



SUFFOLK
UNIVERSITY
BOSTON

Annual Security & Fire Safety Report 2023

Suffolk University Law School

Photo by Dhan Shrestha

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A MESSAGE FROM THE CHIEF OF POLICE

Dear Students, Faculty, Staff, and Guests:

Welcome to Suffolk University and the City of Boston!

Suffolk University provides students with unlimited opportunities, and we know that Suffolk University allows students to experience the best Boston has to offer. We urge all members of our campus community to keep their safety in mind while living and learning in this world-class city.

The members of the Suffolk University Police & Security Department are committed to providing the highest quality of police and security services to the Suffolk University community. We work in partnership with the entire community to ensure a safe living and learning environment in which our faculty and staff may best support students in their efforts to achieve academic success.

On behalf of the members of the Suffolk University Police & Security Department, I am pleased to present the 2023 Suffolk University Annual Security and Fire Safety Report. This report offers important information about the University, including:

- Crime statistics
- Fire statistics
- Emergency and crime reporting procedures
- Missing persons policies and procedures
- Access to campus facilities
- Drug and alcohol policies
- Sexual assault policies and reporting procedures
- Crime prevention programs
- Fire safety systems and policies

The information provided in this report is designed to inform the Suffolk University community and to ensure that its members are aware of the safety issues that affect our urban campus. Your safety and well-being are our top priorities, and the University takes pride in maintaining an effective public safety program. Please keep in mind, however, that even the best public safety system will fall short without your continued cooperation and commitment to your own safety and the safety of others. You can help us by taking steps to protect yourself and your property, and by reporting suspicious activities and crimes you may observe. Together, we will provide a safe and secure campus environment.

Thank you for your support and for taking the time to read this report. As always, we welcome your comments or suggestions.

Respectfully,

James M. Connolly
Interim Chief of Police and Security

THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”) mandates that colleges and universities:

- Publish an annual security and fire safety report by October 1st that includes the past three years of campus crime and fire safety statistics, campus security policies and procedures, and information regarding programs available to educate the University community on safety and crime prevention.
- Report statistics for crimes that occur on campus, in non-campus buildings or property, and on public property that is within the campus or immediately adjacent to and accessible from the campus.
- Report fire statistics for each on-campus student housing facility.
- Provide timely warning notices of Clery crimes that are considered to represent a threat to students and employees.
- Establish and implement emergency notification procedures in the event of emergencies occurring on campus that pose an immediate threat to the health or safety of students or employees.
- Maintain a public, written crime log that records crimes reported to campus police that occur on campus, in non-campus buildings or property, or on public property that is within the campus or immediately adjacent to and accessible from the campus.
- Maintain a public fire log that records any fire that occurred in an on-campus student housing facility.
- Establish policies and procedures relating to campus security and fire safety.

THE SUFFOLK UNIVERSITY POLICE & SECURITY DEPARTMENT

About the Suffolk University Police & Security Department

Campus safety is a priority at Suffolk University. The Suffolk University Police & Security Department (SUPD) works diligently to maintain a safe and secure campus for all students, faculty, staff, and visitors.

The SUPD reports to the Suffolk University Director of Title IX and Clery Act Compliance and includes 32 allotted sworn police officers, 36 allotted security officers, 5 allotted civilian dispatchers, two civilian employees, and student security officers. The Department provides campus security services to the Suffolk University community 24 hours a day, 7 days a week, and 365 days a year. Suffolk University police officers are appointed pursuant to Chapter 22C, Section 63, of the Massachusetts General Laws and have full arrest powers as municipal or state police officers with regard to crimes occurring on lands or structures owned, used, or occupied by Suffolk University. As of July 1, 2021, Suffolk University Police Officers also are certified under the Massachusetts Peace Officer Standards and Training Commission (POST). Suffolk University security officers do not have arrest powers but are authorized to enforce University policies and assist Suffolk University police officers.

Suffolk University police officers wear dark blue shirts, have a Suffolk University Police badge, and wear the seal of the Commonwealth of Massachusetts on their collar. They carry a baton and Oleoresin Capsicum (“pepper”) spray. Suffolk University security officers wear light blue shirts and have a Suffolk University Security badge. They do not carry weapons or Oleoresin Capsicum spray.

Suffolk University police and security officers patrol the campus in marked police cruisers, on foot, and by bicycle. The SUPD main office is located at 148 Cambridge Street, 4th floor, and the SUPD dispatch center is located at Sargent Hall, 120 Tremont Street, on the parking garage level. The dispatch center is staffed 24 hours a day, 7 days a week, 365 days a year.

Local Law Enforcement Agencies

The SUPD maintains a close working relationship with the Boston Police Department. The University has entered into a Memorandum of Understanding with the Boston Police Department under which the Boston Police Department has agreed to deploy personnel to provide services occurring in and around the Downtown Crossing area, Beacon Hill and the North End sections of Boston, on Thursday, Friday, and Saturday nights during the academic year.

Apart from the services addressed in the Memorandum of Understanding, the University provides a Suffolk University Police Officer as liaison to the Boston Police Department to assist Boston Police patrols on weekend nights in the North End section of Boston where there are a high percentage of Suffolk University students living in off-campus housing.

Members of the SUPD Command Staff attend monthly community meetings hosted by the commanding officer of the Boston Police Department Area A-1 Station to exchange information and to address community concerns.

The Suffolk University Police and Security Department also works closely with other federal, state and local police agencies including the Massachusetts State Police, the MBTA Police, the Boston Park Rangers, and other law enforcement agencies. The SUPD is a member of the Boston Area Police Emergency Radio Network (BAPERN), which allows the SUPD to communicate with local law enforcement agencies through the police radio system.

Preparation of Annual Crime and Fire Statistics

The SUPD prepares the Annual Security and Fire Safety Report and discloses the annual crime and fire statistics to comply with the Clery Act. The crime, arrest, and disciplinary referral statistics on campus, in non-campus buildings or property, or on public property include those reported to the SUPD, campus security authorities, and/or local law enforcement.

The SUPD also obtains information from local law enforcement regarding the occurrence of crimes on public property within the campus or immediately adjacent to, and accessible from the campus. The SUPD collects statistics and compiles them in accordance with the Clery Act.

On or before October 1st each year, the SUPD sends an email notification containing the Web address to access the Annual Security and Fire Safety Report to all employees and enrolled students. Copies of this report may also be obtained at the SUPD, located at 148 Cambridge Street, Boston, MA. All prospective employees may access this report online or obtain a copy from the Human Resources Office, located at 73 Tremont Street, Boston, MA. All prospective students may access this report online or obtain a copy from the Office of Undergraduate Admissions or the Office of Graduate Admissions, both located at 73 Tremont Street, Boston, MA, or the Law School Admissions Office, located at 120 Tremont Street, Boston, MA.

Daily Crime Log

SUPD compiles a daily crime log that contains records of all criminal incidents and alleged criminal incidents that are reported to SUPD. The records include the date the crime was reported¹, the date and time the crime occurred, the nature of the crime, the general location of the crime and the disposition of the complaint, if known. The crime log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. The crime log is located in the SUPD administrative offices on the 4th floor of the Ridgeway building, 148 Cambridge Street, Boston, MA. Any portion of the crime log that is older than 60 days will be available within two (2) business days of a request for public inspection.

EMERGENCIES, CRIME REPORTING, AND RESPONSE

Reporting Criminal Activity or other Emergencies Occurring on Campus

Suffolk University students, faculty, staff, and visitors who are victims of, observe, or have knowledge of any criminal act, emergency, or public safety incident should immediately contact the SUPD.

Crimes and emergencies can be reported by calling 617-573-8111 or extension 8111 on campus. Non-emergency security or public safety related matters can be reported to the SUPD by calling 617-573-8333 or extension 8333 on campus.

A person reporting criminal activity or other emergencies to the Suffolk University Police & Security Department may also report criminal activity or other emergencies to the **Boston Police Department** by **calling 911**. The University will assist the reporting party with contacting local law enforcement if the reporting party wishes and will provide the reporting party with contact information for local law enforcement.

Emergency Call Boxes

Suffolk University maintains emergency call boxes and intercom call boxes located throughout the campus - on the exterior of buildings, inside building and inside elevators. Community members can dial directly to the Suffolk University Police & Security Department and other campus extensions from these call boxes.

¹ Crimes are listed in the crime log in the order in which they were reported to the SUPD.

Suffolk University community members are encouraged to report all crimes, emergencies, and public safety incidents to the SUPD in a timely manner. SUPD dispatchers are available 24 hours a day, 7 days a week, 365 days a year, to answer telephone calls and calls from emergency call boxes.

The SUPD will respond to all reported incidents, emergencies, and crimes on campus, and officers will prepare an incident report. Upon preparation of an incident report, the SUPD may provide the report to either the applicable dean of students or the Human Resources Office, depending on the parties involved.

Pastoral and Professional Counselors

When acting in their official capacity, pastoral and professional counselors are not required to report crimes for inclusion in the annual disclosure of crime statistics under 20 U.S.C. Section 1092(f). A pastoral counselor is a person who is associated with a religious order or denomination, recognized by that religious order, or denomination as someone who provides confidential counseling, and functions within the scope of that recognition as a pastoral counselor. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the Suffolk community and who functions within the scope of his or her license or certification.

Timely Warnings

Suffolk University will issue a campus-wide “timely warning” or crime alert for any Clery Act crime that occurs in the Suffolk University Clery geography, that, in the judgment of the Chief of the SUPD and/or the Emergency Manager, or their designees, constitutes a serious or continuing threat to students and employees. Suffolk University will also issue a crime alert for other crimes that occur on or off campus that constitute a serious or continuing threat to students and employees.

Depending on the circumstances of the crime, the University will utilize some or all of the following methods to communicate the warning: the University emergency messaging system (RaveAlert), which allows the University to send notifications through text messaging, email, voice message/voicemail, RSS, social media, or any combination of the above. The University may also use postings on University website(s), campus newspaper notices, media announcements, flyers, postings on bulletin boards in residence halls, in lobbies of academic buildings and other University buildings, and/or on-campus televisions to communicate emergency notifications and alerts. The Vice President of Marketing and Communications or designee will assist with determining the method(s) of communications to be used.

We urge anyone with information warranting a timely warning to report the circumstances to Suffolk University Police and Security Department by telephone (617-573-8111), or in person to a police or security officer.

Timely Warnings shall be provided to students and employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar occurrences.

Emergency Notification Procedures

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Suffolk University campus, the University will issue an emergency notification and activate its emergency notification procedures. The University uses RaveAlert, which allows the University to send emergency notifications through email, voicemail, text messaging, social media, or any combination of the above. In addition, the University may use the www.suffolk.edu home page, social media, bulletin boards, and on-campus televisions to communicate emergency notifications.

The University makes its Emergency Action Plan available to all employees through the webpage. In addition, floor evacuation diagrams showing evacuation routes are posted on each floor of all campus facilities.

Procedures for Significant Emergencies or Dangerous Situations

The University's emergency notification procedures are initiated upon a confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Suffolk campus. The emergency is promptly confirmed through the following steps:

- SUPD police officers verify the report, if appropriate.
- The Chief of the SUPD or designee notifies the Emergency Manager (or in the Emergency Manager's absence, the Risk Manager) and the Vice President of Communications or designee who assess the situation (collectively, the "Notification Team"). The Notification Team may consult with other members of the Incident Support Team as determined by the Notification Team and activates the emergency notification system.
- In exceptional circumstances, the Chief of the SUPD (or if he is not available the SUPD supervisor on duty) may assess the situation and determine that, based upon the exigency of the situation, there is insufficient time to consult with other members of the Notification Team prior to activating the emergency notification system. To the extent that time permits, the Chief of the SUPD (or if he is not available, the SUPD supervisor on duty) will consult with the Emergency Manager (or, if he is not available, the Risk Manager) before activating the emergency notification system. Additionally, the Chief of the SUPD or if he is not available, the SUPD supervisor on duty, will also consult with the Vice President of Communications. In the event that the emergency notification system is activated without consultation with either or both of the Emergency Manager or the Vice President of Communications, the SUPD will notify them upon activation of the emergency notification system.
- Either prior to or upon activation of the emergency notification system, the Emergency Manager (or in his absence, the Risk Manager) notifies the Incident Support Team, which further assesses the situation and determines what additional appropriate actions may be necessary, including issuing further emergency notifications.

Notification

Once a significant emergency or dangerous situation is confirmed as described above, the Notification Team will determine the appropriate segment or segments of the community to receive a notification, depending on the nature and extent of the threat or danger.

The Notification Team will, without delay and considering the safety of the community, determine the content of the emergency notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the Notification Team, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Such reports shall be provided to students and employees in a manner that is timely, that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar occurrences.

Disseminating Emergency Information to the Larger Community

The Office of Public Affairs, in consultation with the President and University Counsel, is responsible for communicating with the larger community, including both internal and external constituencies. The Office of Public Affairs will provide ongoing communication with media, trustees, all employees, students, alumni, parents, and the public. Public Affairs may communicate through various channels, including campus-wide emails, the www.suffolk.edu home page, press releases, press conferences, or social media.

Annual Testing of Emergency Response and Evacuation Procedures

The Emergency Manager annually tests the emergency response and evacuation procedures in each residential building. All evacuation drills are generally unannounced. The Emergency Manager documents the date and time of each drill, along with a description of the exercise.

MISSING STUDENTS

College of Arts and Sciences (CAS) and the Sawyer Business School (SBS)

Employees, students, or other individuals who have concerns that a student may be missing should report these concerns to the Suffolk University Police (SUPD) at **617-573-8111**.

A student may be deemed missing if it is reported to appropriate University officials that the student has been unreachable via personal contact, telephone, email, or other means of electronic communication for 24 hours or longer. Appropriate University officials include the SUPD, resident assistants (RAs), Residence Life and Housing staff, Student Affairs staff, and International Student Services staff.

RAs are required to inform their supervisors immediately upon receiving a missing student report. Residence Life staff, Student Affairs staff, and International Student Services staff will immediately report notification of a missing student to the SUPD. The SUPD will immediately inform Risk Management and Student Affairs of the report of a missing student.

The SUPD will investigate in conjunction with appropriate University staff members to help determine whether or not the student is missing. In circumstances involving non-resident students, SUPD may approach local city and town police about performing a wellbeing check at the student's address of record.

The Suffolk University Police and Security Department complies with Public Law 108-21, Title II, Section 204, which is more commonly known as "Suzanne's Law." This law amends Section 3701(a) of the Crime Control Act of 1990 (42 U.S.C. 5779(A)), so that there is no waiting period before a law enforcement agency initiates an investigation of a missing person under the age of 21 and reports the missing person to the National Crime Information Center (NCIC) of the Department of Justice.

If it is determined by the SUPD that a student has been missing for longer than 24 hours, then, within the next 24 hours, the Student Affairs Office will notify the individual identified by the student as the designated emergency contact that the student has been reported missing. Students have the option to identify a contact person or persons whom Student Affairs shall notify under such circumstances. This contact information will be registered confidentially and will only be accessible to "appropriate University officials" as described above, except that the contact information will be disclosed to law enforcement personnel in furtherance of a missing person investigation. In addition to notifying any contact person designated by the student, if a student is under 18 years of age and not emancipated, the Student Affairs Office must notify a custodial parent or guardian within 24 hours of the determination that the student is missing.

Once it has been established that a Suffolk University student is missing, the Office of Public Affairs should be notified immediately. The Office of Public Affairs will work with the appropriate University administrator(s) to determine how to communicate with the press, the public, and the internal community about the developing situation.

The SUPD will also notify local law enforcement within 24 hours of the determination that a student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Suffolk University Law School

Concerns regarding a law school student who is unreachable or missing should be referred to the Law School Dean of Students Office. Upon receipt of such a concern, the dean of students will determine an appropriate course of action on a case-by-case basis, balancing the privacy of adult students with legitimate concerns for safety and well-being. The Dean of Students Office may contact the student directly, inform the University Police, communicate with the emergency contact provided by the student, or take other appropriate action. Any such response will occur within a reasonable time of receipt of the report and applicable student privacy laws will govern communications regarding the law student.

Absent additional facts or circumstances, the failure of a law student to attend class, participate in school activities, or respond to communications from Law School personnel, will not result in the Law School acting under this policy.

ACCESS TO CAMPUS FACILITIES

Suffolk University allows members of the Suffolk community to move freely among campus facilities. The SUPD monitors access to campus facilities through police patrols, manned security desks, and closed-circuit televisions (CCTVs) at various locations. Suffolk University facilities are not open to the public, unless there is a function or other event on campus that is open to the public, and all buildings are posted with the following notice: “No trespassing. ID cards must be shown upon request.”

Certain buildings on campus have additional security measures in place. Suffolk does not maintain or recognize off-campus student organization locations or student organization off-campus housing facilities.

All employees and students are required to carry their Suffolk University issued photo ID card at all times for the purposes of maintaining security and gaining access to libraries, computing, and other facilities.

Special Security for Residence Halls

The SUPD provides 24-hour access control to the undergraduate residence halls at 150 Tremont Street, 10 West Street/Modern Theater, 10 Somerset Street, and 1 Court Street. Suffolk University police and security officers are assigned to monitor the front lobby of each residence hall, and the building entrances are monitored through CCTVs. Access control is supplemented by a card access system, which is linked to the student ID cards, and requires all students to swipe or tap a card before entering. Visitors must present a valid photo ID, which is scanned into a computer system, and must be signed in at the security desk of the student’s respective residence hall. In addition, all visitors are required to be in the presence of their Suffolk host at all times. Periodically, the University acquires space in off-campus hotels, or other locations, for temporary student housing in which the security is determined by property management.

Maintenance of Campus Facilities

Suffolk University’s Facilities Planning and Management Office is responsible for proper repair and maintenance of campus facilities. The SUPD reports to the Facilities Office any maintenance or repair issues it might observe in the course of patrolling campus facilities, including such conditions that may pose a safety risk to the community.

ALCOHOL AND DRUG POLICIES

Suffolk University requires that all faculty, students, staff, and guests observe all federal, state, and local laws as well as University policies pertaining to alcoholic beverages, illegal drugs, and controlled substances. It is the responsibility of all members of the University community to be familiar with, and to comply with applicable laws.

Alcohol and Drug Policy for College of Arts & Sciences and Sawyer Business School Students

Suffolk University is a community dedicated to the academic, professional, social, cultural, and intellectual development of its members, and is committed to educational and social programs that promote such development. Personal and communal responsibility with regard to the University's Student Alcohol and Drug Policy is essential in ensuring that Suffolk's environment is conducive to student learning and development. Being under the influence of alcohol or drugs will not be accepted as an excuse for conduct that violates the Community Standards. Any student found to allegedly violate this policy will be subject to the Student Conduct System.

General Provisions

Suffolk University enforces all federal and state laws, and city ordinances regarding the possession, use, and sale of alcoholic beverages, including those prohibiting drinking by individuals under 21 years of age. The law also forbids falsifying age and identification cards. Suffolk University enforces all federal and state laws, and city ordinances regarding the possession, use, and sale of illegal drugs and drug paraphernalia. Where federal and state laws and city ordinances may conflict, federal law is enforced.

Student Alcohol Policy (CAS & SBS)

The use, sale, transfer, or possession of alcoholic beverages in any campus building or property controlled by the University (including residence halls or leased residential properties), regardless of age, is prohibited by any student or guest of a student. Intoxication of person, or being in the presence of alcoholic beverages in any campus building or property controlled by the University (including residence halls or leased residential properties), regardless of age, is prohibited by any student or guest of a student. No alcoholic beverage containers (empty, full, or decorative), including, but not limited to, shot glasses, drinking game devices, or other items affiliated with the consumption or possession of alcohol are allowed in any campus building or property controlled by the University (including residence halls or leased residential properties), regardless of the owner's age.

Alcohol advertisements and signage are not permitted in any campus building or property controlled by the University (including residence halls or leased residential properties). Materials and social media posts must not encourage any form of alcohol abuse or place any emphasis on quantity and frequency of use. The consumption of alcoholic beverages must not be portrayed in any materials or social media posts as the focus of any function. Alcohol may not be portrayed as a solution to personal or academic problems, or as necessary for social, sexual, or academic success.

Persons and their belongings suspected of bringing alcohol into any campus building or property controlled by the University (including residence halls or leased residential properties), or persons suspected to be under the influence of alcohol will be subject to search by Suffolk University Police and may not be allowed into the building or property with the suspected package.

Students are strongly encouraged to call for medical assistance (On-campus call: 617-573-8111; Off-campus call 911) for themselves or for another student whom they believe is dangerously intoxicated or is experiencing medical issues because s/he is under the influence of alcohol and/or drugs. See the [Medical Amnesty Policy](#).

Students participating in study abroad or travel programs must abide by local laws regarding alcohol and drug use. Inappropriate student conduct while participating in study abroad or travel programs, including but not limited to, intoxication, providing alcohol to others, etc. may result in disciplinary action.

Exceptions to this policy may be granted for university-sponsored and approved events.

[Alcohol awareness information and health and counseling resources](#) may be viewed online.

Student Drug Policy (CAS & SBS)

The possession, use, consumption, transfer, manufacturing, sale or distribution of illegal drugs, including marijuana, is prohibited by any student or guest of a student in any campus building or property controlled by the University (including residence halls or leased residential properties).

Intoxication of person or being in the presence of illegal drugs in any campus building or property controlled by the University (including residence halls or leased residential properties) is prohibited by any student or guest of a student.

Marijuana: The federal government regards marijuana as a Schedule I Controlled Substance, and possession of marijuana remains illegal under Federal law. Suffolk University prohibits the possession, use, consumption, transfer, manufacturing, sale or distribution of marijuana.

On November 8, 2016, Massachusetts became the fifth state to vote to legalize the recreational use of marijuana. Suffolk University's policy remains unchanged: the possession, use, consumption, transfer, manufacturing, sale or distribution of drugs, including marijuana, by students or guests of a student is prohibited. The policy complies with the requirements of the federal Drug-Free Schools and Communities Act. Under this federal law, as a condition of receiving federal funds, an institution of higher education such as Suffolk University must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on campus and as part of its activities and programs. Under federal law, this includes any amount of marijuana.

Drug paraphernalia is also prohibited in any campus building or property controlled by the University (including residence halls or leased residential properties). Drug paraphernalia is defined as any equipment, product, material and/or ingredients that is/are used or modified for making, using, or concealing illegal drugs, including, but not limited to, pipes, smoking masks/screens, bong, hookahs, vape pens or roach clips. Certain scales, grinders, vials, and baggies may also be considered drug paraphernalia.

Students are not permitted to use, sell, transfer, or possess medication prescribed to another person or sell, or transfer their own medication to another person.

Persons and their belongings suspected of bringing illegal drugs into any campus building or property controlled by the University (including residence halls or leased residential properties), or persons suspected to be under the influence of illegal drugs will be subject to search by Suffolk University Police and may not be allowed into the building or property with the suspected package.

Students are strongly encouraged to call for medical assistance (On-campus call: 617-573-8111; Off-campus call 911) for themselves or for another student whom they believe is dangerously intoxicated or is experiencing medical issues because they are under the influence of alcohol and/or drugs. See the [Medical Amnesty Policy](#).

[Drug awareness information](#) and [health and counseling resources](#) may be viewed online.

Student Sanctions for Alcohol and Drug Violations

Often, students ask what the sanctions are for violating the Student Alcohol and Drug Policy. Sanctions are generally a combination of educational and punitive sanctions with the goal being that the University first strives to educate students about acceptable behavior while also holding students accountable for their misconduct. In determining sanctions, hearing officers may consider students' present demeanor, past disciplinary record, the nature of the misconduct, and the severity of any damage, injury, or harm resulting from the misconduct or other factors.

Students who do not complete educational sanctions such as Choices, BASICS, Students' Guide to Living in Boston/Neighborhood U video, reflection papers, workshop attendance, or fines by the due date will be responsible for a \$25 non-compliance fine for each item in addition to the previous fine (if applicable). Students will still be required to complete the original sanction(s) in addition to paying any non-compliance fines.

If found responsible for violating alcohol and drug policies, a non-resident student may lose residence hall visitation privileges. Guests who are not Suffolk University students and who violate any University policy while visiting University housing may lose visitation privileges permanently.

Only in an environment free of substance abuse can Suffolk University fulfill its mission of developing the professional, social, cultural and intellectual potential of each member of its community.

Students are required to review and abide by the University's policies on alcohol and other drugs.

Medical Amnesty Policy for College of Arts & Sciences and Sawyer Business School Students

In situations of medical emergencies caused by alcohol and/or drug use, the primary concern is the health and safety of the individual(s) involved. Students are strongly encouraged to call for

medical assistance (On-campus call: 617- 573-8111; Off-campus call 911) for themselves or for another student whom they believe is dangerously intoxicated or is experiencing medical issues because s/he is under the influence of alcohol and/or drugs.

Students experiencing an alcohol and/or drug-related medical emergency may receive medical amnesty through the Suffolk University Student Conduct System when they seek medical assistance from SUPD or Residence Life and Housing staff (or from local police if off-campus). Medical amnesty may be extended to students who seek help from SUPD or Residence Life and Housing staff (or from local police if off-campus) for another student provided they remain with the student experiencing the medical emergency until medical assistance arrives. Medical amnesty applies to the use of alcohol and/or drugs and does not extend to other violations of the Community Standards including, but not limited to, distribution of alcohol or drugs, vandalism, or assault. Students granted medical amnesty may be required to complete educational or other sanctions. The University reserves the right to inform parents/guardians when students receive medical amnesty.

Students whose pattern of behavior suggests the ongoing use of alcohol and/or drugs may not be granted medical amnesty.

Survivors of alleged violations of the [Policy & Procedures on Sexual Misconduct, Relationship Violence, and Stalking](#) who are alleged to have violated the Student Alcohol and Drug Policy at the time of the sexual misconduct incident may be granted amnesty for their use of alcohol or illegal drugs.

Only in an environment free of substance abuse can Suffolk University fulfill its mission of developing the professional, social, cultural, and intellectual potential of each member of its community.

Students are required to review and abide by the University's policies on alcohol and other drugs.

Substance Abuse Education

Using illicit drugs and abusing alcohol has serious health consequences. Some possible effects of illicit drug and alcohol use can include withdrawal, impaired memory, organ damage, depression, and several other psychological and physiological effects. An overview of some of the effects can be found on the Department of Justice [website](#).

The Suffolk University Counseling Health and Wellness (CHW) Center provides help to students dealing with drug and/or alcohol abuse, as well as referrals to outside agencies and programs. The CHW Center maintains written resource materials on drug and alcohol abuse prevention, and education. In the event that enrollment in a counseling treatment or rehabilitation program is required as a disciplinary measure, two written releases to the appropriate dean or to the Human Resources Office will be required: one to indicate entrance into the program and another to confirm satisfactory completion of the program. Health insurance plans available to employees may provide varying levels of coverage for alcohol and substance abuse programs. Further information on plan coverage is available from the insurer or from the Human Resources Office.

Suffolk University also offers drug and alcohol abuse education programs and resources, including:

- Several programs throughout the academic year that inform employees and students about the dangers of drug and alcohol abuse, including “Mocktail Nights,” an annual Alcohol Awareness Week education series, Risk Reduction During Spring Break, and ongoing alcohol and sexual misconduct awareness programs.
- All incoming first year undergraduate, graduate and law students are required, as part of the University’s Alcohol Abuse Prevention Program, to complete either an online alcohol abuse prevention program called AlcoholEdu for College and/or HAVEN, a sexual assault education module which addresses alcohol use.
- Through the CHW Staff, alcohol education modules called CHOICES and/or BASICS are required for students who have violated University alcohol policies and may include attending sessions with a health educator.
- Through the CHW staff, an online BASICS feedback for marijuana use educational module may be assigned for students as a disciplinary sanction when they violate the University’s Alcohol and other Drugs (AOD) policy on marijuana use. In addition, students can anonymously complete the BASICS marijuana module online for their own self education.

In addition, the Employee Assistance Program is available to employees for confidential assessment and referral services, as well as short-term counseling help. Services are provided by **New Directions Behavioral Health (formerly E4 Health)** through licensed or certified professional counselors with clinical experience. For more information visit [their website](#), enter “Suffolk University” for company name, and “guest” for the password, or call them at 1-800-828-6025.

Drug-free Schools & Communities Act - Student Notification

General Policy

The University prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students. The University complies with all local, state, and federal regulations pertaining to alcohol and illicit drugs. In addition, the University complies with the regulations of both the Drug-Free Work Place Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

Communications

As required by the Drug Free Schools and Communities Act, the University will provide an annual written statement to students covering: a) standards of conduct concerning drugs and alcohol; b) federal, state, and local legal sanctions governing the unlawful possession or distribution of illicit drugs or alcohol; c) health risks associated with the use of illicit drugs and the abuse of alcohol; d) a description of counseling and treatment programs available for alcohol and drug abuse; and e) University disciplinary sanctions imposed for unlawful possession, use, or distribution of illicit drugs and alcohol.

Standards of Conduct

The University prohibits the unlawful possession, use, or distribution of illicit drugs, and the unauthorized illegal possession, use, or distribution of alcohol on University property or as any part of a University-sponsored activity.

Federal, State, and Local Legal Sanctions Governing the Unlawful Possession or Distribution of Illicit Drugs or Alcohol

Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines, and assigned community service. Courts do not lift prison sentences for convicted persons to attend college. A felony conviction for such an offense can prevent students from entering many fields of employment or professions.

The minimum age for the possession, sale or purchase of alcoholic beverages in Massachusetts is 21 years of age. All state laws apply at the University. Cities and towns in Massachusetts, specifically Boston, prohibit public consumption of alcohol and impose fines for violation. Massachusetts has criminal penalties for the use of controlled substances or drugs, with penalties varying with the type of drug. In general, narcotic, addictive, and drugs with potential for abuse carry heavier penalties. Driving while intoxicated in Massachusetts is a serious offense and there are strict penalties for those convicted, including driver's license suspension and imprisonment.

Possession of drugs is illegal without valid authorization. Under federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty; with a mandatory one year in prison and a third conviction is punishable by mandatory life imprisonment.

These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for the manufacture and distribution of drugs, if death or serious injury results from the use of the substance. While penalties for possession are generally not as great as for the manufacturing and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served. Massachusetts makes it illegal to be in a place where heroin is kept and to be in the company of a person known to possess heroin. Anyone in the presence of heroin at a private party risks a serious drug conviction. Sale and possession of drug paraphernalia is illegal in Massachusetts. Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans for up to one year after the first conviction, and five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first, 10 years after the second, and permanently after the third conviction.

Students should review the following state laws regarding alcohol and other drugs which are available on the Massachusetts General Court website:

- [Chapter 138: Alcoholic Liquors](#)
- [Chapter 90: Section 24. Driving While Under Influence of Intoxicating Liquor](#)
- [Chapter 94C: Controlled Substances Act toc.htm](#)

Drugs of Abuse

Information about drugs of abuse is available at [U.S. Department of Justice Drug Enforcement Administration Drugs of Abuse 2011 Ideabook \[PDF\]](#)

Support Services

The University [Counseling, Health and Wellness Department](#) provides help to students regarding alcohol and other drug use and aids with referrals to outside agencies and programs.

Disciplinary Action

The University holds students accountable for violations of this policy through the Student Conduct System. Possible sanctions for violations include, but are not limited to, warning, disciplinary probation, loss of housing, suspension, dismissal, or participation in educational workshops.

Biennial Review

Every two years, the University will review its drug and alcohol policy to determine its effectiveness, implement changes, and ensure that disciplinary sanctions are consistently applied and enforced.

Only in an environment free of substance abuse can Suffolk University fulfill its mission of developing the professional, social, cultural and intellectual potential of each member of its community.

Students are required to review and abide by the University's policies on alcohol and other drugs.

NONDISCRIMINATION POLICY AND GRIEVANCE PROCEDURES

Introduction

Suffolk University (“University”), consisting of its Boston and Madrid campuses, seeks to foster a campus environment that supports its educational mission. The University is committed to providing a safe learning, living, and working environment for all members of the University community that is free from all forms of discrimination and harassment, on the basis of race, color, national or ethnic origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, genetic information, military or veteran status or any other characteristic protected under federal or state law. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, the University has developed internal 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 protected class status, and for allegations of retaliation. 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 those involved. The University complies with Title II, section 504 of the Rehabilitation Act of 1973 and the Americans Disability Act; Title VI and VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972 (“Title IX”); Violence Against Women Reauthorization Act of 2013 (“VAWA”); Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) and all other applicable state and federal laws.

The University prohibits retaliation against individuals who report discrimination or harassment, assist another in reporting a complainant or otherwise participate in an investigation. Accordingly, such behavior is treated seriously and will result in disciplinary action. The University strongly encourages any person who believes they have been subjected to discrimination, harassment, and/or retaliation to report and seek prompt assistance, including medical assistance. Additional on and off campus support and resources, including medical assistance, may be reviewed in the Suffolk University Title IX Office section of this policy and in the section [What to Do If You Are Sexually Assaulted](#).

Suffolk University Non-Discrimination Statement

Suffolk University does not discriminate against any person on the basis of race, color, national or ethnic origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, genetic information, military or veteran status or any other characteristic protected under applicable federal or state law in admission to, access to, treatment in, or employment in its programs, activities, or employment.

Grievance Procedures for Protected Class Discrimination

If a student or staff member believes that they have experienced bias, discriminatory treatment, harassment based on a protected category the individual should file a grievance in writing within fifteen calendar days of the alleged discriminatory action using the online [Bias and Hate Incident Report Form](#).

The information required for filing the formal grievance includes:

1. A full description of the issue and any relevant facts, including but not limited to the specific acts considered to be discriminatory, including when, by whom, and what was specifically done or not done, and its impact or consequence to the complainant.
2. A summary of the steps, if any, the reporter has already taken in attempt to resolve the problem, including the names of persons involved;
3. A statement of the requested resolution and the reporter's rationale for the requested resolution for each perceived violation;
4. Any supporting documentation; and
5. The name, contact information and signature of the person initiating the complaint.

Note: ADA and Accommodation issues

- Students with disabilities who believe they have received inappropriate treatment or inadequate service from the University pertaining to their requested accommodations have the right to file a grievance with the Director of Disability Services (DSS) or for law students, the Suffolk University Law School Associate Dean of Students. This grievance process is for accommodation issues that have not been resolved by either Disability Student Services (DSS) or for law students the Disability Compliance Officer at Suffolk University Law School. View more information on the [Disability Accommodation Grievance](#) procedure for CAS/SBS students, and the [Academic Accommodations Policy](#) for law students.
- Title IX offers students and employees protections for pregnancy and related conditions, including pregnancy, terminations, childbirth, delivery, post-delivery, expressing breast milk, breastfeeding, medically necessary recovery, and post-delivery medical procedures. Parenting students or employees who are not the pregnant parent can also receive excused absences for delivery, as well as for doctor appointments related to pregnancy.
- Long-term conditions such as postpartum depression or permanent medical issues arising from pregnancy can be accommodated through Disability Student Services (DSS), or for law students, the Disability Compliance Officer at Suffolk University Law School, or HR for employees.

The coordinator may exercise discretion and accept the grievance if contacted after the fifteen-calendar-day period. Once the grievance is received, it will be reviewed and processed by a coordinator who receives all grievances filed through the link. The coordinator reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure.

Upon receiving the grievance, the coordinator will review the matter to determine if a formal investigation is warranted, and to discuss with the Complainant supportive measures that are available and the right to proceed with either an informal resolution or formal resolution process.

The coordinator does not serve as an advocate for either the Complainant or the alleged discriminating party, but merely reviews the allegations to determine if a formal investigation is warranted and ensures that the parties are familiar with the process, applicable supportive measures, and their rights under the policy.

A. Initial Response to the Grievance – Assessment

Once the grievance has been received, a review by the coordinator will be conducted in order to determine whether there is sufficient basis to initiate a formal investigation or take other steps to address the effects of the alleged conduct on the impacted party and the University community and prevent its recurrence. During the review it may be necessary to meet with the parties, collect some information to determine if there is a sufficient basis to initiate a formal investigation. This may include, but is not limited to, convening a meeting during which the complainant, the individual(s) against whom the grievance has been brought, and witnesses can supply factual information about what occurred; interviewing those involved and possibly witnesses and/or obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. If the Complainant wishes to initiate a formal grievance, and if there is a sufficient basis to initiate the formal process, the matter will be referred to the appropriate department head for an investigator to be assigned.

B. Investigative Process

The investigator's role is neutral and the investigator will not serve as an advocate for any party to the complaint. The parties are allowed to have an advisor of their choice present at all meetings. The investigator may collect additional information to determine the merits of the grievance. This may include, but is not limited to, interviewing the Complainant, the party against whom the grievance has been brought, and witnesses to determine the issues and facts that have occurred and to resolve any factual dispute, including those hinging on credibility; and/or obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. Only the investigator will question witnesses but any party to the grievance may suggest areas of inquiry to be explored. Once the matter has been fully examined, the investigator will meet with the parties and review the evidence that has been collected, including witness statements (this is typically shared verbally). The parties may also request an opportunity to review the written interview summaries and/or documentary information, which will be granted if and when deemed appropriate at the sole discretion of the investigator. The parties will have an opportunity to ask questions, make suggestions, and submit additional evidence that is relevant. After the meeting with the parties, the investigator will develop a documented written report of findings and evidence which both parties will have a final opportunity to review. The parties will be able to provide written corrections, clarifications, new relevant information or documentation, and/or suggest new witnesses who possess material information for the investigator to consider. After the review of the parties information, they provide and consideration of any additional relevant evidence the investigator will submit a written recommendation to the appropriate Dean or senior administrator with copies to the student and individual(s) against whom the grievance was brought. In those instances where the investigator recommends that remedial or disciplinary action should be taken against the individual against whom the grievance was filed, those recommendations will be provided separately with a copy provided only to the individual against whom the recommendation is made. The investigator's review and preparation of the report and recommendation normally should take no longer than thirty days unless the University is closed or not in session, or absent extraordinary circumstances.

C. Recommendation and Final Disposition Appeal

The investigator only has recommendation authority. The investigator's recommendation is forwarded to the appropriate Dean or senior administrator. Either the Complainant or alleged discriminatory party has fifteen calendar days from receipt of the investigator's findings and recommendations to appeal to the appropriate Dean or senior administrator. Any appeal should be in writing and should specifically describe the point(s) on which the appeal is based. The appropriate Dean or senior administrator also has the independent authority to accept or reject the Investigator's findings and recommendations in whole or part regardless of whether an appeal is filed. The appropriate Dean or senior administrator will make the final decision in all cases upon receipt of the investigator's report and after the time for appeals has passed. The appropriate Dean or senior administrator should notify all affected parties of their decision within a reasonable period of time—typically fifteen business days after receipt of the investigator's report or any appeal is filed (whichever is later) unless school is closed or other extraordinary circumstances exist—and initiate whatever action they deem necessary. The appropriate Dean or senior administrator may, in their discretion, appoint a designee to issue the final disposition for the University. Except when otherwise required by law, the appropriate Dean or senior administrator will determine the amount of information to provide the parties. When the resolution of a student complaint under this policy in turn causes adverse action to be taken against a faculty or staff member, such as discipline or a loss of employment, the faculty or staff member may in turn seek review using the applicable faculty and staff grievance procedure.

D. Standard of Proof

The standard used in determining the responsibility of the alleged discriminatory party is the preponderance of the evidence, which is whether the evidence gathered and information provided during the investigation supports a finding that is more likely than not that the Respondent violated the policy.

E. Definitions

See Appendix A [Definitions Relevant to the Nondiscrimination Policy].

F. Sanctions

See Appendix B [Student & Student Organization Sanctions] and Appendix C [Employee Discipline].

G. Informal Resolution

If after review of the formal grievance the coordinator believes the issue presented is appropriate and the informal resolution may assist in resolving the issue, and the parties agree to the Informal procedure, the processing of a formal grievance may be temporarily deferred to allow for the Informal Resolution to occur. Either party may withdraw from the informal resolution process prior to agreeing to a resolution.

Both parties must be provided with (1) written notice of the allegations; (2) requirements of the informal resolution process, including any circumstance that precludes a party from resuming the formal process (a party does have the right to withdraw from the informal process at any time prior to agreeing to a resolution); (3) The coordinator must obtain a voluntary, written consent from both parties to partake in the informal resolution process; and an informal resolution process shall not be used to resolve sexual assault complaints or allegations where an employee is accused of sexually harassing a student.

The informal process generally should not exceed thirty days, unless classes are not in session or the school is closed. A party who requests to use the informal grievance procedure has the right to end the informal process at any time prior to agreeing to a resolution and begin the formal grievance procedure.

This procedure should be read in conjunction with the overall institutional nondiscrimination policies on the website. This and the above-referenced policies may be modified or adapted as needed to effectuate the overall intent of the University's nondiscrimination commitment when policies overlap or the legal requirements of other locations or circumstances occur which might reasonably require an adjustment (for example, a situation arising in a foreign country during one of the University's study-abroad programs).

H. Confidentiality

The University will treat information it receives with appropriate sensitivity; however, the University cannot guarantee absolute confidentiality in all situations. An individual's privacy will be maintained by each person involved in the investigation or resolution of a grievance under this policy. Any disclosures regarding the individual or the investigation will be limited to the minimum necessary to accomplish the investigation, address the grievance, and address any other proceedings that may arise from these circumstances.

I. Alternative Reporting Options

A Complainant, who would like the details of an incident to be kept confidential, should contact one of the University's confidential resources. All employees in the Counseling, Health and Wellness Center, as well as the Interfaith Center are not required to report any information about prohibited conduct to the Title IX Coordinator without an individual's permission.

The University's confidential resources are:

Students Only: The **Department of Counseling, Health & Wellness**, located on the 5th floor of 73 Tremont Street, 617-573-8226.

Students Only: Interfaith Center, The Reverend Amy Fisher, located in Donahue 540, 617-573-8325. afisher@suffolk.edu.

Employees Only:

Employees and household members have access to the work/life support program through New Directions Behavioral Health (formerly E4 Health). This plan has a variety of confidential services to assist with the challenges of everyday life including personal, financial, wellness, new parenting, adoption, education, and legal help. New Directions Behavioral Health also provides a robust website with a variety of resources including fun perks such as discounted movie tickets.

For more information visit their [website](#), enter Suffolk University for company code or call them at 1-800-624-5544.

Anonymous Reporting

Anonymous reports may be made on-line using the **Bias and Discrimination Report Form**. Anonymous reporting, however, may impact the University's ability to respond or pursue appropriate action against the alleged perpetrators. On-line reports, which are anonymous, will be reviewed and referred to the appropriate department for follow up.

Reporting to Off-Campus Agencies

Use of this process does not preclude an individual from filing a formal complaint with the Office for Civil Rights of the United States Department of Education (OCR), or any other Federal agency. Contact information for OCR is as follows:

U.S. Department of Education

Office for Civil Rights, D.C. Enforcement Office
400 Maryland Avenue SW
Washington, D.C. 20202-1475
Telephone: 1-202-245-8300
FAX: 202-245-8301
TDD: 877-521-2172

United States Equal Employment Opportunity Commission (EEOC)

JFK Federal Building, Room 475
Boston, MA 02203
617-565-3200 or 1-800-669-4000

Massachusetts Commission Against Discrimination (MCAD)

1 Ashburton Place
Room 601 Boston, MA 02108
617-727-3990

Suffolk University Title IX Office

The University has identified the Title IX coordinator to assist the University community with reporting complaints of discrimination, harassment and retaliation and assist with finding and

facilitating support and resources. The Special Advisor to the President/Director of Title IX & Clery Act Compliance oversees the University's nondiscrimination policy and serves as the Title IX Coordinator. The primary responsibility is coordinating the University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent all forms of discrimination, harassment, and retaliation prohibited under this policy. The Title IX coordinator works with University partners across the University including but not limited to the Office of Disability Services, Diversity & Inclusion Center, Counseling Health & Wellness, Suffolk Law School, College of Arts & Science, Sawyer Business School, Student Affairs, and Admissions.

Who to Report To

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be reported to:

Title IX at Suffolk on the Web

Sheila Calkins, Title IX Coordinator
Special Advisor to the President
Director of Title IX & Clery Act Compliance
73 Tremont Street; 13th floor; Room 1326
Office: 617-573-8027 Cell: 617-201- 0878
[Email Sheila Calkins](#)

Catherine LaRaia, Deputy Title IX Coordinator
73 Tremont Street, 13th floor; Room 1329
617-573-8053
[Email Catherine LaRaia](#)

Preliminary Discussion of the Purpose of the Title IX and Sexual Misconduct Processes and Grievance Matters

The University is committed to educate, counsel, and train all of the members of the University community about the nature of discrimination, harassment, and retaliation and its impact on individuals and the University community as a whole, and the steps necessary to combat it. Creating a safe campus environment and a culture of respect is the shared responsibility of all members of the University community, individually and collectively.

To Whom This Policy Applies

This policy applies to student applicants, admitted students, students who are registered or enrolled for credit or non-credit-bearing coursework, or who are on a leave of absence or suspension ("Students"); University employee applicants, employees, including faculty and staff ("Employees"); Student Organizations, and contractors, vendors, visitors, guests or other third parties ("Third Parties"). Alumnus and former employees are encouraged to report past incidents that fall under this policy; however the University's response will be dependent on issues of jurisdiction over the parties and other fact-specific considerations.

Privacy

Every effort is made by the University to preserve the privacy of reports. The University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation. This includes any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, 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.

The University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to FERPA. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The 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.

Responsible Mandated Reporter Employees and Confidential Employees

Different employees on campus have different abilities to maintain an individual's confidentiality. Some are required to maintain complete confidentiality. Most employees are considered Responsible Mandated Reporter Employees and are required to report discrimination, harassment, and retaliation, including the identities of the Complainant and the Respondent, to the Office of Title IX.

If a Complainant expects formal action in response to their allegations, reporting to any Responsible Mandated Reporter Employee can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator for appropriate action to take place.

In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality and are not required to report actual or suspected discrimination or harassment. These confidential resources will offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared. For a list of Confidential Resources see Section VII.

If a Complainant expects formal action in response to their allegations, reporting to any Responsible Mandated Reporter Employee can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator for appropriate action to take place.

Confidentiality and mandated reporting are addressed more specifically below.

Promptness

The University will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal. The University responds to all allegations promptly once it has received notice or a formal complaint.

Any time the general timeframes for resolution outlined in University procedures will be delayed, the 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.

When does the Title IX Process Apply: Jurisdiction of the University

This process applies to acts of discrimination, harassment or retaliation committed by or against Students, Employees, Student Organizations and Third Parties, in the University's education program and activities within the United States. The process applies when the conduct occurs on university locations, owned or controlled by the University or an officially recognized student organization, sponsored events or circumstances over which the University exercises substantial control over both the Respondent and the context in which the sexual harassment occurs. The Respondent must be a member of the University's community in order for its policies to apply.

When the Respondent is a member of the University community, a grievance process will be available regardless of the status of the Complainant, who may or may not be a member of the University community. This community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. For the purpose of this policy, "student" is defined as 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 the Recipient. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy. 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.

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

All vendors serving the 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 advocate for a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment

external to the University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

When does the Sexual Misconduct Process Apply: Jurisdiction of the University

The Sexual Misconduct Process will apply when the sexual misconduct does not meet the Title IX defined requirements listed above, but is a prohibited conduct, sexual in nature, that occurs on campus and/or occurs off-campus (including online conduct) and effectively deprives an individual access to the University's educational program, or affects a substantial University interest. The University will address all complaints/notices 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:

- 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;
- 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;
- Any situation that significantly impinges upon the rights, property, or achievement of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational interests or mission of the University.

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 the 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, the 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.

Bias, Conflict of Interest of Title IX Coordinator, Investigator(s), Decision-maker(s)

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, in the case of an investigator, another investigator will be assigned and the impact of the bias or conflict, if any, will be remedied. In the case of the Decision-maker, the Title IX Coordinator will review and decide the challenge and if necessary continue the hearing until another Decision-maker is assigned. In the case of the Title IX Coordinator, the President or

designee will review and determine whether the concern is reasonable and supportable.

Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, University must issue timely warnings for incidents reported to them 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.

Standard of Proof

The standard used in determining the responsibility of the Respondent(s) is the "preponderance of the evidence," standard, which is whether the evidence gathered and information provided during the investigation supports a finding that it is more likely than not that the Respondent violated the policy regarding discrimination, harassment, and stalking.

Amnesty

The University community encourages the reporting of misconduct and crimes by complainants and witnesses. To encourage reporting and participation in the process, the University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as consumption of alcohol or the use of illicit drugs – related to the incident. A party or witness who files a report will not be subject to sanctions/disciplinary action by the University for their improper use of alcohol or drugs, unless the use of alcohol or drugs was done in furtherance of the sexual misconduct act, such as causing someone to consume an intoxicant without the recipient's knowledge and consent.

Students and employees, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony.

Disabilities Accommodations in the Resolution Process

The University is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the Recipient's resolution process.

Anyone needing such accommodations or support should contact the appropriate University disability compliance officer (Director of Disability Services or Suffolk Law School Disability Services or HR if an employee), to request an accommodation for a disability to participate in the grievance process. Consultation with the person requesting the accommodation, the Title IX Coordinator and the disability compliance officer will determine which accommodations are appropriate and necessary for full participation in the process. Accommodations may include, but are not limited to, sign language interpreting services or information in alternative formats.

Revision of this Policy and Procedures

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation and will be reviewed and updated annually by the Title IX Coordinator. The University 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 regulations or holdings. This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

This Policy and procedures are effective August 22, 2023.

Title IX and Sexual Harassment: Definitions and Terms

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

The University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well. 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 offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking and is defined as conduct on the basis of sex that satisfies one or more of the following:

Sexual Harassment

- **Quid Pro Quo** Sexual Harassment is when an employee of the University, conditions the provision of an aid, benefit, or service of the University, on an individual's participation in unwelcome sexual conduct; and/or
- **Hostile Environment** Sexual Harassment is unwelcome conduct, determined by a

reasonable person, to be so severe, and pervasive, and, objectively offensive, that it effectively creates a hostile environment which denies a person equal access to the University's education program or activity. Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances for a reasonable person in the same circumstances.

Online Harassment and Misconduct

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

While the University 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. Individuals should refrain from online harassment such as feeding anonymous gossip sites, sharing inappropriate content via Snaps or other social media, unwelcome sexting, revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or anonymity of the Internet or other technology to harass and/or harm another member of the University community.

Hate Crimes

A hate crime is a criminal offense committed against a person, which is motivated in whole or in part by the alleged perpetrator as bias against a race, religion, disability status, ethnicity/national origin, gender or sexual orientation. Hate crimes may include threatened, attempted, or actual crimes; and may include assault and battery, vandalism, or other destruction of property, or verbal threats of physical harm. Harassment or intimidation may also be hate crimes when used to deprive or interfere with a person's exercise of civil rights.

Sexual Assault

Sexual assault is defined as:

- *Sex Offenses, Forcible* is any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of knowingly giving affirmative consent because of their age or because of their temporary or permanent mental or physical incapacity.
- *Forcible Rape* is 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 knowingly giving affirmative consent because of their age or because of their temporary or permanent mental or physical incapacity.
- *Forcible Fondling* is the touching of the private body parts of another person (buttocks, groin, breasts, etc.) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or where a Complainant is incapable of knowingly giving affirmative consent because of their age or because of their temporary or permanent mental

or physical incapacity.

- *Forcible Sodomy* is oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against the person's will in instances in which the Complainant is incapable of giving affirmative consent because of age or because of temporary or permanent mental or physical incapacity.
- *Sexual Assault with an Object* is the use of an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly, and/or against that person's will (non-consensually), or where the Complainant is incapable of giving affirmative consent because of age or because of temporary or permanent mental or physical incapacity.
- *Incest*: Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Statutory Rape*: Nonforcible sexual intercourse with a person who is under the statutory age of consent.

Dating Violence/Domestic Violence

Dating violence is defined as 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.

Domestic Violence is defined as 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 by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the Commonwealth of Massachusetts, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the Commonwealth 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.

Stalking

Stalking defined as engaging in a course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or

about a person, or interferes with a person's property.

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

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

Affirmative Consent

Affirmative consent must be present to engage in sexual activity. Affirmative consent must be informed, voluntary, and active, meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity. Affirmative consent can be withdrawn at any time, and cannot be obtained by force, expressed or implied, or when physical violence, threats, intimidation and/or coercion is used. Affirmative consent to one form of sexual activity (kissing or fondling) does not, by itself, constitute affirmative consent to another form of sexual activity (intercourse). Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to the same sexual activity with another person.

Silence, absence of protest, or absence of resistance does not imply affirmative consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in violation of the policy. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the sexual activity. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue the activity.

Affirmative consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether to engage in sexual activity.

A person who is incapacitated is unable to give affirmative consent because of mental or physical incapacitation or impairment, which may include sleep, disorientation, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. When evaluating whether someone consented to sexual activity after consuming alcohol or drugs, the University will consider whether a reasonable person should have known about the impact of alcohol and other drugs on the other party's ability to give consent. 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.

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.

Retaliation

Retaliation means to take an adverse action against any person or group of persons involved in a protected activity under Title IX. No person or the University may intimidate, threaten, coerce, harass or discriminate, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, against any individual for the purpose of interfering with any right or privilege secured by Title IX, 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 Title IX.

Retaliation can include threats, intimidation, coercion, harassment, continued abuse, violence or other forms of harm to others, and in varying modes, including in person and in electronic and online communication. Retaliation includes subjecting an individual to conduct that has the purpose or effect of unreasonably interfering with that individual's educational experience, work or educational performance, or creates an educational experience or work environment that a reasonable person would find intimidating or hostile. Retaliation should be reported promptly to the Office of Title IX or the Suffolk University Police Department and may result in sanctions/disciplinary action in addition to the University's response to the underlying allegations of harassment and/or discrimination. The exercise of rights protected under the First Amendment does not constitute retaliation.

Reporting Discrimination, Harassment, and/or Retaliation Under the Title IX Process

A. Filing a Complaint - Notice

The University encourages reporting of discrimination, harassment, and/or retaliation to the University and/or local law enforcement. Individuals who believe they have been subjected to discrimination, harassment, and/or retaliation are encouraged to report as soon as possible so the University can provide supportive measures, and resources to provide a safe educational and work environment and to prevent additional acts of prohibited conduct.

A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in Section IV "Who to Report to", or as described in this section.

A Complainant may also report online, using the **Report of Sexual Harassment and/or Sexual Misconduct Form**. The complaint must be signed by the Complainant. Electronic submission such as the online portal provided by the University that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the complaint is

acceptable.

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. Anonymous reports are accepted.

Reporting to the Title IX Coordinator carries no obligation to initiate a formal response. The University respects a Complainant's request to not move forward with a complaint or dismiss a complaint. The Complainant is largely in control unless there is a compelling threat to health and/or safety, and they should not fear a loss of privacy by making a report that allows the University to discuss and/or provide supportive measures.

Reporting to University Officials with Authority

A complaint may also be filed with the following individuals who have been identified by the University as Officials with Authority (OWA). An OWA is an administrator at the University who has the authority to institute corrective measures on behalf of the University and must inform the Title IX Coordinator if they receive a report.

University Officials with Authority:

- University President
- Provost
- Senior Vice President Finance, Treasurer
- Senior Vice President External Affairs
- Senior Vice President, Advancement
- VP Student Affairs/Dean of Students, College of Arts & Sciences & SBS
- Associate Dean of Students, College of Arts & Sciences & SBS
- Vice President, Communications
- Vice President, Admissions and Financial Aid
- Vice President, Diversity, Access & Inclusion
- Dean, College of Arts & Science
- Dean, Suffolk University Law School
- Dean of Students, Suffolk University Law School
- Dean, Sawyer Business School
- Chief Human Resource Officer
- Title IX Coordinator

Reporting to Responsible Mandated Reporter Employees

All employees of the University (including student employees), with the exception of those who are designated as Confidential Resources, are expected to 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. Generally,

disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or if it takes place 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, unless the Complainant clearly indicates that they desire a report to be made or seek a specific response from the University. Supportive measures may be offered as the result of such disclosures without formal University action.

Failure of a responsible mandated reporter employee to report an incident of harassment or discrimination of which they become aware is a violation of University policy and can be subject to disciplinary action for failure to comply.

The University encourages all individuals who believe they have been subjected to prohibited conduct which may be criminal, to report as soon as possible to local or University police so appropriate action may be taken. Suffolk University Police and Security (SUPD) will assist any individual who requests assistance in contacting local law enforcement. SUPD may be reached at 617-573-8111 for assistance or dial 911 to contact the appropriate municipal authority directly.

Reporting to University Confidential Resources

A Complainant, who would like the details of an incident to be kept confidential, should contact one of the University’s confidential resources. All employees in the Counseling, Health and Wellness Center, as well as the Interfaith Center are not required to report any information about prohibited conduct to the Title IX Coordinator without an individual’s permission.

The University’s confidential resources are:

Students Only:

- The **Department of Counseling, Health & Wellness**, located on the 5th floor of 73 Tremont Street, 617-573-8226.
- Interfaith Center, **The Reverend Amy Fisher**, located on the 8th Floor of the Sawyer Building, 617-573-8325.

Employees Only:

Employees and their household members have access to the work/life support program through **New Directions Behavioral Health** (formerly E4 Health). This plan supports you with a variety of confidential services to assist you with the challenges of everyday life including personal, financial, wellness, new parenting, adoption, education, and legal help. New Directions Behavioral Health also provides a robust website with a variety of resources including fun perks such as discounted movie tickets. For more information visit their website, enter "Suffolk University" for company code or call them at 1-800-624-5544.

Reporting to Off-Campus Counseling and Advocacy Resources

The University encourages all members of the University community to report any incident of prohibited conduct. The University recognizes, however, that not every person will choose to make a formal report to the University or with local law enforcement. For those who are not prepared to pursue a Complaint, or use the services provided by the University, students and employees may access resources located in the local community. All members of the University Community are encouraged to utilize the resources available on or off-campus that are best suited to their needs. The Boston area organizations and agencies listed below can provide crisis intervention services, counseling, and legal assistance and can keep the information confidential.

Boston Area Rape Crisis Center (BARCC)

800-841-8371 (24-hour hotline)

www.barcc.org

BARCC offers free, confidential services to sexual assault survivors, their friends and families. It also operates a 24-hour confidential hotline that provides survivors of sexual assault with telephone counseling and personal support. The Center also maintains a referral network of survivor support groups (call 617-492-RAPE or 617-492-7273).

Casa Myrna Vasquez

617-521-0100

info@casamyrna.org

Casa Myrna offers a comprehensive range of services, available in both Spanish and English, for survivors of domestic and dating violence, to assist with the tools to recover from the trauma of abuse and begin to build sustainable self-sufficiency.

Gay Lesbian Bisexual Transgender Queer

617-354-6056

www.bwjp.org/resource-center/resource-results/glbqt-domestic-violence-project

The GLBTQ Domestic Violence Project provides free and confidential support and services for gay, lesbian, bisexual, transgender, and queer survivors of domestic and sexual violence. It works with victims and survivors to increase safety, security, and foster empowerment through direct services, education, and advocacy.

Jane Doe Inc. (Massachusetts Coalition Against Sexual Assault and Domestic Violence)

617-248-0922 TTY/TTD: 617-263-2200

www.janedoe.org/find_help

Jane Doe Inc. is an interactive service locator tool to find sexual assault and domestic violence resources in your area and a map of service providers across Massachusetts.

Fenway Health Violence Recovery Program (VRP)

617-927-6202

www.fenwayhealth.org/care/behavioral-health/violence-recovery/

VRP provides counseling, support groups, advocacy, and referral services to Lesbian, Gay, Bisexual and Transgender (LGBT) victims of bias crime, domestic violence, sexual assault, and police misconduct.

Asian Task Force Against Domestic Violence

617-338-2355 (24- hour multilingual helpline)

Victim Rights Law Center (VRLC)

617-399-6720

www.victimrights.org

VRLC is dedicated to serving the legal needs of sexual assault victims. The VRLC provides free legal services, legal training, and technical assistance.

REACH

800-899-4000

reachma.org

REACH promotes healthy relationships and works to end domestic violence by actively advocating for survivors.

Reporting to Off-Campus Government Agencies

Individuals who believe that they have been subjected to prohibited conduct may file a formal complaint with either or all of the government agencies set forth below:

United States Equal Employment Opportunity Commission (EEOC)

JFK Federal Building Room 475

Government Center

Boston, MA 02203

800-669-4000

Massachusetts Commission Against Discrimination (MCAD)

One Ashburton Place Room 601

Boston, MA 02108

617-994-6000

United States Department of Education Office for Civil Rights

5 Post Office Square, 8th Floor

Boston, MA 02109

Telephone: 617-289-0111

Facsimile: 617-289-0150

TTY: 1-800-877-8339

Minors Reporting Requirements Under TITLE IX

In addition to having students who are minors enrolled, Suffolk hosts minors as guests. Sexual misconduct against minors, whether perpetrated by University employees, volunteers, contractors, or students, is a form of discrimination covered by Title IX. Sexual misconduct including sexual harassment, relationship violence and stalking involving a minor who is a student will be processed consistent with this Policy.

Additionally, Massachusetts law imposes a duty to report on teachers (faculty), educational administrators, mental health professionals, counselors, clergy and law enforcement to report certain crimes involving minors, and abuse, to appropriate officials. Suffolk's protocol is that all employees shall report all suspected child abuse (physical and emotional), sexual abuse of minors, and criminal acts involving minors to the SUPD immediately and without delay. SUPD is the University's designated agent in charge for state mandated reporting. Clery Act reporting of offenses for statistical purposes occurs whether victims are minors or adults.

Whether involving a student or non-student, the University, the Title IX Coordinator, and/or privileged and confidential personnel also may be required to report sexual misconduct involving a minor to the Mass. Department of Children and Families. (June 2020)

B. If a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared or does not wish for an investigation to take place, or a formal complaint to be pursued, they may make such a request to the Title IX Coordinator. The Title IX Coordinator will evaluate that request, in light of the 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 threat assessment.

The Title IX Coordinator's decision on whether to proceed when the Complainant does not wish to proceed, will be based on the results of a threat assessment that shows 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 University may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

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

When the Title IX Coordinator executes the 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.

When the University 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.

Note that the 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, 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.

C. False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy, as opposed to allegations, which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under university policy.

The University's Response to a Report under the Title IX Process of Discrimination, Harassment, and/or Retaliation and the Grievance Process

Initial Response to Notice/Complaint

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, University initiates a prompt initial assessment to determine the next steps the University needs to take. The University will initiate at least one of three responses, (1) offer supportive measures because the Complainant does not want to proceed with a formal complaint; and/or (2) initiate an informal resolution; and/or (3) initiate a formal grievance process including an investigation and a hearing.

The investigation and grievance process will 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 harassment or discrimination, their potential recurrence, or their effects.

Initial Assessment

Following receipt of notice or a complaint of an alleged violation of this policy, the Title IX Coordinator will conduct an initial assessment, which is typically one to five business days in duration. If notice is given, the Title IX Coordinator will seek to determine if the person impacted (Complainant) 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 threat assessment indicates a compelling threat to health and/or safety of the community. In addition, the Title IX Coordinator ensures that supportive measures have been discussed and in place, if desired.

If a Complainant wishes to file a formal complaint, the Title IX Coordinator assesses its sufficiency and works with the Complainant to make sure it is correctly completed. The Title IX Coordinator offers supportive measures, and ensures they are aware of the right to have an Advisor.

The Title IX Coordinator will determine if the misconduct falls within one of the categories of Sexual Harassment, and within the jurisdiction of the University's Title IX process (conduct that occurs within the University's education program and activities; against a person within the United States; the conduct occurs on University locations, owned or controlled by the University or an officially recognized student organization; or at sponsored events or circumstances over which the University exercises substantial control over both the Respondent and the context in which the sexual harassment occurs). If the alleged misconduct does fall within the scope of Title IX, the Title IX Coordinator will initiate the formal investigation and grievance process pursuant to the Title IX grievance process.

If the alleged misconduct does not fall within the scope of Title IX, the Title IX Coordinator will "dismiss" that aspect of the complaint, if any, and then initiate the investigation and grievance process pursuant to the University Sexual Misconduct (non-Title IX) grievance process or another appropriate University grievance process.

Both parties are notified of the decision and have the right to appeal the Title IX dismissal determination. Dismissing a complaint under Title IX does not limit the University's authority to address a complaint under another appropriate process and remedies.

Supportive Measures

The University 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, as reasonably available, and 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 or the University's educational environment, and/or deter harassment, discrimination, and/or retaliation. At the time that supportive measures are offered, the University will inform the Complainant, in writing, that they may file a formal complaint with the University 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 taken into account with respect to the supportive measures that are planned and implemented.

Advisors

Both Parties have the right to have an advisor of their choice present at all meetings, interviews, and hearings throughout the Title IX and Sexual Misconduct processes. The parties are required to have an Advisor present at the Title IX Process Grievance Hearing (hearing) for conducting cross-examinations on behalf of the party. If a party does not have an advisor to conduct cross-

examination at the hearing, the University will provide one for the party at the hearing. See Advisors under the Title IX Process: Expectations of the Parties and Advisors, above, for additional information on Advisors.

Emergency Removal

The University can act to remove a 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 Threat Assessment Team, using its standard objective violence risk assessment procedures. vIn all cases, in which an emergency removal is imposed, the student, [employee], or two (2) representatives from a student organization will be given notice of the action. The party has 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 with the Title IX Coordinator is not a hearing on the merits of the allegation(s), but rather 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. There is no appeal process for emergency removal decisions after the show cause meeting.

Emergency Removal Process

The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting with the Title IX Coordinator to allow for adequate preparation. A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator. The Respondent may provide the Title IX Coordinator with information they feel is important for the Title IX Coordinator and Threat Assessment Team to review before making a decision. 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 of Respondent student, or termination of Respondent employee, or loss of recognition for Respondent student organization.

The 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.

University Process for Formal and Informal Resolution - Title IX Sexual Harassment

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

If only supportive measures are preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.

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.

Informal Grievance Process for Title IX Sexual Harassment Process

If a Complainant wishes to initiate an Informal Resolution under this process, instead of the formal grievance process, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator and so indicate. Informal Resolution can include two different approaches, when the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or when the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation. 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.

The University will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

Prior to implementing Informal Resolution, the University 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.

The University is unable to offer or facilitate an informal resolution process to resolve allegations where an employee is the Respondent under this process.

Formal Grievance Process for Title IX Sexual Harassment

The Formal Grievance Process involves an objective investigation and evaluation of all relevant evidence obtained, including ex parte evidence. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

If a Formal Grievance Process is preferred, and upon an initial assessment being conducted, the Title IX Coordinator will make a determination if there is a sufficient basis that the conduct falls within the scope of Title IX, and if it does, the Title IX Coordinator will initiate the formal investigation and grievance process. The Title IX Coordinator will identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated, and include notification that both parties have the right to an Advisor of their choice present for all meetings and hearings. The Title IX Coordinator will appoint an internal or external investigator(s) to conduct the investigation. 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 investigator will be assigned and the impact of the bias or conflict, if any, will be remedied.

Notice of Investigation and Allegations to the Parties

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 the University presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about the University’s policy on retaliation,
- Information about the privacy of the process,
- Information on the right to have an advisor of their choice attend all meetings,
- The need for each party to have an Advisor of their choosing at the formal hearing. For assistance in securing an advisor, see **Advisors under the Title IX Process: Expectations of the Parties and Advisors.**
- A statement informing the parties that the University’s Policy prohibits knowingly making

false statements, including knowingly submitting false information during the resolution process,

- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have,
- An instruction to preserve any evidence that is directly related to the allegations.
- 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, mailed to the local or permanent address(es) of the parties as indicated in official University records, or emailed to the parties' University-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

Investigation Process

Investigations are completed expeditiously, though some investigations may take longer, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc.

The University will make a good faith effort to complete investigations within a 30-45 day time period, as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

Delays in the Investigation Process

The Investigation may require a short delay (several days to a few weeks) if circumstances arise. 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, University will implement supportive measures as deemed appropriate.

Circumstances for delay include but are not limited to the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions a request from law enforcement to temporarily delay the investigation. 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.

Evidence and Review

The 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.

The 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 preponderance of the evidence. Both inculpatory and exculpatory evidence will be gathered during the investigation. Only evidence found to be relevant will be considered. Evidence that is not presented to the investigator during the investigation, and that both parties have not had an opportunity to review and comment on, will not be accepted at the Live Hearing.

All parties will have a full and fair opportunity throughout the investigation process to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence that is collected. The Title IX Coordinator will provide status updates to the parties throughout the investigation.

The investigator will not accept evidence of 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) 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.

Each interviewed party and witness will have an opportunity to review and verify the Investigator's summary (verbally, written or transcript) of the relevant evidence/testimony from their respective interviews and meetings.

The investigator will complete a comprehensive investigation report fully summarizing the investigation, all of the witness interviews, and address all relevant evidence. Appendices including relevant physical or documentary evidence will be included.

Prior to the conclusion of the investigation, the investigator will provide the parties and their respective Advisors (if so desired by the parties) the opportunity to review the hard copy or a secured electronic 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. The parties will have ten (10) business day to review and comment on the evidence. The parties may elect to waive the full ten days.

The Investigator(s) may share the responses between the parties for additional response, elect to respond in writing in the final investigation report, to the parties' submitted written responses, include any additional relevant evidence, and make any necessary revisions for the final report. The Investigator(s) will share the final report with the Title IX Coordinator for their review. The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through hard copy, or a secure electronic transmission at least ten (10) business days prior to a hearing.

Role and Participation of Witnesses in the Investigation

Witnesses (as distinguished from the parties) who are students or employees of the University are

expected to cooperate with and participate in the investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

While 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. The University will take appropriate steps to reasonably ensure the security/privacy of remote 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. Consent of the interviewer and interviewee is required in Massachusetts.

When necessary, but not preferred, witnesses may provide written statements in lieu of interviews or respond to written questions, if deemed appropriate by the Investigator(s). A written statement may not be able to be used at the hearing if the witness is not present for cross examination at a hearing.

Referral for Live Hearing

Once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing. The hearing cannot be less than ten (10) business days from the conclusion of the investigation, when the final investigation report is transmitted to the parties and the Decision-maker. The parties and Decision-maker can agree to an expedited time line.

The Title IX Coordinator will select an appropriate Decision-maker depending on whether the Respondent is an employee or a student. Allegations involving student-employees will be directed to the appropriate Decision-maker depending on the context of the alleged misconduct.

The University will designate a single Decision-maker at the discretion of the Title IX Coordinator. The single Decision-maker will also Chair the hearing. The Decision-maker will not have had any previous involvement with the investigation.

Those who have served as Investigators, Advisors or the Title IX Coordinator in a matter may not serve as the Decision-maker.

The Title IX Coordinator 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 chosen by the Title IX coordinator may fulfill this role. The hearing will convene at a time determined by the Decision-maker or designee.

Notice of Live Hearing

No less than ten (10) business days prior to the hearing, the Title IX Coordinator or the Decision-maker 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:

- A description of the alleged violation(s) with a list of all policies allegedly violated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- 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 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 on the basis of demonstrated bias. 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 on access to the recording for the parties 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, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Title IX Coordinator or Decision-maker may reschedule the hearing.
- Notification that the parties must have the assistance of an Advisor of their choosing at the hearing. The Advisor is required to ask any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, and the University will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already. The final investigation report may be shared using electronic means that preclude downloading, forwarding, or otherwise sharing.
- An invitation to each party to submit to the Decision-maker an impact statement pre-hearing that the Decision-maker 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 the University and remain within the 60-90 business day goal for resolution. In these cases, if the Respondent is a graduating student, a hold may be placed on graduation and/or official transcripts until the matter is fully resolved (including any appeal). A student facing charges under this Policy is not in good standing to graduate.

Alternative Hearing Participation Options

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 Decision-maker at least five (5) business days prior to the hearing.

The Title IX Coordinator or the Decision-maker 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 Decision-maker know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

Pre-hearing Preparation

The Decision-maker, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating 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 Decision-maker assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Decision-maker do not assent to the admission of evidence newly offered at the hearing, the Decision-maker will delay the hearing and 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 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 one day prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

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 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 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 Decision-maker at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Decision-maker.

Pre-hearing Meetings

The Decision-maker 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. The Decision-maker can rule on their relevance ahead of time and 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 at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Decision-maker must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Decision-maker, 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 Decision-maker 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 Decision-maker 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 Decision-maker 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 not be recorded.

Hearing Procedures

At the hearing, the Decision-maker 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 Nondiscrimination policy.

Participants at the hearing will include the Decision-maker, the hearing facilitator, the

Investigator(s) who conducted the investigation, the parties, or three (3) organizational representatives when an organization is the Respondent (subject to the University's Code of Organizational Conduct) Advisors to the parties, any expected witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.

The Decision-maker will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Decision-maker 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 and the parties and will then be excused.

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.

The Order of the Hearing – Introductions and Explanation of Procedure

The Decision-maker, or their designee, explains to the parties, Advisors, and witnesses the procedures and introduces the participants. The hearing facilitator will handle the logistics such as, recording process, witness scheduling, party logistics, curation of documents, separation of the parties, and other administrative elements of the hearing process.

Evidentiary Considerations in the Hearing

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The following evidence will not be considered at the hearing: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) 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 only be considered in determining an appropriate sanction upon a determination of responsibility, assuming the University uses a progressive discipline system.

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 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.

Investigator Presents the Final Investigation Report

The Investigator(s) will present a summary of the final investigation report at the hearing, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker 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 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 Decision-maker will direct that it be disregarded.

Testimony and Questioning

Once the Investigator(s) present their 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 Decision-maker. The parties/witnesses will submit to questioning by the Decision-maker and then by the parties through their Advisors (“cross-examination”). All questions are subject to a relevance determination by the Decision-maker. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing. While orally is the default, other means of submission may be permitted by the Decision-maker upon request or agreed to by the parties and the Decision-maker. After each question, the proceeding will pause to allow the Decision-maker to consider it, and determine whether the question will be permitted, disallowed, or rephrased.

The Decision-maker may explore discussions regarding relevance with the Advisors, if the Decision-maker so chooses. The Decision-maker will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Decision-maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-maker’s ruling is final on all questions and determinations of relevance, subject to any appeal. The Decision-maker may consult with legal counsel on any questions of admissibility. The Decision maker 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 Decision-maker has ruled on a question.

Refusal to Submit to Cross-Examination and Inferences

The decision maker has the discretion to decide how much weight to give to statements or information provided by any party or witness who did not submit to cross-examination at the

hearing by not appearing or by refusing to respond to some of the cross-examination questions. The decision maker can consider the reliability of the statements or information, the reason the individual did not participate in cross-examination, and any other factors the decision maker considers relevant. The decision maker cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

If the Sexual Harassment charge also includes related charges of policy violations they may be considered at the same Hearing. The Decision-maker may consider all evidence that is deemed relevant, and can rely on relevant statements as long as the opportunity for cross-examination is afforded to all parties through their Advisors. The Decision maker may draw reasonable inferences from any decision by any party or witness not to participate or respond to questions.

If a party's Advisor of choice refuses to comply with the University's established rules of decorum, including but not limited to cross examination, for the hearing, the University may require the party to use a different Advisor. If a University-provided Advisor refuses to comply with the rules of decorum, the University may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

Recording Hearings

Hearings (but not deliberations) are recorded by the 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, the parties, their Advisors, and appropriate administrators of the 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.

Deliberation, Decision-making

The Decision-maker will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The preponderance of the evidence standard of proof is used. The hearing facilitator may be invited to attend the deliberation, but is there only to facilitate procedurally, not to address the substance of the allegations. The Decision-maker with lengthy or complicated hearings may end the hearing and continue the deliberation for a reasonable time period determined in consultation with the Title IX Coordinator. The Decision-maker will forward 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 disregarded, credibility assessments, and any recommended sanctions. The deliberation statement 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 may consider the previously submitted party impact statements in determining appropriate sanction(s). The Decision-maker or their designee

will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker may consider the statements, in their discretion, but they are not binding.

The Decision-maker will review the statements and any pertinent conduct history of the Respondent provided by the appropriate administrator and will recommend the appropriate sanction(s) in consultation with other appropriate administrators, as required.

The Decision-maker 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 disregarded, credibility assessments, and any recommended sanctions.

The report 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.

Notice of Outcome

Using the deliberation statement, a Notice of Outcome will be prepared. The Title IX Coordinator will then share the Notice of Outcome, including the final determination, rationale, and any applicable sanction(s) with the parties and their Hearing Advisors within five (5) business days of receiving the Decision-maker's deliberation statement. If a party wishes to pursue an appeal, Advisors are permitted but not required and will not be provided by the University.

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 University 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.

The Notice of Outcome will identify the specific policy(ies) and sections reported to have been violated, and will contain a description of the procedural steps taken by the University from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, 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, and the conclusions relating the relevant policy to the facts at issue. In addition, a statement of, and rationale for, the result of each allegation to the extent the University is permitted to share such information under state or federal law, and any sanctions issued which the University is permitted to share according to state or federal law.

The Notice of Outcome will also include information on when the results are considered by the University to be final, and the relevant procedures and bases for any available appeal options.

Sanctions (Students/Student Organizations) and Discipline (Employees)

If the Respondent is found responsible for violating the policy, the University will impose sanctions/discipline. Sanctions/discipline will be designed to eliminate a hostile environment, prevent further misconduct, promote safety, and deter involved students/employees from similar future behavior. Certain behavior may be so harmful to the University community that it may require serious sanctions, such as removal from University housing, removal from specific courses or activities, or suspension from the University, or dismissal or termination of employment from the institution, see Appendix B (Student and Student Organization Sanctions) and Appendix C (Employee Discipline). More than one of the sanctions listed in Appendix B may be imposed for any single violation. Other sanctions/discipline may be imposed instead of or in addition to those specified in Appendix B and C. The list is provided by way of example only, and it is not intended to be exhaustive. In addition to the sanctions/discipline set forth in Appendix B for students, a responsible finding for violating the policy may result in forfeiture of all University scholarships, financial aid, or monies paid.

In determining Sanction(s)/Discipline, all relevant information, including, but not limited to, the Respondent's past disciplinary record, the nature of the misconduct, and the severity of any damage, injury, or harm resulting from the misconduct will be considered. Sanction(s)/Discipline do not become effective until the appeals process is completed; however, any interim sanctions/measures imposed remain in effect during the appeal period.

The 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 University may, in its discretion and in accordance with applicable student privacy laws, report sanctions to institutions or agencies to which the Respondent is applying or transferring. This includes but is not limited to professional licensure agencies (including bar authorities), employers, and other educational institutions.

Appeal

Any party may file a request for appeal ("Request for Appeal"), but it must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the Notice of Outcome. A single Appeal Decision-maker will decide the appeal. No Appeal Decision-maker 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 Decision-maker 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. Advisors are permitted but not required during any party appeal; Advisors will not be provided by the University during an appellate process.

Grounds for Appeal

Appeals are limited to the following grounds, (1) procedural irregularity that affected the outcome of the matter; (2) New evidence that was not reasonably available at the time he determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and (3) The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents, generally, or the specific Complainant or

Respondent that 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 Decision-maker 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 Decision-maker will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker. The Appeal process normally will take 10-14 business days, but additional time may be warranted due to unforeseeable issues arising.

The 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 given (five) 5 business days to submit a response to the portion of the appeal that was approved and involves them. The Decision-maker will forward all responses to the 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 for standing by the Appeal Decision-maker 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 five (5) 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 Decision-maker will collect any additional information needed and all documentation regarding the approved grounds and the subsequent responses and will render a decision in no more than five (5) business days, barring exigent circumstances. All appeal 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 the University is permitted to share according to state or federal law, and the rationale supporting the essential findings to the extent the 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' University-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

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, then emergency removal

procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

The University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

Appeal Considerations

Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error.

Appeals are not intended to provide for a full re-hearing (de novo) 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.

The Appeal Decision-maker 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 shall 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. In rare cases where a procedural [or substantive] error cannot be cured by the original Decision-maker, the appeal may order a new hearing with a new Decision-maker. The results of the remand to a new Decision-maker(s) cannot be appealed. 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 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 in the short term.

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 campus 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 accommodations
- 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 owed by the University to the Respondent to ensure no effective denial of educational access. The University will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the University's ability to provide these services.

Failure to Comply with Sanctions and/or Interim and Long-term Remedies 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 Decision-maker.

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 and may be noted on a student's official transcript. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

Withdrawal of a Student Respondent During the Investigation, Review or Appeal

If a Student Respondent withdraws from the University while an investigation, review or appeal is pending, the following entry shall be made on the student's transcript: "Withdrew while disciplinary proceedings pending." A student who withdraws while such investigation or proceeding is pending shall not be eligible to be readmitted to the University until the Investigation or proceeding has been completed and the Title IX Coordinator has determined that the Respondent is eligible for readmission.

The decision maker has the discretion to decide how much weight to give to statements or

information provided by any party or witness who did not submit to cross-examination at the hearing by not appearing or by refusing to respond to some of the cross-examination questions. The decision maker can consider the reliability of the statements or information, the reason the individual did not participate in cross-examination, and any other factors the decision maker considers relevant. The decision maker cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Advisors under the Title IX Process: Expectations of the Parties and Advisors

Both the Complainant and Respondent may choose an Advisor who is eligible and available. Advisors are entitled to bring an advisor of their choosing with them for all meetings and interviews within the resolution process if they so choose. The Advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses. The Advisor should not also be 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 role of the Advisor during any meeting or interview is non-participatory. In keeping with the University's obligation to promptly resolve complaints, the University reserves the right to proceed with any meeting or interview regardless of the availability of the selected Advisor.

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, privately as needed, 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.

The parties are expected to inform the Investigators of the identity of their Advisor at least two (2) business days before the date of their first meeting with the Investigator(s) (or as soon as possible if a more expeditious meeting is necessary or desired).

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.

For parties who are entitled to union representation, the University will allow the unionized employee to have their union representative (if requested by the party) as well as an Advisor of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other party (regardless of union membership) will also be permitted to have two Advisors. Witnesses are not permitted to have union representation or Advisors in grievance

process interviews or meetings.

At the discretion of the Title IX Coordinator, more than one Advisor may be permitted to the parties, upon request. For equity purposes, if one party is allowed an additional Advisor, the other party must be allowed one as well. Advisors are welcomed but not required during the entire process, however, Advisors are required at the Hearing. If a party does not have an Advisor for the Hearing, the University will provide one.

Assistance in Securing an Advisor

If a party wishes to have an Advisor present during the resolution process, there are some organizations that are available below:

FACE: www.facecampusequality.org/

SAVE: www.saveservices.org

The Victim Rights Law Center: www.victimrights.org

The National Center for Victims of Crime: www.victimsofcrime.org, which maintains the Crime Victim's Bar Association

The Time's Up Legal Defense Fund: www.nwlc.org/times-up-legal-defense-fund/

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, the University will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, the University will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker during the hearing.

Advisors present during the Hearing will be notified of appeals and appellate decisions. Advisors are permitted but not required to assist during any party appeal; the University will not appoint Advisors for appellate purposes.

Recordkeeping under the Title IX Process University Grievance Process for Sexual Misconduct (Non-Title IX)

The University will maintain for a period of at least seven years records of:

1. Each sexual harassment investigation including any determination regarding responsibility

- and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
 3. Any remedies provided to the Complainant designed to restore or preserve equal access to the Recipient's education program or activity;
 4. Any appeal and the result therefrom;
 5. Any Informal Resolution and the result therefrom;
 6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Recipient will make these training materials publicly available on University's website; and
 7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
 - a. The basis for all conclusions that the response was not deliberately indifferent;
 - b. Any measures designed to restore or preserve equal access to the University's education program or activity; and 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.

University Grievance Process for Sexual Misconduct (Non-Title IX Process)

The University will address all complaints/notices 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. The Sexual Misconduct Process will apply when the sexual misconduct does not meet the Title IX Sexual Harassment definition requirements listed in section "e", but is a prohibited conduct, sexual in nature, that occurs on campus and/or occurs off-campus (including online conduct) and effectively deprives an individual access to the University's educational program, or affects a substantial University interest.

A. Sexual Misconduct Grievance Process (Non-Title IX)

The Sexual Misconduct Grievance Process will apply when the sexual misconduct does not meet the Title IX defined requirements listed above, but is a prohibited conduct, sexual in nature, that occurs on campus and/or occurs off-campus (including online conduct) and effectively deprives an individual access to the University's educational program or affects a substantial University interest. The University will address all complaints/notices 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.

Once the complaint has been received, a review by the Title IX coordinator will be conducted in order to determine whether there is sufficient basis to initiate a formal investigation or take other steps to address the effects of the alleged conduct on the impacted party and the University community and prevent its recurrence. During the review it may be necessary to meet with the parties, collect some information to determine if there is a sufficient basis to initiate a formal investigation. This may include, but is not limited to, convening a meeting during which the

complainant, the individual(s) against whom the grievance has been brought, and witnesses can supply factual information about what occurred; interviewing those involved and possibly witnesses and/or obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. During the review process, after discussions with the Complainant and Respondent, supportive measures may be put in place for both parties. If the Complainant wishes to initiate a formal grievance, and if there is a sufficient basis to initiate the formal process, the matter will be referred to the appropriate department head for an investigator to be assigned.

B. Sexual Misconduct Policy (Non-Title IX) Definitions and Terms

The University has adopted the following definitions of Sexual Misconduct in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well. Acts of sexual misconduct may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved. Sexual Misconduct includes the following:

Affirmative Consent

See definition in section VI. “Title IX and Sexual Harassment: Definitions and Terms”

Sexual Assault

Sexual Assault is the act of committing unwanted physical contact of a sexual nature, whether by an intimate partner, acquaintance or by a stranger. Such contact is unwanted when it occurs without the affirmative consent of one or both individuals, when one of the individuals is incapacitated or incapable of giving affirmative consent, or the contact occurs with the use of force, coercion, or the attempt to coerce or force. Victims/survivors (complainants) and the accused (Respondent) can be of any sex/gender, sexual orientation and/or sexual identity. Sexual assault includes, but is not limited to:

Nonconsensual Physical Contact (or attempts to commit same)

Any intentional touching of a sexual nature, however slight, with any part of one’s body or any object, upon another person, without affirmative consent, or any disrobing of another person without that person’s affirmative consent.

Nonconsensual Sexual Penetration (or attempts to commit same)

Any sexual penetration (anal, oral, or vaginal), however slight, with any part of one’s body or with any object, upon another person, without affirmative consent. Non-consensual penetration includes both situations where a person's body is penetrated without affirmative consent and situations where a person is forced, caused or made, without their affirmative Consent, to penetrate another person's body. Sexual assault is also prohibited by Massachusetts statutory law.

Sexual Harassment

Sexual Harassment is any unwelcome sexual, sex-based, and/or gender-based verbal, written, online, and/or physical conduct that is sufficiently severe and/or pervasive that, based on the totality of the circumstances and evaluated objectively, denies or limits a person's ability to participate in or benefit from the recipient's education program or activity. The determination of whether a hostile environment has been created is a fact-specific inquiry based on the totality of circumstances that includes an assessment of factors including but not limited to the degree in which the recipient's access to education programs or activities is impacted, the degree and frequency of the conduct, the parties' ages and respective roles, and the context in which the conduct occurred.

Examples of sexual harassment may include unwelcome conduct such as sexual advances or propositions, or requests for sexual activity or dates; intentionally referring to someone using a name or pronoun that does not correspond to that person's gender identity, asking about someone else's sexual activities, fantasies, preferences, or history; discussing one's own sexual activities, fantasies, preferences, or history; verbal abuse of a sexual nature; suggestive comments; sexually explicit jokes; turning discussions at work or in the academic environment to sexual topics; and making offensive sounds such as "wolf" whistles or sounds of a sexual nature; the display of inappropriate sexually oriented material in a location where others can view them including but not limited to pornography, pictures, drawings, calendars, cartoons, or other materials; repeatedly and intentionally using the wrong name or pronouns for a person.

Examples of nonverbal sexual harassment may include unwelcome conduct such as displaying sexual objects, pictures or other images; invading a person's personal body space, such as standing closer than appropriate or necessary or hovering; making sexual gestures with hands or body movements; looking at a person in a sexually suggestive or intimidating manner; or delivering unwanted letters, gifts, or other items of a sexual nature.

Behaviors that constitute sexual harassment may also fall within the definition of hostile environment harassment and/or quid pro quo.

Quid pro quo sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature, where submission to, or rejection of, such conduct results in adverse educational or employment consequences. Quid pro quo harassment may also exist when an explicit or implicit threat of adverse action or a promise of a benefit is conditioned on submission to, or rejection of, such requests. Hostile environment sexual harassment exists where harassment is sufficiently severe, persistent, or pervasive, and is objectively offensive such that it unreasonably interferes with, limits or denies someone's ability to participate in or benefit from the University's educational, employment, social, residential or other programs or activities. In assessing whether conduct is hostile environment sexual harassment, the totality of the circumstances will be considered.

Examples of Quid Pro Quo Sexual Harassment may include seeking sexual favors or relationships in return for the promise of a favorable grade, letter of recommendation, promotion, salary increase, or other academic or professional opportunity.

Sexually Exploitive Behavior is a form of sexual misconduct that occurs when an individual takes

sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. Sexually exploitative behavior may also constitute nonconsensual sexual activity. Examples of sexual exploitation include, but are not limited to:

- Prostitution (such as selling or exchanging money or something else of value or benefit for sexual acts); or
- Taking pictures or video or audio recording of another in a sexual act or in any other private sexual 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); or
- Exposing one's genitals or inducing another to expose their own genitals in nonconsensual circumstances; or
- Unauthorized posting or distribution of materials involving the sexual activity of another person, including electronic postings; sexual voyeurism (such as watching a person who is undressing, using the bathroom, or engaging in sexual acts without the consent of the person observed); or
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or another sexually transmitted infection (STI) and without informing the other person of the infection; or
- Hazing or bullying relating to sex or gender; or
- Administering alcohol or drugs (such as "date rape" drugs) to another person without their knowledge or effective consent.

Stalking, which includes cyberstalking, means a knowing pattern of conduct or series of acts over a period of time directed at a specific person that seriously alarms or annoys that person and makes a threat with the intent to cause a reasonable person to fear for their or others' safety or to suffer substantial emotional distress.

Relationship Abuse

Relationship abuse is any abusive behavior between those who are in or have been in an intimate or romantic relationship with each other. Abusive behavior may be emotional, psychological, physical and/or sexual, including any behavior that one person in an intimate or romantic relationship uses in order to control the other. Intimate partner abuse or violence may be a single act or a pattern of behavior in relationships. Examples include but are not limited to:

- Threats to cause another physical, emotional, or other harm;
- Demeaning or derogatory communications that amount to abusive behavior;
- Preventing contact with family or friends; and/or
- Actual or threatened physical harm.

Retaliation

Retaliation means to take an adverse action against the Complainant, or any person or group of persons involved in a protected activity including the report, interim measures, investigation and/or

resolution of a Sexual Misconduct complaint that would discourage a reasonable person from engaging in further protected activity. Retaliation can be committed by any person or group of persons, not just a Respondent. Retaliation can include threats, intimidation, coercion, harassment, continued abuse, violence or other forms of harm to others, and in varying modes, including in person and in electronic and online communication. Retaliation includes subjecting an individual to conduct that has the purpose or effect of unreasonably interfering with that individual's educational experience, work or educational performance, or creates an educational experience or work environment that a reasonable person would find intimidating or hostile. Retaliation should be reported promptly to Suffolk University Police and Security, or the Director of Title IX Compliance and may result in sanctions/disciplinary action in addition to the University's response to the underlying allegations of Sexual Misconduct.

Supportive Measures

The University 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, as reasonably available, and 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 or the University's educational environment, and/or deter harassment, discrimination, and/or retaliation. At the time that supportive measures are offered, the University will inform the Complainant, in writing, that they may file a formal complaint with the University 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 taken into account with respect to the supportive measures that are planned and implemented.

Amnesty

The University community encourages the reporting of misconduct and crimes by Complainants and witnesses. To encourage reporting and participation in the process, the University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as consumption of alcohol or the use of illicit drugs if related to a Title IX incident. A party or witness who files a report will not be subject to sanctions/disciplinary action by the University for their improper use of alcohol or drugs, unless the use of alcohol or drugs was done in furtherance of the sexual misconduct act, such as causing someone to consume an intoxicant without the recipient's knowledge and consent.

Students and employees, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony.

Advisors

Both the Complainant and Respondent are entitled to bring an advisor of their choosing to guide and accompany them to any meeting or interview in connection with an Investigation. The Advisor may be a friend, mentor, family member, attorney, or any other supporter a party chooses. The role of the Advisor during any meeting or interview is non-participatory. In keeping with the University's obligation to promptly resolve complaints, the University reserves the right to proceed

with any meeting or interview regardless of the availability of the selected Advisor.

Confidentiality

The University will treat information it receives with appropriate sensitivity; however, the University cannot guarantee absolute confidentiality in all situations. An individual's privacy will be maintained by each person involved in the investigation or resolution of a grievance under this policy. Any disclosures regarding the individual or the investigation will be limited to the minimum necessary to accomplish the investigation, address the grievance, and address any other proceedings that may arise from these circumstances.

Investigative Process

The investigator's role is neutral and the investigator will not serve as an advocate for any party to the complaint. The parties are allowed to have an advisor of their choice present at all meetings. The investigator may collect additional information to determine the merits of the grievance. This may include, but is not limited to, interviewing the complainant, the Respondent against whom the grievance has been brought, and witnesses to determine the issues and facts that have occurred and to resolve any factual dispute, including those hinging on credibility. and/or obtaining and reviewing any records, documents, emails, etc. relevant to the issues presented. Only the investigator will question witnesses but any party to the grievance may suggest areas of inquiry to be explored. Once the matter has been fully examined, the investigator will meet with the parties and review the evidence that has been collected, including witness statements (this is typically shared verbally). The parties may also request an opportunity to review the written interview summaries and/or documentary information, which will be granted if and when deemed appropriate at the sole discretion of the investigator. The parties will have an opportunity to ask questions, make suggestions, and submit additional evidence that is relevant. After meeting with the parties, the investigator will develop a documented written report of evidence which both parties will have a final opportunity to review. The parties will be able to provide written corrections, clarifications, new relevant information or documentation, and/or suggest new witnesses who possess material information for the investigator to consider.

Standard of Proof

The standard used in determining the responsibility of the Respondent is the preponderance of the evidence, which is whether the evidence gathered, and information provided during the investigation supports a finding that is more likely than not that the Respondent violated the policy.

Recommendation and Final Disposition/Appeal

The investigator only has recommendation authority. The investigator's recommendation is forwarded to the Title IX Coordinator. The Title IX Coordinator has the independent authority to accept or reject the Investigator's findings and recommendations in whole or part regardless of whether an appeal is filed. The Title IX Coordinator will review the report and if accepted will forward it to both parties. Both the Complainant and Respondent have fifteen calendar days from receipt of the investigator's findings and recommendations to appeal to the Title IX Coordinator,

or their designee. Any appeal should be in writing and should specifically describe the point(s) on which the appeal is based. The Title IX Coordinator, or their designee, will make the final decision in all cases upon receipt of the investigator's report and after the time for appeals has passed. The Title IX Coordinator should notify all affected parties of their decision within a reasonable period of time—typically fifteen business days after receipt of the investigator's report or any appeal is filed (whichever is later) unless school is closed or other extraordinary circumstances exist—and initiate whatever action they deem necessary. The Title IX Coordinator may, in their discretion, appoint a designee to issue the final disposition for the University. Except when otherwise required by law, the Title IX Coordinator will determine the amount of information to provide the parties. When the resolution of a student complaint under this policy in turn causes adverse action to be taken against a faculty or staff member, such as discipline or a loss of employment, the faculty or staff member may in turn seek review using the applicable faculty and staff grievance procedure.

Grounds for Appeal

Appeals are limited to the following grounds, (1) procedural irregularity that affected the outcome of the matter; (2) New evidence that was not reasonably available at the time he determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and (3) The Title IX Coordinator, Investigator(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 Title IX Coordinator or their designee 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 Title IX coordinator will notify the other party(ies) and their Advisors, and, when appropriate, the Investigators.

The Appeal process normally will take ten to fourteen (10-14) business days, but additional time may be warranted due to unforeseeable issues arising.

The party(ies) and their Advisors will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and given five (5) business days to submit a response to the portion of the appeal that was approved and involves them.

All appeal 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, and any sanctions.

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.

Sanctions Status During the Appeal

Any sanctions imposed as a result of the determination are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

The University may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

Additional Definitions

See Appendix A

Sanctions

See Appendix B (students) and Appendix C (Employees)

C. Informal Resolution

If after review of the formal grievance the coordinator believes, the issue presented is appropriate and the informal resolution may assist in resolving the issue, and the parties agree to the Informal procedure, the processing of a formal grievance may be temporarily deferred to allow for the Informal Resolution to occur. Either party may withdraw from the informal resolution process prior to agreeing to a resolution.

Both parties must be provided with (1) written notice of the allegations; (2) requirements of the informal resolution process, including any circumstance that precludes a party from resuming the formal process (a party does have the right to withdraw from the informal process at any time prior to agreeing to a resolution); (3) The coordinator must obtain a voluntary, written consent from both parties to partake in the informal resolution process; and an informal resolution process shall not be used to resolve sexual assault complaints or allegations where an employee is accused of sexually harassing a student.

The informal process generally should not exceed thirty days, unless classes are not in session or the school is closed. A party who requests to use the informal grievance procedure has the right to end the informal process at any time prior to agreeing to a resolution and begin the formal grievance procedure.

This procedure should be read in conjunction with the overall institutional nondiscrimination policies on the website. This and the above-referenced policies may be modified or adapted as needed to effectuate the overall intent of the University's nondiscrimination commitment when policies overlap or the legal requirements of other locations or circumstances occur which might reasonably require an adjustment (for example, a situation arising in a foreign country during one of the University's study-abroad programs).

D. Confidentiality

The University will treat information it receives with appropriate sensitivity, however, the University cannot guarantee absolute confidentiality in all situations. An individual's privacy will be maintained by each person involved in the investigation or resolution of a grievance under this policy. Any disclosures regarding the individual or the investigation will be limited to the minimum necessary to accomplish the investigation, address the grievance, and address any other proceedings that may arise from these circumstances.

APPENDIX A: Definitions Relevant to the Nondiscrimination Policy

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 cross-examination for the party at the hearing, if any.

Affirmative Consent is consent which must be informed, voluntary, and active, meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed –upon sexual activity. Whoever initiates sex has the responsibility to ask for and receive permission. Participants are encouraged to talk to one another before engaging in sexual activity to avoid a misunderstanding.

Amnesty: The University community encourages the reporting of misconduct and crimes by Complainants and witnesses. To encourage reporting and participation in the process, the University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as consumption of alcohol or the use of illicit drugs if related to a Title IX incident. A party or witness who files a report will not be subject to sanctions/disciplinary action by the University for their improper use of alcohol or drugs, unless the use of alcohol or drugs was done in furtherance of the sexual misconduct act, such as causing someone to consume an intoxicant without the recipient's knowledge and consent. Students and employees, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony.

Bias incidents are acts committed against a person or group that are motivated in whole or in part by prejudice against the person's or group's sex, gender identity, sexual orientation, national origin, race, religion, disability, veteran status or other protected class. (Please note that just because the expression of an idea or point of view may be offensive or inflammatory, it is not necessarily a bias incident. The University values freedom of expression and the open exchange of ideas, and the expression of controversial ideas and differing views is a vital part of the University's mission.)

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.

Complainant means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; 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 the University is in normal operation.

Discrimination is conduct that is based upon an individual's race, color, national or ethnic origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, genetic information, military or veteran status or any other characteristic protected under applicable federal or state law.

Duress is the use of threats, violence, constraints, or other action brought to bear on someone to do something against their will or better judgment.

Education program or activity means locations, events, or circumstances where University exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University.

Final Determination means a conclusion using the standard of proof to determine if the alleged conduct occurred, and whether it did or did not violate policy.

Finding means a conclusion by the standard of proof that the conduct did or did not occur as alleged.

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.

Formal Complaint is a document filed/signed by a complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the University investigate the allegation.

Formal Grievance Process means "Title IX Process," and is a method of formal resolution designated by the University to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

Hearing Decision-maker refers to those who have decision-making and sanctioning authority within the University's Formal Grievance process.

Investigator means the person or persons charged by University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence. The Investigator may be a University employee or may be retained from an outside organization by the University. All Investigators will be trained in investigations pursuant to Title IX requirements.

Investigation is a prompt and effective inquiry to determine whether or not a violation of the Sexual Misconduct and/or Nondiscrimination policies occurred. An Investigation includes but is not limited to interview(s) with the Complainant, Respondent and relevant witnesses. The Investigation will include the gathering of physical, documentary, or other relevant and available evidence, including law enforcement reports.

No Contact Directive/Order - A supportive measure where the University campus police, Student Affairs or Title IX Coordinator prohibits a student, employee or third party from contacting another student, employee, or third party when there is a behavior that represents a risk of violence, threat, pattern, or predation.

Notice means that an employee, student or third party informs the Title IX Coordinator or other official with authority of an alleged occurrence of harassing, discriminatory, and/or retaliatory conduct. sec.106.8(c)

Official with Authority (OWA) means an employee of the University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the University.

Parties include the Complainant(s) and Respondent(s), collectively.

Protective Order - An order of protection (Restraining Order and/or Harassment Order) issued by a court to limit the behavior of someone who harms or threatens to harm another person. It is used to address various types of safety issues, including, but not limited to situations involving sexual assault, dating violence, domestic violence, or stalking.

Remedies are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the University's educational program.

Resolution means the result of an informal or formal grievance process.

Respondent is a person who has been reported to be the perpetrator of conduct that could constitute sexual harassment, or discrimination based on a protected class; or retaliation for engaging in a protected activity. A Respondent may be a student, employee, or student organization.

Student is defined for the purpose of this policy as 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 the Recipient.

Supportive Measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include counseling. Extensions or deadlines or other course related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work or housing locations; leaves of absence; increased security and monitoring of certain areas of the campus; and other similar measures.

Responsible Mandated Reporter Employee are all employees, including faculty, staff, resident assistants and teaching assistants of the University who are obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator. Employees in Counseling, Health and Wellness and the Interfaith Center are not Responsible Mandated Reporter Employees.

Standard of Proof is used in resolving complaints pursuant to the Title IX Policy, the University will use a “preponderance of the evidence,” standard, which is whether the evidence gathered and information provided during the investigation supports a finding that it is more likely than not that the Respondent violated the Sexual Harassment and/or Nondiscrimination policies.

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. On June 23, 1972, the President signed Title IX of the Education Amendments of 1972, 20 U.S.C. Â§1681 et seq., into law. The principal objective of Title IX is to avoid the use of federal money to support sex discrimination in education programs and to provide individual citizens effective protection against those practices.

Title IX Coordinator is the administrator identified by the University to monitor compliance; ensure and coordinate education and training; coordinate the investigation, response, and resolution of all reports under the Sexual Misconduct and/or Nondiscrimination policies; and ensure appropriate actions to eliminate, prevent its recurrence, address its effect on persons and the Community as a whole. The University has identified the Director of Title IX & Clery Act Compliance in this role:

Sheila Calkins, Title IX Coordinator
Special Advisor to the President
Director of Title IX & Clery Act Compliance
73 Tremont Street; 13th floor; Room 1326
Office: 617-573-8027 Cell: 617-201- 0878
[Email Sheila Calkins](#)

Catherine LaRaia, Deputy Title IX Coordinator
73 Tremont Street, 13th floor; Room 1329

Office: 617-573-8053
Email [Catherine LaRaia](#)

[Title IX at Suffolk](#) on the Web

APPENDIX B: Student & Student Organization Sanctions

When a student has been found responsible for a violation of the University's Nondiscrimination Policy, any of the following sanctions may be imposed by the University. The below list is not intended to be exhaustive and the University reserves the right to impose one or more sanctions for a single violation or impose other sanctions instead of or in addition to those specified below. In addition, a responsible finding may result in forfeiture of all University scholarships, financial aid, or monies paid.

Warning: A notice, either verbal or written, that the student is violating or has violated University regulations, must cease the conduct immediately, and that continuation or repetition of wrongful conduct may be cause for more severe disciplinary action.

Private Reprimand: A notice, either verbal and/or written, directly to the student that the student has violated University regulations.

Parental Notification: The University reserves the right to notify parents/guardians regarding any serious health or safety risk, and when students under the age of 21 have been found responsible for violating the University's alcohol or other drug policies.

Loss of Privileges: Denial of specified University and/or Residence Life & Housing or other privileges for a designated period of time, which may include, but is not limited to, denial of access to any campus facility, activity, event, class, or program. This includes, but is not limited to, orders prohibiting the student from having contact with a member of the University Community. This also includes, but is not limited to, loss of privileges in the residence halls including but not limited to: guest privileges, early arrival/late stay status, vacation period housing, or removal from a floor, room, or building. Should residence hall space not be immediately available, relocation may take place at an arranged time.

Confiscation of Property: Confiscation of items that the University determines are inappropriate for the University setting.

Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary or material replacement.

Educational Program or Project: Required attendance at the student's expense at an educational workshop or completion of an educational project that will benefit the University community, responsible student, or others.

Referral: A student may be referred to Counseling, Health and Wellness, Student Affairs/Dean of

Students (Law) Center for Learning & Academic Success or another appropriate office or local agency for consultation or assessment.

Un-enrollment from a Course and/or Academic Program: A student may be unenrolled from a course and/or an academic program. In such cases, tuition and fees for the course will not be refunded to the student.

No Contact Order/Directive: An order that restricts communication/contact between two or more parties.

Disciplinary Probation: A period of time during which a student's behavior is subject to examination.

Strict Disciplinary Probation: A period of time during which a student's behavior is subject to close examination. In addition, the student may be excluded from participation in some or all social and/or extracurricular activities, including, but not limited to, representing the University, participating in intercollegiate athletics, holding elected or appointed office in the Student Government Association/Student Bar Association or other student organization, or studying abroad.

Residence Relocation: Required reassignment to another residence area.

Deferred Loss of Housing: Warning that if the student is found responsible for violating the University's Sexual Misconduct and/or Nondiscrimination policies, the student may be immediately removed from the residence halls for a specific period of time, after which the student may reapply for housing.

Loss of Future Housing: The student is prohibited from participating in the returning student housing lottery or from participating in the returning student waitlist until the date specified or indefinitely if no date is specified.

Residence Hall Suspension: Separation of the student from the residence halls for a specific period of time, after which the student may reapply for housing. The student may not participate in the housing lottery for the following year or be on the housing waitlist while on Residence Hall Suspension. Reapplication for housing does not guarantee the student will receive on-campus housing. Conditions for returning to the residence halls may be specified.

Residence Hall Dismissal: Permanent separation of the student from the residence halls.

Deferred University Suspension: A warning that if the student is found responsible for violating the University's Sexual Misconduct and/or Nondiscrimination policies during a specific period of time, the student may be immediately suspended from the University for a specific period of time, after which the student may reapply. Conditions for return may be specified.

University Suspension: Suspension of the student from the University for a specific period of time, after which the student may apply to return. Conditions for return may be specified.

University Suspension is noted on the student's transcript.

Deferred University Dismissal: Warning that if the student is found responsible for violating the University's Equal Opportunity, Harassment, and Nondiscrimination policy the student may be immediately dismissed from the University.

Dismissal: Permanent separation of the student from the University. University Dismissal is noted on the student's transcript.

Revocation of Admission or Degree: Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or violation of the University's Sexual Misconduct and/or Nondiscrimination policies or for other serious violations committed by a student prior to graduation.

Withholding of a Degree: The University may withhold awarding a degree otherwise earned until the completion of the disciplinary process, including any investigation, including the completion of all sanctions imposed, if any.

Student Organization Recognition in Jeopardy: A warning that if the student organization is found responsible for violating the Sexual Misconduct and/or Nondiscrimination policies during a specified period of time, the student organization's recognition may be immediately revoked.

Loss of Recognition: During a specific period of time, a recognized student organization may not associate itself with the University by using the University name, facilities, or other rights and privileges of recognized student organizations, after which the organization may reapply for recognition. There is no guarantee re-recognition will be granted. If re-recognition is granted, conditions for re-recognition may be specified.

APPENDIX C: Employee Discipline

Where an employee of the University violates the Nondiscrimination Policy discipline up to and including termination may be imposed.

SUFFOLK UNIVERSITY RESPONSE PROCEDURES

If a student or employee reports that he or she is the victim of domestic violence, dating violence, sexual assault, or stalking – regardless of where the offense occurred – the University will respond as follows:

Domestic Violence

- The University will assess the immediate safety needs of the complainant.
- The University will provide the complainant with a written explanation of the complainant's rights and options, *including the right to decline to notify police or campus authorities.*
- The University will provide written information to the complainant on how to apply for an

Abuse Prevention Order.

- The University will issue a “Notice of Trespass” to the accused party, if appropriate.
- The University will provide the complainant with a written list of on-campus and off-campus resources.
- The University will assist the complainant with contacting local law enforcement if the complainant wishes and will provide the complainant with contact information for local law enforcement.
- The University will provide written information to the complainant on how to preserve evidence.
- The University will assess the need to implement interim or long term protective measures to protect the complainant, if appropriate.
- The University prohibits retaliation by any student or employee against a person who exercises his or her rights or responsibilities under any provision of the Campus SaVE Act and will take immediate and separate action against any person who retaliates.

Dating Violence

- The University will assess the immediate safety needs of the complainant.
- The University will provide the complainant with a written explanation of the complainant’s rights and options, *including the right to decline to notify police or campus authorities.*
- The University will provide written information to the complainant on how to apply for an Abuse Prevention Order.
- The University will issue a “Notice of Trespass” to the accused party, if appropriate.
- The University will provide the complainant with a written list of on-campus and off-campus resources.
- The University will assist the complainant with contacting local law enforcement if the complainant wishes and will provide the complainant with contact information for local law enforcement.
- The University will provide written information to the complainant on how to preserve evidence.
- The University will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate.
- The University prohibits retaliation by any student or employee against a person who exercises his or her rights or responsibilities under any provision of the Campus SaVE Act and will take immediate and separate action against any person who retaliates.

Sexual Assault

- Depending on when the sexual assault is reported (immediate report vs. delayed report), the University will provide the complainant with access to medical care.
- The University will assess the immediate safety needs of the complainant.
- The University will assist the complainant with contacting local law enforcement if the complainant wishes and will provide the complainant with contact information for local law enforcement.
- The University will provide the complainant with referrals to on and off campus mental

health providers.

- The University will provide the complainant with a written list of on and off campus sexual assault resources.
- The University will provide the complainant with a written explanation of the complainant's rights and options, *including the right to decline to notify police or campus authorities.*
- The University will provide written information to the complainant on how to preserve evidence.
- The University will provide written information to the complainant on how to apply for an Abuse Prevention Order or a Harassment Prevention Order.
- The University will assess the need to implement interim or long term protective measures, such as housing changes, change in class schedule, and "No Contact" directives to both parties, in order to protect the complainant.
- The University will issue a "Notice of Trespass" to the accused party, if appropriate.
- The University will provide a copy of the Policy Against Sexual Misconduct to the complainant and inform the complainant regarding timeframes for the inquiry, investigation, and resolution.
- The University will inform the complainant of the outcome of the investigation, whether the accused will face administrative charges and the outcome of the hearing.
- The University prohibits retaliation by any student or employee against a person who exercises his or her rights or responsibilities under any provision of the Campus SaVE Act and will take immediate and separate action against any person who retaliates.

Stalking

- The University will assess the immediate safety needs of the complainant.
- The University will assist the complainant with contacting local law enforcement if the complainant wishes and will provide the complainant with contact information for local law enforcement.
- The University will provide written information to the complainant on how to preserve evidence.
- The University will provide written information to the complainant on how to apply for an Abuse Prevention Order or a Harassment Prevention Order.
- The University will issue a "Notice of Trespass" to the accused party, if appropriate.
- The University will assess the need to implement interim or long-term protective measures to protect the complainant, if appropriate.

Sexual Misconduct Response Team

The purpose of the Sexual Misconduct Response Team is to address the safety needs of the Suffolk community while protecting the survivor's right to privacy and ensuring the integrity of any police investigation, or University disciplinary action.

If it is determined that a reported incident of sexual assault or sexual misconduct represents a potential danger to the Suffolk Community, the Sexual Misconduct Response Team will be convened. A potential danger to the Suffolk community includes the following:

- A pattern of sexual assaults, rapes or sexual misconduct incidents;
- A pattern of sexual assaults, rapes or sexual misconduct incidents that occur near the campus;
- A violent or sadistic sexual assault, rape or sexual misconduct incident; or
- A gang sexual assault, rape or sexual misconduct incident.

If the Response Team finds that a potential danger to the Suffolk University community exists, the University will issue a timely warning to the community and other steps may be taken to ensure public safety.

Although the survivor will not be present at the Sexual Misconduct Response Team meetings, the survivor's rights to anonymity will be respected by all members and overseen by the Senior Associate Dean of Students, or designee. The Sexual Misconduct Response Team may be composed of at least the following:

- Title IX Officer and Deputy Title IX Officers
- Dean of Students for CAS and SBS
- Senior Associate Dean of Students (CAS and SBS)
- Dean of Students - Law School
- Chief Human Resources Officer
- Chief of Suffolk University Police and Security Department (SUPD)
- Director of Counseling, Health and Wellness Center
- University Risk Manager

Other members of the Suffolk community, such as a representative from Residence Life and Housing and Public Affairs may be included as needed for a given set of circumstances.

Past Abuse

Many individuals experience sexual assault or sexual misconduct and never tell anyone at the time of the incident. If you were assaulted weeks or even years ago, assistance is still available. Talking with someone now may help you to cope better with abuse from the past, whether it was rape, child sexual abuse, incest, or sexual misconduct. Students may contact the Counseling Center for support at 617.573.8226 or view the website at www.suffolk.edu/counselingcenter.

EDUCATION, PREVENTION AND TRAINING PROGRAMS

Suffolk University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end domestic violence, dating violence, sexual assault, or stalking that:

- Are culturally relevant, inclusive of diverse communities, and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual,

relationship, institutional, community, and societal levels.

Suffolk University educational programming consists of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault or stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, or stalking under Massachusetts law;
- Defines consent with regard to sexual activity under Massachusetts law and as defined in Suffolk University policies;
- Describes safe and positive options that a bystander can take when he or she witnesses potential domestic violence, dating violence, sexual assault, or stalking;
- Provides information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Bystander Intervention

At Suffolk University, the health, safety, and welfare of our students, employees, and other members of our community are of paramount concern. As such, Suffolk University students and employees are encouraged to seek to intervene in or interrupt, if it is safe to do so, any discriminatory behavior that they witness, including sexual misconduct.

Training on effective bystander intervention techniques is offered by various offices on campus. For more information, contact the Dean of Students Office (CAS and SBS) at 617.573.8239 or studentaffairs@suffolk.edu; the Dean of Students Office (Law) at 617.573.8157 or the Human Resources Department at 617.573.8415.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.² We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.³ If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

² Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

³ Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse.

Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse:

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Suffolk University's Education Programs

Several University offices and student organizations offer workshops and training opportunities for students, faculty, and staff to foster and promote individual and collective action to reduce sexual misconduct and interpersonal violence. Programs include bystander intervention, education about the role of alcohol, and drugs in consent and sexual assault, workshops for incoming students and their parents, education for employees and the dissemination of written materials. Contact the following offices for more information about specific programs:

Counseling, Health and Wellness Center

Tremont Street, 5th Floor
Counseling: 617.573.8226
Health and Wellness: 617.573.8260

Student Affairs/Dean of Students (CAS and SBS Students)

73 Tremont Street, 12th Floor
617.573.8239

Dean of Students Office (Law Students)

120 Tremont Street, 4th Floor
617.573.8157

Residence Life and Housing

73 Tremont Street, 7th Floor
617.305.2500

Human Resources

73 Tremont Street, 5th Floor
617.573.8415

Suffolk University Police Department

148 Cambridge Street, 4th Floor
Non-emergency lines: 617.573.8113 or 617.573.8333

Peer Education

Student peer educators, the [SUPERS](#) (Suffolk University Peer-health Educators Resource), offer numerous informational workshops, panel discussions, info sessions and tables which present information on the relationship of alcohol and drugs to sexual misconduct, safer sex, relationship violence, and sexually transmitted infections.

A new student organization, Suffolk University Students Helping Institute Equal Learning and Defense – SHIELD, will help to educate students on sexual assault prevention.

Rape Aggression Defense (RAD) Program

Suffolk University's Rape Aggression Defense (RAD) program provides realistic self-defense tactics and techniques for students and employees. It is a comprehensive course that begins with awareness, prevention, risk reduction, and risk avoidance, then progresses to the basics of hands-on self-defense training. It is not a martial arts program.

Suffolk's RAD courses are taught by nationally certified instructors and provide each student with a workbook/reference manual. The SUPD employs certified members on campus who teach a 12-hour RAD training session once a semester. Suffolk is proud to offer the RAD program free of charge to all members of our community.

For further information, contact the Suffolk University Police Department at 617.573.8333.

Training Programs

Training is held annually for hearing officers on sexual misconduct incident investigation, impact of sexual misconduct on survivors, dynamics of sexual and relationship violence, interviewing techniques, and decision-making.

Training is held for a variety of campus groups, including students, student employees/resident assistants, student leaders, student athletes, faculty, and staff on sexual violence prevention, reporting expectations, and response protocols.

Training on sexual violence prevention, reporting expectations, and response protocols is conducted for all new students and employees through orientation programs. New students must complete the online educational tool, Haven Sexual Assault Prevention program, which uses a population-level approach to educate students on the issues associated with sexual assault. Haven provides students with specific definitions pertaining to sexual assault. The program addresses important distinctions between making decisions when consent is present and when consent is absent, or difficult to identify. The program relies on current statistics from the US Department of Justice to support the messages delivered in the course, helping raise awareness of the prevalence of this issue on college campuses. Haven addresses many of the assumptions and stereotypes associated with sexual assault, rape, stalking, and harassment and refutes these common misperceptions with facts and current statistics.

Risk Reduction

The following are some strategies to reduce one's risk of sexual assault or harassment (taken from "Rape, Abuse & Incest National Network, www.rainn.org):

1. **Be aware of your surroundings.** Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. **Try to avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don't know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down with packages or bags** as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have taxi cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect that you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 911). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly other tests).
15. If you need to get out of an **uncomfortable or scary situation** here are some things that you can try:
 - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with

- knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
 17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Policies

Policies are in place and are disseminated to students and employees to inform them of prohibited conduct, educational programs to promote the prevention of sexual misconduct, and reporting and support resources for survivors.

COMMUNITY STANDARDS AND THE STUDENT CONDUCT SYSTEM

There are extensive rules regarding the community standards and student conduct system at Suffolk University. Read more to find out about a specific rule or policy.

Introduction

Suffolk University has established the Community Standards to promote and maintain an academic environment that is consistent with the mission of the University. The Student Conduct System addresses alleged violations of the community standards. Students are expected to carefully review the community standards outlined in this document and are required to comply with the community standards. Students will be held accountable for violations. Sanctions will range from a warning to removal from university housing to dismissal from the University to the withholding or the revocation of a degree. Minimum sanctions have been established for certain violations.

Guiding Principles of the Community Standards and the Student Conduct System

To enter Suffolk University is to accept an invitation to participate in a learning environment in which students are educated to become lifelong learners as well as professionals who lead and serve the communities in which they live and work. Choosing to become a member of this community requires members to respect and contribute to a genuine community of student, faculty, and staff learners who are mutually supportive and respectful. By voluntarily choosing to affiliate themselves with Suffolk University, students acknowledge, accept, and agree to comply with the responsibilities outlined in the Community Standards. The Suffolk University Community holds high expectations of how members live and interact with one another. Respect for oneself and respect for others lie at the heart of the Community Standards. Since its inception in 1906 as the Suffolk School of Law, the University has supported and encouraged diversity in a challenging, supportive environment for motivated and capable students from various backgrounds and

cultures. As such, the Suffolk University Community Standards established for student members of the Suffolk Community are not always exactly the same as those standards that apply to individuals within society at large. Students are accountable for their actions as a necessary part of community life. The University's Community Standards go beyond what is simply required for public order.

Suffolk University has sought to educate students who—as leaders in law, business, and professional and civic life—will live by the highest intellectual and ethical standards. In search of this ideal, Suffolk strives to create an environment in which learning is a shared responsibility that is pursued in classrooms, studios, and laboratories; internships and study abroad programs; co-curricular and extracurricular activities; athletic fields; residence halls; and the city of Boston and beyond. The Suffolk University Community Standards and other policies are intended to contribute to the education and growth of student members of the campus community. The University will hold students accountable for their actions as a necessary part of community life.

Glossary of terms

Administrative Hearing: A review of statements and/or information from a charged student, complainant, and/or witnesses with knowledge of an incident for the purpose of determining the charged student's responsibility for violating the Community Standards and to determine sanctions if the charged student is found responsible.

Advisor: Individual of the charged student's or complainant of sexual misconduct's choosing who may be present during any related meeting or administrative hearing. The advisor may not actively participate (speak) in any related meeting or administrative hearing. Rather, the advisor may serve as a support person for the charged student or complainant of sexual misconduct.

Complainant of Sexual Misconduct: Alleged victim/survivor of sexual misconduct.

Assistant Dean of Students, or Designee: The person responsible for the day-to-day management of the Community Standards and the Student Conduct System.

Business Days: Days that the University is open for business.

Charged Student: A student alleged to have violated the Community Standards who has been notified that he or she must attend an administrative hearing.

Community Standards: Behavioral expectations Suffolk University has established for its students.

Complaint: A written summary describing how a student is alleged to have violated the Community Standards.

Complainant: Any individual member of the Suffolk Community or the University itself that submits a written complaint that a student has violated the Community Standards.

Computing Facilities: Computers, laboratories or electronic equipment, including but not limited

to printers, disc drives, flash drives, smartphones, tablets, screens, servers, software, computer labs, or networks.

Dean of Students, or Designee: The person responsible for the overall administration of the Community Standards and the Student Conduct System.

Disciplinary Hold: An administrative hold placed on a student's educational record when they do not respond to the request of a university official to attend a meeting or administrative hearing or has not completed a discipline sanction.

Determination Letter: A letter informing a charged student (and the complainant of sexual misconduct) of the outcome of an administrative hearing and any sanctions, if applicable.

Faculty Member: Any person authorized by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.

Guest: An individual who is an associate of a student, staff or faculty member.

Hearing Officer: A University official authorized by the dean of students, or designee, to determine whether a student has violated the Community Standards and to impose a sanction when a violation of the Community Standards has been committed.

Interim Restrictions: Immediate sanctions taken against a student when the University believes that the student's continued presence on the campus endangers the physical safety or emotional state of the student or others, disrupts the educational process of the University or when the University determines that the interim restrictions are in the best interests of the University.

May: Used in the permissive sense.

Member of the University Community: Any person who is a student, faculty member, University representative, or any other person employed or engaged by the University. The assistant dean of students, or designee, will determine whether an individual is a member of the University community.

Notice to Appear: Written notice that a student is alleged to have violated the Community Standards and that the student must schedule an administrative hearing or attend an administrative hearing at a predetermined time.

Policy: Written rules or regulations of the University.

Residential Guest: Any individual who is visiting a residence hall on-campus who does not reside in that residence hall.

Sanction: A requirement a student must abide by or complete when found responsible for violating the Community Standards.

Student: Any person taking courses in the College of Arts & Sciences or the Sawyer Business

School, either full-time or part-time, pursuing undergraduate, graduate, professional studies or a joint-degree program at the Law School, any person who withdraws from the University after allegedly violating the Community Standards; or any person who is not officially enrolled for a particular term but who has been admitted or has a continuing academic relationship with the University.

Student Conduct System: The process and procedures for addressing alleged violations of the Community Standards.

Suffolk University Community: A group sharing common characteristics or interests in the higher education of students at Suffolk University.

University: Suffolk University.

University Activities: Activities such as events, programs, and/or classes, whether on or off-campus offered under the auspices of Suffolk University or held in relation to or in collaboration with Suffolk University.

University Representative: Any person (including students) authorized by the University to perform assigned duties or act on behalf of the University in a recognized capacity.

University Premises: All land, buildings, facilities, and other property in the possession of or owned, rented, leased, used, or controlled by the University.

Visitor: Any non-Suffolk individual attending an event, program, etc.

Waiver of Responsibility: A form signed by a charged student in which they accept responsibility for violating the Community Standards and agrees to complete the sanction determined by the hearing officer.

Will: Used in the imperative sense.

Witness: Any person with information relevant to a student's alleged violation of the Community Standards.

Written Complaint: A written summary of an incident that is alleged to be a violation of the Community Standards.

Violation of Law and College Discipline

Student conduct may violate federal, state, or local law and/or the Suffolk University Community Standards. Violations may be addressed through the Student Conduct System, the civil or criminal court system, or both. When student conduct may have violated federal, state, or local law, Suffolk University may take action against a student through the Student Conduct System prior to, simultaneously with, or following civil or criminal proceedings at the discretion of the assistant dean of students, or designee.

Determinations made or sanctions imposed under the Student Conduct System will not be subject to change when civil claims or criminal charges regarding the same incident are resolved in favor of the student defendant. However, the University reserves the right to impose additional sanctions if a student is found liable or guilty in a civil or criminal proceeding.

Students involved in civil and/or criminal proceedings related to student conduct that may violate the community standards are responsible for all costs associated with the civil or criminal proceeding.

The University cooperates with law enforcement and other agencies in the enforcement of civil or criminal law on campus and with any conditions that may be imposed by civil or criminal courts, including, but not limited to, those related to the rehabilitation of student violators, provided the conditions do not conflict with campus rules or sanctions.

Jurisdiction

The Suffolk University Community Standards and Student Conduct System apply to the conduct of any student or individual:

- Who is enrolled in or accepted for an academic course or program regardless of credits carried;
- Who withdraws from the University after allegedly violating the Community Standards; or
- Who is not officially enrolled for a particular term but who either was admitted to or who has a continuing academic relationship with the University.

The Suffolk University Community Standards and Student Conduct System also apply to any student group or organization.

The Community Standards and Student Conduct System apply to conduct that occurs on or off-campus including, but not limited to, conduct at University-sponsored activities, during all programs such as internships and study abroad, and to conduct that adversely affects the University community or the pursuit of its objectives, or calls into question the suitability of a student as a member of the Suffolk University community.

Each student is responsible for his/her conduct from the time of acceptance of admission through the actual awarding of a degree, even though the conduct may occur before classes begin or after classes end, as well as during the academic year or during periods between terms of actual enrollment, and even if the conduct is not discovered until after a degree is awarded.

The Community Standards and Student Conduct System apply to a student's conduct even if the student withdraws from the University while a complaint is being investigated or adjudicated.

The assistant dean of students, or designee, will decide, on a case-by-case basis, whether the Community Standards and Student Conduct System will be applied to conduct occurring off campus.

Students are responsible for the consequences of their actions even when the conduct may have been influenced by their physical or emotional state.

Students are responsible for the consequences of their actions even when the conduct may have been influenced by their use of alcohol or other drugs.

A disciplinary hold may be placed on a student's educational record when a student does not respond to the request of a university representative to attend a meeting or administrative hearing, or does not comply with a conduct sanction. Students with a disciplinary hold may not be permitted to register for courses, receive a diploma, add or drop courses, or participate in other University activities.

If a student fails to pay a conduct fine by the due date, the fine and any penalties may be added to the student's account. Policies for the payment of student accounts are managed by Student Accounts.

Conduct System

The dean of students is responsible for the overall administration of the Community Standards and Student Conduct System. The dean of students, or designee is authorized to delegate responsibilities to others and will appoint hearing officers to conduct administrative hearings. Under his/her direction, the assistant dean of students has been charged with the day-to-day responsibility for the administration of the Community Standards and Student Conduct System.

The assistant dean of students, or designee, will develop and maintain policies and procedural rules for the administration of the Student Conduct System consistent with the provisions of the Community Standards.

If a written complaint involves more than one charged student, the hearing officer, at his/her discretion, may determine whether an administrative hearing concerning each student will be conducted separately or jointly. Students are required to attend administrative hearings.

Administrative hearings are not open to the public. Therefore, members of the Suffolk University community who are not directly involved in the incident and friends, parents, partners, siblings, legal counsel, and others are not permitted in the room where the administrative hearing takes place, but may wait nearby for support purposes.

Students will be held accountable for violation such as the failure to obey a notice from a University representative to attend a meeting and/or appear for an administrative hearing; falsifying, distorting, or misrepresenting information at an administrative hearing; submitting or corroborating a false written complaint, or withholding information; attempting to discourage an individual's proper participation in or use of the Student Conduct System; attempting to influence the impartiality of the hearing officer; harassment or intimidation of a complainant, witness, or hearing officer in connection with an administrative hearing; failure to comply with a sanction imposed under the Student Conduct System; or influencing or attempting to influence another person to commit an abuse of the Student Conduct System.

Formal rules of process, procedure, or evidence such as those applied in civil or criminal courts are not used in the Student Conduct System.

Hearing officers will recuse themselves from a case, when appropriate.

Decisions resulting from an administrative hearing will be final, pending the appeal process.

Student conduct that warrants sanctions may result in forfeiture of all Suffolk scholarships, financial aid, or monies paid.

Initiation of Disciplinary Proceedings

Any individual member of the University community may submit a written complaint alleging a student violated the community standards. Complaints may also be submitted on behalf of the University.

The written complaint will be directed to the assistant dean of students, or designee. A written complaint must be submitted within 30 days of the incident that the University is open for business.

Upon receiving a written complaint, the assistant dean of students, or designee, may take one or more of the following steps:

- Offer a student the opportunity to accept responsibility for a violation of the Community Standards by signing a waiver and accepting sanctions;
- Conduct an investigative hearing, which includes notifying a student that he/she has been charged with a violation(s) of the Community Standards and must attend or schedule an administrative hearing;
- Dismiss the written complaint. Such disposition will be final and there will be no subsequent action; and/or
- Impose interim restrictions.

Waiver to Forgo an Administrative Hearing and Accept Responsibility for Violating the Community Standards and Accept Sanction(s)

A hearing officer may offer a student alleged to have violated the community standards a waiver to forgo an administrative hearing. By signing a waiver, the charged student accepts responsibility for violating the community standards and agrees to complete a sanction as determined by the hearing officer. The student waives his/her right to an administrative hearing and may not appeal the determination or sanctions.

Administrative Hearings

An administrative hearing will be conducted by a hearing officer appointed by the dean of students, or designee.

The purpose of an administrative hearing is to review information gathered from a charged student, complainant, and/or witnesses or others with information or knowledge of the incident so that the hearing officer can make a determination as to whether the charged student violated the community standards.

The charged student will be notified that a written complaint has been received and that he/she must schedule or appear at a predetermined time for an administrative hearing. Notification is deemed to have occurred on the date on which the notice to appear is mailed, an e-mail is sent, a telephone conversation takes place, or a written message is delivered advising the student of this information. Notice of the charges for an administrative hearing will be in writing and will include the date by which the student alleged to have violated the Community Standards must schedule the administrative hearing or will include the date, time, and location of the hearing the student is required to attend.

After being notified that he/she must schedule an administrative hearing, the charged student must do so within three (3) business days of such notification. The charged student is encouraged to schedule the administrative hearing as soon as possible.

After being notified that he/she must attend the administrative hearing at a predetermined time, the charged student must attend the administrative hearing.

Administrative hearings may be recessed at any time at the discretion of the hearing officer.

Absent compelling circumstances as determined by the hearing officer, if a charged student does not schedule an administrative hearing or appear at an administrative hearing scheduled for a predetermined time, the administrative hearing will be held in the student's absence. The hearing officer will issue a decision and sanctions will be imposed, if appropriate.

Generally, but not always, the order of an administrative hearing will proceed as follows:

- Introduction
- Reading of the charges
- Opening statement from the charged student
- Questioning by the hearing officer
- Closing statement from the charged student

If the University is the complainant, an authorized representative of the University shall serve as the complainant.

The charged student may provide the names of up to four (4) witnesses with knowledge of the incident at least one (1) business day prior to the administrative hearing. Character witnesses are not permitted. The hearing officer will decide, in his/her sole discretion, whether to seek to obtain information from witnesses.

All procedural questions and decisions are subject to the final decision of the hearing officer.

Decisions of the hearing officer will be made based upon a determination of whether it is established, by a preponderance of the evidence, that the charged student violated the community standards.

After the administrative hearing concludes, the hearing officer will determine whether the charged student violated each section of the community standards that the student is alleged to have violated.

The charged student will be notified in writing of the decision and sanction(s) imposed, if any. Notification is deemed to have occurred on the date on which a document is mailed, an e-mail is sent, or a written message is delivered.

A charged student will be entitled to:

- Receive written notice of charges;
- Receive a copy of the incident report within one (1) business day of the written request for a copy. Names of other individuals in the report will be removed consistent with applicable law;
- Be notified of the date, time, and place of the charged student's administrative hearing;
- Receive notice of the fact that the charged student's failure to schedule an administrative hearing by the due date or appear for an administrative hearing may result in the administrative hearing being conducted in the absence of the charged student;
- Provide the names of up to four (4) witnesses with knowledge of the incident at least one (1) business day prior to the administrative hearing. The hearing officer will decide, in his/her sole discretion, whether to seek to obtain information from witnesses;
- Decline to answer any questions or make any statements during an administrative hearing. The outcome of the administrative hearing will be based on the information or lack thereof presented at the administrative hearing and information gathered through an investigation (if applicable);
- Be informed in writing of the decision and sanction, if any; and
- Request in writing an appeal of the decision resulting from an administrative hearing no later than two (2) business days after the date of the determination letter.

The date of the request for the appeal is the date on which a document is mailed, an e-mail is sent, or a written message is delivered. A charged student is entitled to one appeal.

Sanctions

In determining a sanction, the hearing officer may consider all relevant information, including, but not limited to, the charged student's present demeanor; past disciplinary record; the nature of the misconduct, and the severity of any damage, injury, or harm resulting from the misconduct. Sanctions do not become effective until the appeals process is completed; however, any interim sanctions imposed remain in effect during the pendency of a hearing and/or an appeal. Some University policies specify sanctions for violations. See individual policies for required sanctions, if any.

The hearing officer may impose the following sanctions on any student found to have violated the Community Standards.

Warning: A notice, either verbal or written, that the student is violating or has violated University regulations, must cease the conduct immediately, and that continuation or repetition of wrongful conduct may be cause for more severe disciplinary action.

Parental Notification: The University may notify parents/guardians when students under the age of 21 have been found responsible for violating the University's alcohol or drug policies, or when there is a serious health or safety issue regarding a student.

Loss of Privileges: Denial of specified University and/or Residence Life & Housing or other privileges for a designated period of time, which may include, but is not limited to, denial of access to any campus facility, activity, event, class, or program. This includes, but is not limited to, orders prohibiting the student from having contact with a member of the Suffolk University community. This also includes, but is not limited to, loss of privileges in the residence halls, including, but not limited to, guest privileges, early arrival/late stay status, vacation period housing, or removal from a floor, room, or building. Should residence hall space not be immediately available, relocation may take place at an arranged time.

Confiscation of Property: Confiscation of items that the University determines are inappropriate for the University setting.

Fines: Financial sanction.

Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service or monetary, or material replacement.

Campus Service: Assignment of an appropriate service project that will benefit the University community, responsible student, or others.

Educational Program or Project: Required attendance at the student's expense at an educational workshop or completion of an educational project that will benefit the University community, responsible student, or others.

Referral: A student may be referred to Counseling, Health and Wellness, Student Affairs, Center for Learning & Academic Success, or another appropriate office or local agency for consultation, or assessment.

Unenrollment from a Course and/or Academic Program: A student may be unenrolled from a course and/or an academic program. In such cases, tuition and fees for the course will not be refunded to the student.

Order of No Contact: an order that restricts communication/contact between two or more parties.

Disciplinary Probation: A period of time during which a student's behavior is subject to examination.

Strict Disciplinary Probation: A period of time during which a student's behavior is subject to close examination. In addition, the student may be excluded from participation in some or all social and/or extracurricular activities, including, but not limited to, representing the University, participating in intercollegiate athletics, holding elected or appointed office in the Student Government Association or other student organization, or studying abroad.

Residence Relocation: Required reassignment to another residence area.

Deferred Loss of Housing: Warning that if the student is found responsible for violating the community standards during a specified period of time, the student may be immediately removed from the residence halls for a specific period of time, after which the student may reapply for housing.

Loss of Future Housing: The student is prohibited from participating in the returning student housing lottery or from participating in the returning student waitlist until the date specified or indefinitely if no date is specified.

Residence Hall Suspension: Separation of the student from the residence halls for a specific period of time, after which the student may reapply for housing. The student may not participate in the housing lottery for the following year or be on the housing waitlist while on Residence Hall suspension. Reapplication for housing does not guarantee the student will receive on-campus housing. Conditions for returning to the residence halls may be specified.

Residence Hall Dismissal: Permanent separation of the student from the residence halls.

Deferred University Suspension: A warning that if the student is found responsible for violating the community standards during a specific period of time, the student may be immediately suspended from the University for a specific period of time, after which the student may reapply. Conditions for return may be specified.

University Suspension: Suspension of the student from the University for a specific period of time, after which the student may apply to return. Conditions for return may be specified.

Deferred University Dismissal: Warning that if the student is found responsible for violating the community standards during a specific period of time, the student may be immediately dismissed from the University.

University Dismissal: Permanent separation of the student from the University.

Revocation of Admission or Degree: Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of the community standards in obtaining the degree or for other serious violations committed by a student prior to graduation.

Withholding Degree: The University may withhold awarding a degree otherwise earned until the

completion of the disciplinary process, including any investigation, set forth in the Student Conduct System, including the completion of all sanctions imposed, if any.

Student Organization Recognition in Jeopardy: A warning that if the student organization is found responsible for violating the community standards during a specified period of time, the student organization's recognition may be revoked immediately.

Loss of Recognition: During a specific period of time, a recognized student organization may not associate itself with the University by using the University name, facilities, or other rights and privileges of recognized student organizations, after which the organization may reapply for recognition. There is no guarantee re-recognition will be granted. If re-recognition is granted, conditions for re-recognition may be specified.

More than one of the sanctions listed above may be imposed for any single violation. Other sanctions may be imposed instead of or in addition to those specified above. This list is provided by way of example only, and it is not intended to be exhaustive.

In addition to the above sanctions, student conduct that warrants action within the Student Conduct System may result in forfeiture of all Suffolk scholarships, financial aid, or monies paid.

Appeals of Decisions and Sanctions Resulting from Administrative Hearings

A charged student may submit one request for an appeal of the decision resulting from an administrative hearing no later than two (2) business days after notification. Notification is deemed to have occurred the date on which this document is mailed, an e-mail is sent, a telephone conversation takes place, or a written message is delivered advising the student of this information.

A request for an appeal is to be submitted in writing to the hearing officer who heard the case, who will then forward the appeal request to the assistant dean of students, or designee, for assignment to an impartial hearing officer for review. Appeals will be considered only for failure to follow the process or procedures outlined in the Student Conduct System, or if new information not available at the time of the hearing is now available. Students must include a statement of why the additional information should be considered and why it was not presented at the time of the original hearing.

An appeal is not a new hearing on the matter. Disagreement with the sanction is not grounds for an appeal.

The impartial hearing officer will:

- Determine whether the appeal request merits a formal appeal hearing and, if so, schedule an appeal hearing. An appeal is not a new hearing on the matter;
- Determine there are no grounds for the appeal, thus upholding the decision; or
- Refer the case to the hearing officer who originally heard the case for consideration of suggestions.

Appellate decisions are final.

Interim Restrictions

The assistant dean of students, or designee, may impose restriction(s) upon a student pending disciplinary proceedings. Interim restrictions become effective immediately without prior notice whenever the assistant dean of students, or designee, believes the student may pose a serious threat to others or property, cause serious disruption to the University community, or determines that interim restrictions are in the best interest of the University.

Interim restrictions may include suspension from the University or residence areas; relocation of residence; restriction to designated University residence areas or other campus facilities by time, or location; restriction of communication with named individuals or groups within the University community; or the requirement to obtain advance authorization to engage in a specified activity or any other restrictions the assistant dean of students, or designee, determines are appropriate under the circumstances. Interim restrictions will remain in effect during the pendency of an administrative hearing and/or appeal.

Discipline Records

Disciplinary records are educational records and are maintained in the Student Affairs and Residence Life & Housing offices. Disciplinary records are maintained by the Student Affairs and Residence Life & Housing offices for at least seven (7) years from the date of the incident. In situations involving both a charged student and a student who believes he/she was the victim of a student's misconduct, the records of the process and of the sanctions imposed, if any, will be considered to be the educational records of both the charged student and the alleged student victim because the educational career and chances of success in the academic community of each may be affected.

The University will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Interpretation and Revisions

Any question of interpretation or application of the Community Standards and Student Conduct System will be referred to the assistant dean of students, or designee, for final determination. The Community Standards and Student Conduct System will be reviewed at least every two (2) years under the direction of the assistant dean of students, or designee.

SEX OFFENDER REGISTRY INFORMATION

Any member of the Suffolk University community desiring information about registered sex offenders studying or working at Suffolk University must contact the Commonwealth of Massachusetts Sex Offender Registry Board.

Their contact information is as follows:

Hotline: 1-800-93MEGAN
Telephone: 978-740-6400
Address: PO Box 4547, Salem, MA 01970
[SORB Website](#)

In order to request sex offender registry information, you must fill out an appropriate request.

For further information, contact the legal department at the Sex Offender Registry Board at 978-740-6400.

[This link will lead you to a national sex offenders database.*](#)

*Please note that Suffolk University neither creates nor maintains this database and cannot guarantee the accuracy or completeness of the information, which is the responsibility of various state and federal agencies. This disclosure is in compliance with 34 CFR Part 668.

CRIME PREVENTION PROGRAMS

Suffolk University employs a full-time crime prevention officer, who is responsible for educating the community on security awareness and crime prevention. In addition to sending out periodic educational pamphlets, videos, articles, and advertisements in the University newsletter and student newspapers, and prominently posting crime prevention messages around campus, this officer and the SUPD offer the following educational programs:

- At the beginning of the fall semester, programs on transit safety, residence life safety, and safe city walks.
- During the fall semester, a RAD program; at semester's end, programs on holiday shopping safety and personal safety.
- In January during the semester break, programs for employee safety.
- During the spring semester, a second RAD class.
- Throughout the summer, safety and crime prevention panels during Orientation for all incoming students.

FIRE SAFETY

Suffolk University has developed policies prohibiting activities and objects considered to be fire hazards or which pose a potential threat to the University community. University employees and resident students receive training related to the policies and are expected to understand and comply with them. Students in the residence halls may find additional policies listed in The Guide to Residence Life.

The Suffolk University Police and Security Department maintains a public fire log, which includes all reports of fires on the Boston campus.

Reporting Fires

Persons discovering a fire, smoky condition, or explosion should:

- Pull the nearest fire alarm pull station - this will notify the Boston Fire Department that there is a fire in the building.
- Fire alarm pull stations are located next to the interior stairwell doors.
- Walk to the nearest stairway or exit and leave the building.
- Do not use elevators during a fire.

Students living in the residence halls should also notify a member of the Residence Life and Housing staff of a fire, smoky condition, or explosion. Under federal law, Suffolk University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. If you hear of or find evidence of a fire that has already been extinguished or of which you are unsure whether Suffolk University is already aware, please contact the SUPD at 617-573-8111.

Fire Safety Policies

The following activities, items, appliances, and decorations are prohibited at Suffolk University, including in the residence halls:

- Possession of items capable of producing an open flame (including all candles, incense, torches, Sterno, etc.)
- The use of items capable of producing an open flame (including all candles, incense, torches, Sterno, etc.) NOTE: The responsible use of matches and/or cigarette lighters is allowed only in designated smoking areas
- The obstruction of any entrance, exit, corridor, or stairwell by placing furniture or other property in these areas
- The storage and use of highly combustible items (including gasoline, charcoal lighter, propane gas, etc.)
- The hanging of tapestries or other large flammable items that cover ceilings, fire detectors, sprinklers, doors, or windows or are near other means of egress
- The alteration of permanent lighting with, but not limited to, black lights, cloth, tapestries, and/or paper
- The use or possession of unauthorized portable electrical appliances, including coffee pots/makers, electric heaters, and hot plates
- The use or possession of heating elements or lighting elements, including sun lamps, halogen lamps (torchieres), and any items with open heating coils (i.e. grills, toasters⁴, electric fry pans, waffle, panini, sandwich, or quesadilla makers, fryers, or auxiliary heaters).

Employees and students must use fire safety equipment properly, and the following conduct is

⁴ Toasters are allowed in the apartments in the 10 West/Modern Theater apartments.

prohibited at Suffolk University:

- The act of falsely pulling a fire alarm
- Intentionally, recklessly, or negligently causing the sounding of a fire alarm without evidence of a fire
- Failure to evacuate the building during a fire alarm
- The act of causing the fire alarm to sound by intentionally or recklessly misusing or damaging other fire safety equipment
- Tampering with any fire safety equipment, including, but not limited to, smoke detectors, fire extinguishers, fire safety signs or postings, telephone boxes, exit lights, emergency lighting, sprinklers, fire alarms, and fire doors
- The act of discharging a fire extinguisher without evidence of fire
- Tampering with electric circuit panels
- The Office of Environmental Health and Safety (OEHS) may conduct fire safety inspections in the buildings on campus. Violations of this policy will be noted and items in violation of the policy may be confiscated. Requests to use or possess materials that are prohibited may be made on a case-by-case basis to OEHS.

Emergency Evacuation Procedures for Residence Halls

When the fire alarm is activated, a signal horn will sound. The following pre-recorded message will be heard over the intercom system:

“Attention please, the signal tone you have just heard indicates a report of an emergency in this building. If your floor evacuation signal sounds after this message, walk to the nearest exit stairway, and leave the floor. While this report is being verified, occupants on other floors should await further instruction.”

After this message, an evacuation signal will sound on the affected floor, the floor above, and the floor below. Occupants of these three floors must exit the building by stairs.

Do not use the elevators to exit the building.

The stairwells are equipped with fire-rated doors. Individuals should stay to the right when exiting down a stairwell to allow passage by fire department personnel who may be using the stairwell to go to the fire area. If the stairwell contains fire or smoke, or is otherwise obstructed, select another appropriate escape route.

When an alarm sounds:

- Feel the door and the doorknob with the back of your hand. If they are hot, seek an alternate exit.
- Otherwise, when opening the door, brace yourself against it, and slowly open the door only a crack to check for smoke, heat, or flames. If there is too much smoke, heat, or flames, close the door and seek an alternate exit. If there is no alternate exit, proceed as follows:
 - Crawl or stay low to the floor where the air is cleaner and cooler. Avoid inhaling the

- smoke, if you can.
- Go back to your room and close the door.
 - Call the Boston Fire Department at 9-911.
 - Put wet towels or tape around the cracks in your door, vents, louvers, etc.
 - Breathe through a wet towel or handkerchief placed over the mouth and nose.
 - If windows can be opened, open one window if and only if the fire is not below the window.
 - Make your presence known by periodically appearing at the window.
- If you have a bathtub or sink, fill it with water. Keep a pan or can next to the tub. Use the water and pail to fight the fire should it enter the room.
 - Do not jump out of windows or climb on ledges. If you are on the ground or first floor, safe evacuation from a window may be possible. To avoid being cut, try opening windows first before breaking them.
 - If your clothing catches on fire, do not run. Stop, drop, and roll and immediately cover your face with your hands. Try to keep fire away from your face and breathing passages.

Please note, safety is a top priority, and the following should only be done if safe to do so:

- Shut off electrical appliances
- Leave your room light on
- Close your doors and windows
- If you lock your door, take your keys with you (do not stop for valuables)
- Alert others around you
- Assist any special needs/disabled persons in evacuating

Student Housing - Fire and Life Safety Systems

All student housing, academic, and administrative buildings contain the following smoke and fire detections systems, fire prevention equipment, and building fire suppression systems:

Smoke Detectors - Smoke detectors provide the initial warning signal of fire in the building. They are installed throughout the building. The activation of a smoke detector will initiate the alarm sequence and will alert the appropriate authorities.

Fire Alarm Pull Stations - Fire alarm pull stations are located near the stairwell doors on each floor, and the building's exits. Pull stations, when activated, will activate the building's fire alarm system and automatically alert the Boston Fire Department. All building occupants should familiarize themselves with the location of the pull stations in their areas that are designated as exits.

Combination Audiovisual Devices - The audiovisual fire alarm signals for the building are horns and Americans with Disabilities Act (ADA) approved strobe lights. These devices are located throughout each floor in the building to provide complete communication during an emergency situation.

Fire Extinguishers - Fire extinguishers are installed on every floor. The extinguishers are a dry chemical type that is effective on Class A, B, and C fires. There may be several fire extinguisher locations, strategically placed, depending upon the size and design of the floor. Fire extinguishers should be used by trained personnel only. The safe evacuation of the building is the number one priority.

Elevators - Elevators are not to be used during a fire or an emergency situation. The Boston Fire Department must be able to access the elevators in order to transport their personnel to various floors and to evacuate individuals needing physical assistance.

Stairwell Doors - Each building's stairwell doors are self-closing fire-rated doors, and are designed to prevent fire and smoke from spreading from floor to floor. Do not block or hold these doors open as this will allow smoke to enter stairwells during a fire.

Emergency Lighting - Emergency lighting is installed in building stairwells, corridors, and common areas to provide assistance for egress of individuals during an emergency situation.

Fire Protection Equipment and Systems - All campus buildings are equipped with automatic fire detection and alarm systems. The following are fire detection, notification, and suppression systems that can control a fire in campus facilities (please see the Academic and Residence Hall Building sections for building-specific information).

Building Fire Suppression Systems

Sprinkler systems

- Water
- Oxygen displacement system
- Commercial kitchen hood exhaust/suppression systems (ANSUL system) Standpipe systems
- Wet
- Dry

Fire extinguishers

- Multi-purpose dry chemical (Class A, B, and C fires)
- Water (Class A fires)
- Carbon dioxide (Class B and C fires)
- Class D extinguishers
- Class K Guard extinguishers (grease fires)

In addition to the systems just described, the following systems and procedures are specific to each of the residence halls:

The Nathan R. Miller Residence Hall at 10 Somerset Street

Miller Hall is a high-rise residence hall owned and operated by Suffolk University. The building is 20 stories in height, and includes a penthouse and a basement. In addition, a glass-enclosed atrium with a skylight extends through the center of the building. The building has housing for approximately 345 students.

Evacuation Procedures and Routes - There are two staircases that can be used to exit the building at the 1st floor level. Stair 1 is located on the north side of the building and occupants exit the stairs on the first floor into the lobby and out the main entrance. Stair 2 is located on the south side of the building and occupants exit the stairs on the first floor into the lobby and out the main entrance.

If occupants are unable to evacuate through the lobby, there are two alternate exits available. One alternate exit is on the north side of the building and is accessible on the first floor by a door to the right of the elevators. This is a delayed egress door that opens after pushing on the crash bar for 15 seconds and opens into an outside space that will require a security gate to be unlocked to allow occupants to move away from the building. The other alternate exit is on the south side of the building and is accessible on the first floor by a door off of Stair 2. This is a delayed egress door that opens after pushing on the crash bar for 15 seconds and opens into an outside space that will require a security gate to be unlocked to allow occupants to move away from the building.

The primary assembly area for 10 Somerset Street is the open space outside One Beacon Street, across from 10 Somerset Street.

If there is a need to assemble further away from the building, the secondary assembly area is Roemer Plaza, which is located on the south side of 20 Somerset Street, outside the main entrance.

The designated areas of refuge for 10 Somerset Street are the landings in the stairwells on each floor. These areas are sometimes known as “emergency waiting areas” or “locations for rescue assistance.” The enclosed stairwells are constructed of fire resistive materials that protect individuals from the effects of a fire during evacuation.

Reporting a Fire or Emergency - Persons discovering a fire, smoky condition, or explosion should pull the nearest fire alarm pull station which will notify the Boston Fire Department that there is an alarm in the building. Fire alarm pull stations are located on each floor. The horn/strobe alarms alert building occupants of the need for evacuation.

To report any emergency on campus, notify Suffolk University Police at extension 8111, or 617-573-8111.

When the Fire Alarm Sounds:

1. In the event of a fire alarm activation, a signal will sound, followed by a pre-recorded message. Listen to the pre-recorded message and follow the instructions. In most situations only certain floors will be required to evacuate.
2. Occupants should ensure that others nearby are aware of the emergency, and when directed to do so, exit the building by the established evacuation routes.
3. Occupants should assist visitors, students, and others who are not familiar with the building

to safely evacuate.

4. All occupants should go to the assembly area and await further instructions from the Suffolk University Police Department or other emergency services personnel.
5. All occupants should know where their primary and alternate exits are located, and be familiar with the various evacuation routes available. Floor plans with escape routes are posted throughout the building.
6. Occupants must not use elevators as an escape route in the event of a fire or emergency evacuation.
7. No individual is permitted to re-enter the building until advised it is safe to do so by the Suffolk University Police Department or the Boston Fire Department.

Individuals Needing Assistance - Some building occupants require assistance during building evacuation. Students who need assistance can voluntarily register with the Office of Disability Services located on the 7th floor of 73 Tremont Street. Their phone number is 617-994-6820.

Residence Assistants can help individuals needing assistance by directing them to areas of refuge (i.e. protected stairwells), and notifying emergency response personnel of their location. Transporting individuals with disabilities up and down stairs should be avoided except by trained emergency personnel. All individuals, regardless of their circumstances, need to take responsibility for their safety in an emergency, which means being able to move away from any and all hazards.

Sprinkler System - High temperatures will activate the sprinkler system in the building by causing the sprinkler head to open and discharge water to a limited area. Additional sprinklers will activate if the fire is not contained. A fire pump automatically starts when the sprinkler system is activated and maintains water pressure within the system. Any flow of water from a sprinkler head will activate the fire alarm and will alert the Boston Fire Department, and Suffolk University Police Department.

Standpipes - Standpipes – water pipes used specifically for fighting fires – provide water for the sprinkler system, and provide a connection for fire fighters to attach their hoses in both of the exit stairways, the north and south stairs. There are connections located in the stairwells on each floor.

Michael S. and Larry E. Smith Hall Residence Hall, 150 Tremont Street

150 Tremont Street is a 434-bed residence hall, owned and operated by Suffolk University. The building is 11 stories in height and contains a basement, and sub-basement. The building consists of 10 floors of living space in single, double, triple, or quad rooms.

Evacuation Procedures and Routes - There are two staircases accessible from floors 2 – 11 that can be used to exit the building at the 1st floor level. Stair 1 is located on the Tremont Street side of the building and occupants exit the stairs on the first floor into the lobby and out the main entrance. Stair 2 is located on the back side of the building and occupants exit the stairs on the first floor onto Mason Street at the back side of the building. There are three staircases on floor 00 that can be used to access floor 0. Two of the stairs are located in the middle of the building, and one of the stairs is on the West Street/Tremont Street corner of the building. There are two staircases on floor 0 that can be used to access the 1st floor. One of the stairs is located in the middle of the building, and the other stair, Stair 3, is on the West Street/Mason Street corner of the

building.

There are also two exits on the West Street side of the building. One of them is accessible from the cafeteria seating area, and the other one is accessible from a hallway at the rear of the building, at the top of Stair 3.

The primary assembly area for 150 Tremont Street is in front of 151 Tremont Street.

If there is a need to assemble further away from the building, the secondary assembly area is Sargent Hall, 120 Tremont Street.

The designated areas of refuge for 150 Tremont Street are the landings in the stairwells in Stair 1 and Stair 2. These areas are sometimes known as “emergency waiting areas” or “locations for rescue assistance.” The enclosed stairwells are constructed of fire resistive materials that protect individuals from the effects of a fire during evacuation.

Exiting the Building and Assembly Area - Move away from the building to avoid danger from falling debris and to allow room for firefighters and their equipment. Do not congregate in lobby areas or just outside the exit doors.

Individuals exiting from 150 Tremont Street lobby: turn left out of the building and proceed to the front of the Tremont on the Commons Apartment Complex at 151 Tremont Street or follow the specific instructions of the Boston Fire Department or other emergency personnel.

Individuals exiting from the West Street exit: turn left and proceed up West Street, turn left on Tremont, and proceed to the front of the Tremont on the Commons Apartment Complex at 151 Tremont Street, or follow the specific instructions of the Boston Fire Department or other emergency personnel.

Individuals exiting from the Mason Street exit: turn left and proceed up Mason Street, turn left on West Street, turn left on Tremont, and proceed to the front of the Tremont on the Commons Apartment Complex at 151 Tremont Street, or follow the specific instructions of the Boston Fire Department or other emergency personnel.

Reporting a Fire or Emergency - Persons discovering a fire, smoky condition, or explosion should pull the nearest fire alarm pull station which will notify the Boston Fire Department that there is an alarm in the building. Fire alarm pull stations are located on each floor. The horn/strobe alarms alert building occupants of the need for evacuation.

To report any emergency on campus, notify Suffolk University Police at extension 8111, or 617-573-8111.

When the Fire Alarm Sounds:

1. In the event of a fire alarm activation, a signal will sound, followed by a pre-recorded message. Listen to the pre-recorded message and follow the instructions. In most situations

- only certain floors will be required to evacuate.
2. Occupants should ensure that others nearby are aware of the emergency, and when directed to do so, exit the building by the established evacuation routes.
 3. Occupants should assist visitors, students, and others who are not familiar with the building to safely evacuate.
 4. All occupants should go to the assembly area and await further instructions from the Suffolk University Police Department or other emergency services personnel.
 5. All occupants should know where their primary and alternate exits are located, and be familiar with the various evacuation routes available. Floor plans with escape routes are posted throughout the building.
 6. Occupants must not use elevators as an escape route in the event of a fire or emergency evacuation.
 7. No individual is permitted to re-enter the building until advised it is safe to do so by the Suffolk University Police Department or the Boston Fire Department.

Individuals Needing Assistance - Some building occupants require assistance during building evacuation. Students who need assistance can voluntarily register with the Office of Disability Services located on the 7th floor of 73 Tremont Street. Their phone number is 617-994-6820. Residence Assistants can help individuals needing assistance by directing them to areas of refuge (i.e. protected stairwells), and notifying emergency response personnel of their location. Transporting individuals with disabilities up and down stairs should be avoided except by trained emergency personnel. All individuals, regardless of their circumstances, need to take responsibility for their safety in an emergency, which means being able to move away from any and all hazards.

Sprinkler System - High temperatures will activate the sprinkler system in the building by causing the sprinkler head to open and discharge water to a limited area. Additional sprinklers will activate if the fire is not contained. A fire pump automatically starts when the sprinkler system is activated and maintains water pressure within the system. Any flow of water from a sprinkler head will activate the fire alarm and will alert the Boston Fire Department and Suffolk University Police Department.

Standpipes - Standpipes – water pipes used specifically for fighting fires – provide water for the sprinkler system and provide a connection for firefighters to attach their hoses in Stair 1, located on the west side of the building.

10 West Street/Modern Theater Residence Halls

10 West Street is a 466-bed residence hall, owned and operated by Suffolk University. The building consists of 11 floors of living space in single, double, triple, or quad rooms with options for suite and apartment living.

Evacuation Procedures and Routes - There are three staircases in the 10 West Street residence hall that can be used to exit the building at the 1st floor level. Stair 1 is located by the main elevators and occupants exit the stairs on the first floor and into the lobby and out the main entrance. Stair 2 is located on the Washington Street side of the building and occupants exit the stairs on the first floor and into an exit passage that opens onto Washington Street. Stair 5, accessible only up to the

2nd floor, is located in the middle of the building and occupants exit the stairs on the first floor and into an exit passage that opens onto Washington Street. There is also a fire escape that serves the 10 West Street residence hall. It is accessible from the 7th and 8th floors. The fire escape terminates on the intermediate roof on the 7th floor level. From there occupants walk across the walkway on the roof and into the Modern Theatre residence hall at Stairway 2. There are multiple staircases on floor 00 that can be used to access floor 0, and on floor 0 that can be used to access the 1st floor. Occupants are advised to look for the Exit signs on these levels for the closest as well as alternate stairwells. There is also an exit on the 1st floor of the 10 West Street side of the building that opens onto Washington Street.

There are two staircases in the Modern Theatre residence hall that can be used to exit the building at the 1st floor level. Stair 2 is located on the Washington Street side of the building and occupants exit the stairs on the first floor and into an exit passage that opens onto Washington Street. Stair 3 is located on the elevator side of the building and occupants exit the stairs on the first floor and into the lobby and out the main entrance, or behind the Modern Theatre stage and out exit doors that open into an alley next to the building.

The primary assembly area for 10 West Street/Modern Theatre is in front of 150 Tremont Street.

If there is a need to assemble further away from the building, the secondary assembly area is Sargent Hall, 120 Tremont Street.

The designated areas of refuge for 10 West Street/Modern Theatre are the landings in stairwells 1, 2, & 5. These areas are sometimes known as “emergency waiting areas” or “locations for rescue assistance.” The enclosed stairwells are constructed of fire resistive materials that protect individuals from the effects of a fire during evacuation.

Evacuation Routes - Two stairwells are located on the West Street side and the Washington Street side of the building. There is also a fire escape that runs down from the upper roof (above the 8th floor) to the lower roof (6th floor). There are entries to this fire escape from floors seven and eight. Once on the lower roof, people should walk across the roof and into the building and exit through Stairway Two. Residents, visitors, and employees should familiarize themselves with these fire exit stairwells.

Exiting the Building and Assembly Area - Move away from the building to avoid danger from falling debris and to allow room for firefighters, and their equipment. Do not congregate in lobby areas or just outside the exit doors.

Individuals exiting from the 10 West lobby: turn left out of the building and onto West Street, proceed down West Street to Tremont Street to the entrance to the residence hall at 150 Tremont Street, or follow the specific instructions of the Boston Fire Department or other emergency personnel.

Individuals exiting from Washington Street exit: turn left and proceed up West Street to Tremont Street to the entrance to the residence hall at 150 Tremont Street, or follow the specific instructions of the Boston Fire Department or other law enforcement personnel.

Reporting a Fire or Emergency - Persons discovering a fire, smoky condition, or explosion should pull the nearest fire alarm pull station which will notify the Boston Fire Department that there is an alarm in the building. Fire alarm pull stations are located on each floor. The horn/strobe alarms alert building occupants of the need for evacuation.

To report any emergency on campus, notify Suffolk University Police at extension 8111, or 617-573-8111.

When the Fire Alarm Sounds:

1. In the event of a fire alarm activation, a signal will sound, followed by a pre-recorded message. Listen to the pre-recorded message and follow the instructions. In most situations only certain floors will be required to evacuate.
2. Occupants should ensure that others nearby are aware of the emergency, and when directed to do so, exit the building by the established evacuation routes.
3. Occupants should assist visitors, students, and others who are not familiar with the building to safely evacuate.
4. All occupants should go to the assembly area and await further instructions from the Suffolk University Police Department or other emergency services personnel.
5. All occupants should know where their primary and alternate exits are located and be familiar with the various evacuation routes available. Floor plans with escape routes are posted throughout the building.
6. Occupants must not use elevators as an escape route in the event of a fire or emergency evacuation.
7. No individual is permitted to re-enter the building until advised it is safe to do so by the Suffolk University Police Department or the Boston Fire Department.

Individuals Needing Assistance - Some building occupants require assistance during building evacuation. Students who need assistance can voluntarily register with the Office of Disability Services located on the 7th floor of 73 Tremont Street. Their phone number is 617-994-6820.

Residence Assistants can help individuals needing assistance by directing them to areas of refuge (i.e. protected stairwells), and notifying emergency response personnel of their location. Transporting individuals with disabilities up and down stairs should be avoided except by trained emergency personnel. All individuals, regardless of their circumstances, need to take responsibility for their safety in an emergency, which means being able to move away from any and all hazards.

Sprinkler System - High temperatures will activate the sprinkler system in the building by causing the sprinkler head to open and discharge water to a limited area. Additional sprinklers will activate if the fire is not contained. A fire pump automatically starts when the sprinkler system is activated and maintains water pressure within the system. Any flow of water from a sprinkler head will activate the fire alarm and will alert the Boston Fire Department and Suffolk University Police Department.

sprinklers will activate if the fire is not contained by the original activating sprinkler. A fire pump rated for 750 gallons per minute automatically starts when the sprinkler system is activated and maintains water pressure within the system. Any flow of water from a sprinkler head will activate the fire alarm and will alert the Boston Fire Department and Suffolk University Police Department.

Sprinkler Zone Valves

FLOOR	SPRINKLER VALVE LOCATION
Basement	Stair 1 and Stair 2
1	Stair 1 and Stair 2
2	Stair 1 and Stair 2
3	Stair 1 and Stair 2
4	Stair 1 and Stair 2
5	Stair 1 and Stair 2
6	Stair 1 and Stair 2
7	Stair 1 and Stair 2
8	Stair 1 and Stair 2
9	Stair 1 and Stair 2
10	Stair 1 and Stair 2
11	Stair 1 and Stair 2
12	Stair 1 and Stair 2
14	Stair 1 and Stair 2
15	Stair 1 and Stair 2
16 (Roof)	Stair 1 and Stair 2
17 (Roof)	Stair 1

Standpipes

Standpipes, water pipes used specifically for fighting fires, provide water for the sprinkler system, and provide a connection for fire fighters to attach their hoses in Stair 1 and Stair 2.

Fire Pump

Location: Basement (B-004), accessed from Stair 1 via Lobby from Court Street, labeled “Fire Pump Room”.

Fire Alarm System

Activation of the buildings fire alarm system can occur by either an automatic means (smoke detector, heat detector, or sprinkler waterflow) or manual means (manual pull station). The fire alarm system is provided with emergency voice/alarm capabilities which provides verbal cues related to the evacuation of the building, and allows the Boston Fire Department to broadcast messages to all floors of the building. Any activation of the fire alarm system will alert the Boston Fire Department and Suffolk University Police Department.

Standpipes - Standpipes – water pipes used specifically for fighting fires – water for the sprinkler system and provide a connection for firefighters to attach their hoses in stair 1 and stair 3, located on the west side of the building.

One Court Street

One Court is a residence hall, owned and operated by Suffolk University. The building consists of fourteen (14) floors of living space in single, double, triple, or quad rooms. Additionally mechanical spaces are provided for two (2) additional floors above and one (1) basement level. The building also consists of:

- Café
- Kitchen
- Office
- Social and lounge spaces
- Conference and small meeting spaces
- Laundry facilities

Evacuation Routes

Two stairwell, Stair 1 and Stair 2, are provided which serve all floors of the building. In addition to the main stairwells, there is a stair which connects the basement kitchen area to the First Floor Café.

Exiting the Building

Move away from the building to avoid danger from falling debris and allow room for firefighters and their equipment. Do not congregate in lobby areas or just outside the exit doors.

- Individuals exiting from Stair 1, Stair 2, or the Lobby – Turn left out of the building and onto Court Street. Proceed down Court Street until reaching a safe distance from the building.
- Individuals exiting from the Cafe – Turn right out of the building and continue down the courtyard to Court Street. Proceed down Court Street until reaching a safe distance from the building.

Assembly

Individuals exiting One Court Street should gather at the intersection of Congress Street and State Street, at Washington Mall Plaza in front of 28 State Street, and wait for instructions.

Life Safety Systems

Sprinkler System

High temperatures will activate the sprinkler system in the building by causing the sprinkler head to open and discharge water to a limited area in the immediate vicinity of the fire. Additional

Fire Alarm System Evacuation Procedure

In the event of the fire alarm system activation, an evacuation tone and audible message will alert throughout the entirety of the building via the speaker/strobe devices found on all floors. Upon completion of the tone and message, the evacuation tone will sound on the floor of fire alarm activation, floor above, and floor below. The visual strobes on all floors will continue to flash. Occupants of other floors are not intended to evacuate the building, unless their floor evacuation tone is sounding.

Elevator Recall

In the event of activation of the smoke detectors located in the front or rear elevator lobby (passenger or freight lobby), the buildings elevators will return to a designated floor (First floor) for use by the Boston Fire Department in an emergency situation.

Smoke Control System

Activation of the buildings sprinkler or fire alarm systems will also initiate the buildings smoke control systems. The buildings smoke control system is comprised of two (2) pressurized exit stairwells (Stair 1 and Stair 2), a ventilated vestibule (Stair 2), and one (1) pressurized elevator hoist way (two (2) passenger and one (1) freight elevator cab). The goal of the buildings smoke control system is to pressurize the stair and elevator shafts to prevent smoke migration from the floor of activation. Manual control of the buildings smoke control system is provided in the fire command center by a dedicated firefighter's smoke control panel. Each system component is served by a fan which is located at the roof level. Upon activation of the smoke control systems, increase airflow will be noticeable in the buildings stairs and elevators.

Emergency Evacuation Procedures for Academic and Administrative Buildings

A comprehensive plan for emergency evacuation procedures has been developed for academic and administrative buildings at Suffolk University. The purpose of this plan is to outline the emergency action plan in accordance with the Occupational Safety and Health Administration (OSHA) regulations [29 CFR 1910.38]

Floor evacuation diagrams showing escape routes are posted in corridors on each floor and designate the nearest stairwell from that location. Individuals should follow the escape route to the nearest stairwell exit.

Leave the building, even if the alarm stops while you are on your way out.

No occupant, student, or staff member is permitted to re-enter the building until the Boston Fire Department or Suffolk University Police give the all-clear. Only individuals with emergency duties may enter the building prior to this all clear being given.

For detailed information regarding each academic and administrative building, please view the Suffolk Emergency Plan, which is available online at MySuffolk, or the Suffolk University

website.

Fire Drills

The Suffolk University Police and Security Department, the Emergency Management Department, Facilities Management, and Residence Life conducted two (2) fire drills in each of the residence halls during calendar year 2022.

Future Improvements in Fire Safety

At the present time, no improvements in the fire safety program for Suffolk University's residence halls are deemed necessary.

APPENDIX 1 – Definitions of Reportable Crimes

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned.

Criminal Homicide:

Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent manslaughter: The killing of another person through gross negligence.

Dating Violence: Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship; and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as spouse or intimate partner, by a person similarly situated to a spouse of the victim under Massachusetts law, or by any other person against an adult or youth victim who is protected under the domestic or family violence laws of Massachusetts.

Destruction/Damage/Vandalism of Property (Except Arson): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Drug Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation, and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Illegal Weapons Possession: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny/Theft (Except Motor Vehicle Theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

Liquor Law Violations: The violation of state or local laws, or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor vehicle theft: The theft or attempted theft of a motor vehicle. Classify as motor vehicle theft all cases in which automobiles are taken by persons not having access even though the vehicles are later abandoned—including joyriding.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence, and/or by putting the victim in fear.

Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any sexual contact directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

Rape: Rape is defined as the 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 victim.

Fondling: Fondling is described as the touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age, or because of his/her temporary or permanent mental incapacity.

Incest: Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Statutory rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

Simple Assault: An unlawful physical attack by one person upon another in which neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Stalking: Stalking, which includes cyber stalking, means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. For the purposes of this definition:

- ***“Course of conduct”*** means two or more acts, including, but not limited to, acts which the stalker 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 the person's property
- ***“Substantial emotional distress”*** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment, or counseling.
- ***“Reasonable persons”*** means a reasonable person under similar circumstances and with similar identities to the victim.

APPENDIX 2 - Fire Safety Definitions

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

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

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire Safety System: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Fire-Related Death: Any instance in which a person:

- Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or
- Dies within one year of injuries sustained as a result of the fire.

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

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

*Suffolk University - Boston Campus
Crime Statistics 2020-2022*

	2020						2021						2022					
	On Campus	Non Campus	Public	Res. Halls ¹	Unfounded ²	Total	On Campus	Non Campus	Public	Res. Halls ¹	Unfounded ²	Total	On Campus	Non Campus	Public	Res. Halls ¹	Unfounded ²	Total
Homicide																		
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault																		
Rape	0	0	0	0	0	0	3	0	0	3	0	3	2	0	0	2	0	2
Fondling	0	0	0	0	0	0	1	0	0	1	0	1	1	0	0	1	0	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1
Stalking	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	3	0	3	0	0	6	0	0	5	0	0	5	0	0	3	0	0	3
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2
Arson	1	0	1	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	5	0	4	1	0	9	4	0	5	4	0	9	4	0	5	4	0	9
Number of Arrests																		
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	1	0	1	0	0	2	0	0	4	0	0	4	0	0	2	0	0	2
Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	1	0	1	0	0	2	0	0	4	0	0	4	0	0	2	0	0	2
Number of Referrals																		
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	1
Drug Law Violations	0	0	0	0	0	0	19	0	0	19	0	19	14	0	0	14	0	14
Liquor Law Violation	50	0	0	50	0	50	107	0	0	107	0	107	111	0	0	111	0	111
TOTAL	50	0	0	50	0	50	126	0	0	126	0	126	126	0	0	126	0	126

¹ All crimes in the Residence Halls column are also represented in the On Campus column.

² Unfounded crimes. If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded" and is not included in the university's statistics.

Suffolk University - Boston Campus
Hate Crime¹ Statistics 2020-2022

	2020							2021							2022							
	On Campus	Non Campus	Public	Res. Halls ²	Arrest	Unfounded ³	Total	On Campus	Non Campus	Public	Res. Halls ²	Arrest	Unfounded ³	Total	On Campus	Non Campus	Public	Res. Halls ²	Arrest	Unfounded ³	Total	
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny - Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	1 E	0	0	0	1	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0

¹ Crimes in which the victim is intentionally selected because of the actual or perceived, race, ethnicity, national origin, religion, gender, gender identity, sexual orientation, or disability.

² All crimes in the Residence Halls column are also represented in the On Campus column.

³ Unfounded crimes. If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded" and is not included in the university's statistics.

Bias Key:

- R = Race
- E = Ethnicity
- NO = National Origin
- RE = Religion
- G = Gender
- GI = Gender Identity
- SO = Sexual Orientation
- D = Disability

*Suffolk University - Boston Campus
Fire Statistics and Related Information 2020-2022*

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Realted to a Fire	Value of Property Damage Caused by Fire
2020						
150 Tremont Street	0	N/A	N/A	N/A	N/A	N/A
10 West Street	0	N/A	N/A	N/A	N/A	N/A
10 Somerset Street	0	N/A	N/A	N/A	N/A	N/A
Modern Theater	0	N/A	N/A	N/A	N/A	N/A
1 Court Street	0	N/A	N/A	N/A	N/A	N/A
1047 Comm. Ave.	0	N/A	N/A	N/A	N/A	N/A
107 Merrimac Street	0	N/A	N/A	N/A	N/A	N/A
5 Blossom Street	0	N/A	N/A	N/A	N/A	N/A
2021						
150 Tremont Street	0	N/A	N/A	N/A	N/A	N/A
10 West Street	0	N/A	N/A	N/A	N/A	N/A
10 Somerset Street	0	N/A	N/A	N/A	N/A	N/A
Modern Theater	0	N/A	N/A	N/A	N/A	N/A
1 Court Street	0	N/A	N/A	N/A	N/A	N/A
107 Merrimac Street	0	N/A	N/A	N/A	N/A	N/A
5 Blossom Street	0	N/A	N/A	N/A	N/A	N/A
821 Washington Street	0	N/A	N/A	N/A	N/A	N/A
2022						
150 Tremont Street	0	N/A	N/A	N/A	N/A	N/A
10 West Street	0	N/A	N/A	N/A	N/A	N/A
10 Somerset Street	1	1	Electrical/Clothes Dryer	0	0	\$100-\$999
Modern Theater	0	N/A	N/A	N/A	N/A	N/A
1 Court Street	0	N/A	N/A	N/A	N/A	N/A
5 Blossom Street	0	N/A	N/A	N/A	N/A	N/A

CAMPUS MAP

1. **Rosalie K. Stahl Center**
University Welcome Center
73 Tremont Street
2. **One Beacon Street**
3. **Nathan R. Miller Residence Hall**
10 Somerset Street
4. **Frank Sawyer Building**
8 Ashburton Place
5. **Leonard J. Samia Academic Center**
20 Somerset Street
6. **Ridgeway Building**
148 Cambridge Street
7. **22 Beacon Street**
8. **Residence Hall**
One Court Street
9. **David J. Sargent Hall**
120 Tremont Street
10. **Michael S. & Larry E. Smith Residence Hall**
150 Tremont Street
11. **Residence Hall**
10 West Street
12. **Modern Theatre & Residence Hall**
523-525 Washington Street
13. **Athletics Fields**
150 Porter Street
East Boston

