinary Probation and loss of guest/gathering privileges
Quiet Hours Violation	Educational Resolution	Disciplinary Warning and active sanction	Disciplinary Probation and loss of guest/gathering privileges
Disrespect or non-compliance with staff directives	Educational Resolution or Disciplinary Warning and active outcome	Disciplinary Probation and active outcome	Weekend Suspension or Area Ban
Presence of opposite sex in bathroom	Educational Resolution	Disciplinary Warning	Disciplinary Probation
Uncivil or Disorderly Conduct	Disciplinary Probation and active outcome	Weekend Suspensions and active outcome	Removal from Housing
Theft	Disciplinary Warning or Probation, Service and/or Restitution, active outcome	Weekend Suspensions and active 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

Fire Safety Violations

Category	First Violation	Second Violation	Third Violation
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 active outcome	Removal from Housing
Smoking indoors or open flame	Disciplinary Probation and Fire Safety Review	Removal from Housing	Suspension or expulsion

Violence-Related Violations

Category	First Violation	Second Violation
Conduct that threatens or endangers the health or safety of any person	Disciplinary Probation or Suspension and active outcome	Suspension or Expulsion
Possession of a weapon	Disciplinary Probation or Suspension and active outcome; 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 2025-2026 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 2025-2026 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 2025-2026 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 Good Samaritan Policy

Students are urged to seek help for themselves or other students who are in a medical crisis. Students who seek medical assistance on behalf of themselves or others during an alcohol or drug related emergency will not be held accountable through the University’s Community Standards process for possession or use of alcohol or other drugs. This policy also applies to individual students, students in group gatherings, student organizations, and their members. The recipient of medical attention will not be held accountable for a violation of Community Standards but will be required to meet with a member of the Student Affairs staff for additional follow-up that may be needed based upon the needs of the student.

The Good Samaritan 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 when on duty, Resident Directors, Campus Police Officers) when medical assistance may be necessary. Students are asked to remain with the individual who needs help until emergency personnel have arrived. This protocol is not intended to address other behaviors that may have contributed to the crisis or possible violations of criminal laws or their consequences outside the University nor federally mandated responses to Title IX or hazing.

In any health emergency, 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
MEMORANDUM OF UNDERSTANDING
CITY OF WORCESTER POLICE DEPARTMENT & ASSUMPTION UNIVERSITY DEPARTMENT OF PUBLIC SAFETY FOR SEXUAL MISCONDUCT INVESTIGATIONS (JULY 2022)

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.

07-26-2022

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

[Insert Date]

7-26-22

Steven Sargent
Chief of Police
WORCESTER POLICE

[Insert Date]

Appendix D
ASSUMPTION UNIVERSITY PUBLIC SAFETY
CRITICAL INCIDENTS AND SPECIAL OPERATIONS- ALL HAZARD PLAN

Assumption University
Department of Public Safety

General Order:	46.1.1	**Effective:**	July 27, 2022
Subject:	Critical Incidents and Special Operations – All Hazard Plan		
Issuing Authority:	Steven B. Carl	**Chief Steven B. Carl**	
Standards:	46.1.1, 46.1.2, 46.1.3, 46.1.4, 46.1.5, 46.1.6, 46.1.7, 46.1.8, 46.1.9		

PURPOSE:

The purpose of this order is to establish procedures for department personnel to utilize in the event of a critical incident involving or impacting operations at Assumption University.

POLICY:

Personnel of the Assumption University Department of Public Safety will utilize the steps in this order in their management of a critical incident. Personnel will utilize the information contained in this order along with those procedures outlined in the Assumption University Emergency Response Plan.

PROCEDURE:

A. The Chief or his/her designee will be responsible for planning responses to critical incidents. Those incidents may occur on campus or may occur within another jurisdiction but have a direct and critical impact upon operations at Assumption University. **(46.1.1)**

B. All Hazard Plan

1. Assumption University maintains and regularly updates an Emergency Response Plan. Included in this plan are guidelines for University personnel when responding to natural and man-made disasters such as, but not limited to: civil disturbances, mass arrests, bomb threats, hostage/barricaded person situations, acts of terrorism, and other unusual incidents such as pandemics, weather events, hazardous materials spills, fire/smoke, loss of utilities, building evacuations, airborne or food borne illness, catastrophic medical events or accidents. A copy of this Plan is maintained in the Dispatch Room of the Assumption University Department of Public Safety. Officers may also refer to a number of General Orders for some of the above topics for more specific direction and guidance.

2. In the event that Officers find themselves responding to a critical incident, they will follow the standard Incident Command System (ICS) protocols briefly outlined in this Order. The ICS system provides a clear point of control and can be expanded or contracted with ease to the escalation or de-escalation of the incident. **(46.1.2) (46.1.3 a)**

C. Initial Response

1. Upon receiving a report of a possible critical incident, Dispatch will send available Officers and a Shift Supervisor to the reported location to confirm whether or not the event is occurring. Upon confirmation of the event, the Shift Supervisor will request that the Chief and the Operations Lieutenant be notified immediately. They may also request of the Chief that the Assumption University Emergency Response Team be notified and activated. Upon confirmation of the event, the Shift Supervisor may also implement the ICS system if they determine that the systef is the best way to rectify the incident.

2. Initial personnel may request assistance from outside agencies (i.e. Worcester Fire Department, Massachusetts State Police, Worcester Police Department and Worcester Emergency Management) if it is apparent that a critical incident is on-going. **(46.1.3 d)**

D. Command

1. Upon arrival, the Shift Supervisor/Highest Ranking Officer of the Assumption University Department of Public Safety will assume direct command of the incident. If the Shift Supervisor is not able to respond immediately, upon their arrival they may also determine that the individual acting as Incident Commander should continue to do so to maintain continuity of operations. If this is the case, the Incident Commander will determine how to most effectively utilize the Shift Supervisor.

   a. The Shift Supervisor/Highest Ranking Officer will immediately set up an initial command post. (i.e. cruiser, office building) **(46.1.3 b)**

   b. While in most police operations the highest-ranking Officer will assume the role of Incident Commander, the Chief or his designee, may, in certain situations elect to have someone other than the highest ranking Officer act as the Incident Commander. This will normally be due to special circumstances making the alternative Incident commander more suitable due to their specific knowledge, skills or abilities. (Fire Chief, Director of Facilities, etc.)

   c. Personnel from outside agencies and other University departments will be under the command and control of Assumption University Department of Public Safety personnel until an Incident Commander is established and is able to assemble a command infrastructure. The Assumption University Department of Public Safety does not presently have an in-house capacity to properly respond to a number of critical incident issues such as barricaded subjects, hostage taking, search and rescue operations, and VIP security. In these situations, the Assumption University Department of Public Safety will request the assistance of the proper outside agency. These agencies will include the Massachusetts State Police, the Worcester Police Department, and the Worcester Fire Department.

2. The Incident Commander will establish a command post in the Marriott Conference Room (EOC) in Taylor Dining Hall. In the event that the Command Post is at another location on campus. it should have the following capabilities: **(46.1.3 b)**

   a. Telephones;

   b. Computer access;
   c. Office Space, including a conference area;

   d. Toilet facilities;

   e. Secure parking and security for the Command Post as a whole.

      (1) Alternative areas may include. but not be limited, to the following areas;

         (a) Public Safety Headquarters in Kennedy Hall
         (b) Kennedy Honors Lounge

         (c) Admissions House

(d) Living and Learning Center

3. The incident commander will request that Dispatch begin the call in process of department personnel as well as calling outside law enforcement agencies for support if needed. Assumption University Department of Public Safety personnel called in shall: **(46.1.3 c)**

   a. Report in uniform unless otherwise directed;
   b. Report to a designated staging area, which shall be established by the Incident Commander, unless directed to do otherwise. **(46.1.3 e)**

4. The Incident Commander will designate an **Operations Officer** who will determine a suitable staging area for responding personnel and agencies and will appoint a Staging Area Supervisor to maintain control and inventory of the resources available for their use.

5. The Incident Commander will designate an individual to act as the **Public Information Officer** for the duration of the incident. The Incident Commander should consider an individual from the University's Public Information Office when making this decision. This individual will be the sole source of information being passed to the media during the incident. All University and Department personnel are to refer information requests to the Public Information Officer. **(46.1.3 f)**

6. The Incident Commander will designate a **Safety Officer** for the duration of the incident. This individual is tasked with ensuring the safety of the responding personnel. The Safety Officer shall have the authority and responsibility to suspend operations if they determine that unsafe circumstances may lead to more casualties among the responders as well as the community, thus hindering or preventing the conclusion of the event. **(46.1.3 g)**

7. At the conclusion of the event, the Incident Commander will designate an individual or individuals to prepare an after action report. This report should be completed in a reasonable amount of time once all the available information has been made available. The Chief will review the final draft of the after action report and ensure that at a minimum it includes the following:

   a. summary of the incident including casualties, if any;

   b. details of all persons, departments and outside organizations involved;
   c. analysis of procedures, equipment and manpower performance; and
   d. recommendations for specific changes in procedures and/or equipment requirements for future incidents. **(46.1.3 h)**

E. Operations

1. The Incident Commander will designate an individual to be tasked with the Operations of the incident. This individual will be referred to as the Operations Officer and their responsibilities will include, but may not be limited to the following;
   a. Establishing perimeters: this is to include both outer and inner perimeters. Operations should be aware that perimeters may need to expand or contract depending on the circumstances of the incident. **(46.1.4 a)**
   b. Conducting evacuations: Evacuations should occur if the risk of evacuation is less than the risk of staying at the current locations. Personnel conducting the evacuations should be aware of the risk of secondary threats, the inability of evacuees to follow directions and orders, and the possibility that suspects may be among those to be evacuated. Priority for evacuation should be given to those individuals in need or medical attention or have special needs (physically or mentally challenged.) **(46.1.4 b)**

   c. Command Post and Scene Security: The Operations Officer will designate an appropriate number of personnel to ensure the safety and security of the Command Post and the personnel contained therein. The individuals assigned to this task should be made aware of who is allowed into the Command Post and to anyone specifically not allowed in. Scene security is also a priority. While this may be

maintained through the establishment of perimeters, additional personnel may augment or enhance the perimeters to ensure security. **(46.1.4 c)**

d. If tactical teams are necessary, the Operations Officer will coordinate with the Supervisor of the tactical teams in regards to their deployment and utilization. The Operations Officer will act as the liaison between the Supervisor of the tactical teams and the Incident Commander unless otherwise directed. The tactical teams are part of the Operations Component and therefore will fall under the Operations function. The deployment of tactical teams to supplement other operation components will be made based upon the needs as determined by the incident. While tactical team members may be used to supplement or augment other operations components, it must be remembered that that is not their primary function and they should be kept ready to utilize their special skills and tactics if necessary.

e. Prisoner/Detainee Transportation, Processing and Confinement

In the event of arrest or detention of individuals, the Operations Officer will provide secure transportation of those individuals to a secure area where they can be processed and safely detained. This may include but not be limited to the following areas: **(46.1.4 d)**

(a) Assumption University Department of Public Safety

(b) Worcester Police Department
(c) Massachusetts State Police - Holden .

f. The Operations Officer will also be responsible for diverting traffic away from the critical incident area. Alternative traffic patterns and parking areas will be designated and this information will be provided to the public and other affected parties. (**46.1.4 e)**

g. The Operations Officer will be responsible for conducting the investigation of the incident. This is not the after action report. If the incident is a criminal event, Operations is responsible for conducting the investigation as in any other circumstance. While operations may be tasked with completing an after action report, this will be done in conjunction with the other components of the ICS. **(46.1.4 f)**

F. Planning

1. The Incident Commander will appoint an individual who will be tasked with the planning function for this event. This individual will be referred to as the **Planning Officer.** The Planning Function is typically tasked with assembling information on current and alternative strategies, collecting and evaluating information about the incident, the status of resources, and anticipated equipment and manpower needs. S/he will also identify needs for special resources both current and future, providing periodic predictions on incident potential and preparing recommendations for the release of resources. They will also be responsible for the following:

a. preparing a documented incident action plan;

b. gathering and disseminating information and intelligence. The planning section should make the Incident Commander immediately aware of any information or intelligence that may have a direct and immediate impact upon the incident; and

c. planning that includes re-supply of personnel equipment needs as well as any other needs that might arise at the conclusion of the incident and post incident demobilization.

2. An Incident Action Plan is required for HazMat incidents when two or more jurisdictions are involved in the response, and if the incident continues into the next operational period. Incident Action Plans must be revised on a regular basis to maintain consistent, up-to-date guidance across the system. **(46.1.5)**

G. Logistics

1. The Incident Commander will appoint an individual who will be tasked with organizing and providing logistics needed to successfully conclude the event. This individual will be referred to as the **Logistics Officer.** Logistics is typically tasked with providing manpower, facilities, services and materials in support of the critical incident.

   a. The Logistics Officer will be responsible for the following duties:

      (1) Transportation: Logistics will need to ensure that transportation for responding personnel, detainees, prisoners and others is available when needed. This may include but not be limited to department vehicles and other University vehicles as needed. **(46.1.6 b)**

      (2) Communications: The Logistics Officer will need to ensure that proper communication systems are available for all personnel to complete their tasks. **(46.1.6 a)**

      (3) Medical Support: In any critical incident there is the possibility of injuries and fatalities. Logistics should have proper medical support available, including medical support for responders. This support may be provided by University Health Services, the Worcester Fire Department, or local hospitals and ambulance companies. **(46.1.6 c)**

      (4) Supplies: As in any critical incident a number of supplies of a varying degree may be required. Logistics should be prepared to attain supplies from a variety of sources. These may include different University departments and/or University vendors. Outside or alternative resources may also be needed to fill logistical needs. **(46.1.6 d)**

      (5) Specialized Equipment and Needs: Logistics should be prepared to contact a variety of agencies that may have specialized equipment, personnel and services that may assist in bringing the critical incident to a successful conclusion. This information will be found in the Assumption University Emergency Plan. A copy of this plan is kept in the Dispatch Office of the Assumption University Department of Public Safety. **(46.1.6 e)**

H. Finance/Administration

1. At the onset of a critical incident or shortly thereafter the Incident Commander will appoint an individual to act as the **Finance/Administration Officer.** This individual will be responsible for all the financial and cost analysis aspects of the incident.

   a. Aspects such as personnel costs, material costs, costs to facilities and other aspects of an incident need to be recorded for a variety of reasons. The application to either state or federal agencies for re-imbursement costs requires detailed documentation. The University administration will also require detailed records and accounts for payment or insurance purposes. It is vital that detailed, accurate financial records of a critical incident are kept. The person or persons in charge of the Finance/Administration will, in addition to the above records, also be responsible for:

      (1) recording all expenses directly related to the incident; **(46.1.7 c)**

(2) recording personnel time, including personnel responding in a mutual aid capacity; **(46.1.7 a)**

(3) documenting any injuries and issues relating to liability concerns; and **(46.1.7 d)**
(4) assisting or directly procuring additional resources as needed. **(46.1.7 b)**

I. De-escalation Procedures

1. Incident de-escalation will proceed through a series of steps specific to the Incident Commander's needs. A clear assessment of the underlying cause of the incident must be arrived at by command personnel as soon as possible.

2. The reduction in personnel numbers will follow a prescribed order of relief by dismissing those outside agency personnel no longer needed. Those Assumption University officers who have spent the longest duration on duty will be released next, and so on until all those assigned to the incident have been relieved.

J. Counseling

1. All department personnel involved in a critical incident encounter will be made aware of the Assumption University Employee Assistance Program. Personnel that appear to show indications of being traumatized should be counseled by department administrators of availability and need for such services. Close monitoring of such individuals will be conducted by the administration.

K. Training

1. A documented annual training of the Assumption University Emergency Response Plan and those General Orders pertaining to critical incidents will be conducted for all Assumption University Department of Public Safety personnel. The training officer will be responsible for ensuring that the training and documentation has occurred. **(46.1.9)**

2. Additionally, when practicable, department wide training should also include tabletop exercises and multiple agency involvement.

L. Inspections

1. The Chief will appoint an individual to document an inspection of all department/University equipment on a quarterly basis that is designated in the Assumption University Emergency Plan for use in support of the Emergency Plan. This inspection is looking to ensure that the equipment is in a mode of operational readiness and to address issues identified that present obstacles to the efficient usage of said equipment and supplies on short notice. The individual selected for this task should be an officer who would be a likely candidate for being named the Logistics Officer during a critical incident. Equipment and supplies to be considered for readiness would include: vehicles, communications equipment, first aid supplies, food and drink, as well as the status of designated staging, command post, evacuation, and detention areas. **(46.1.8)**

2. The Chief will appoint an individual to review and make recommendations to update plans for the response to critical incidents annually. These documents would include the Assumption University Emergency Plan, this General Order, and any other University or department directive that deals with issues associated with critical incidents. This plan review will be documented and recommendations forwarded to the Director.