

TITLE IX

at



MASSASOIT
COMMUNITY COLLEGE

WHAT YOU NEED TO KNOW

Student Guide to Title IX Policies and Procedures

Office of Diversity and Inclusion

BROCKTON

CANTON

MIDDLEBOROUGH

MASSASOIT COMMUNITY COLLEGE CARES

Our goal is to promote an educational environment and workplace that is free of all forms of sexual harassment, gender-based harassment, sexual violence, and retaliation. The College will not tolerate any such behaviors, all of which are prohibited by both law and College policy. We will keep our campuses and surrounding communities safe by responding effectively and immediately if an incident occurs.

WHAT IS TITLE IX?

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex, including sexual violence, in education programs and activities that receive federal financial assistance. Sexual harassment and acts of sexual violence such as rape, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking are forms of sex discrimination prohibited by Title IX.

WHAT IS SEXUAL HARASSMENT?

Sexual harassment is any unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment can cause an individual to feel uncomfortable and can hinder his or her ability to function at either school or work.

The legal definition of sexual harassment is broad: unwelcome sexually-oriented conduct, whether it is intended or not, that has the effect of creating a work or educational environment that is hostile, offensive, intimidating, or humiliating to another may constitute sexual harassment.

While it is not possible to list all the circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment, depending upon the totality of the circumstances, including the severity of the conduct and/or its pervasiveness:

- Unwelcome sexual advances, whether or not they involve physical touching.
- Repeated, unsolicited propositions for dates and/or sexual intercourse.
- Sexual epithets, jokes, or written or verbal references to sexual conduct.
- Gossip regarding one's sex life.
- Commenting on an individual's body, sexual activity, deficiencies, or ability.
- Displaying sexually suggestive objects, pictures, or cartoons.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, and suggestive or insulting comments.
- Verbal harassment or abuse on the basis of sex.
- Inquiries into another person's sexual activities, practices, or experiences.
- Discussion of one's own sexual activities, practices, or experiences.

Examples of Sexual Harassment

Somebody touching, patting, hugging, or brushing up against you when you don't want them to do it.

A faculty member makes sexual jokes, stares at you, touches you, insinuates that you will get a better grade or other reward if you develop a special relationship, or otherwise makes you uncomfortable.

Anyone making unwanted and repeated sexually-oriented statements about your clothes, body, or personal life.

A staff member puts pressure on you for sex, including repeated requests, staring, or other persistent behavior.

Your supervisor makes a deal with you about sex in exchange for your job, as part of your job, to get a raise or promotion, or for a good letter of recommendation.



WHAT IS SEXUAL VIOLENCE?

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age or use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). Sexual violence can be perpetrated by employees, students, or third parties. All such acts of sexual violence are forms of sex discrimination and are prohibited by Title IX. Sexual violence includes, but is not limited to, rape, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Such conduct has no place at our College and is something we take very seriously as we work to keep our campuses and surrounding communities safe.

Anyone can experience sexual violence, regardless of gender. The person responsible for the violence may be a stranger or someone known to the victim, like a friend, neighbor, co-worker, family member, or significant other. **There is no reason to be embarrassed, ashamed, or to think that no one will believe you.**

WHAT IS CONSENT?

Consent is clearly communicating "yes" about sexual activity on your own terms. It can be limited to certain acts and may be revoked at any time. Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threat, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this impairment or incapacitation can be due to alcohol or drug consumption or to being asleep or unconscious.

WHO IS AT RISK?

Everyone is at risk – sexual violence has no boundaries. Anyone can be a victim of sexual violence regardless of race, religion, gender, age, sexual orientation, socioeconomic status, or education.

WHAT IS A TITLE IX COORDINATOR?

The Title IX Coordinator is responsible for guiding students, employees, and visitors through filing a complaint alleging sexual or gender-based harassment and/or sexual violence, and for responding effectively to those complaints. In addition, the Title IX Coordinator oversees investigations of sexual or gender-based harassment and sexual misconduct.

TITLE IX POLICIES AND PROCEDURES

- Title IX complaints will be investigated in compliance with the Complaint Procedure contained in the College's Policy on Affirmative Action, Equal Opportunity, and Diversity. The policy is available online at www.massasoit.edu/EEO and hard copies are available in the Office of Human Resources, Office of Diversity and Inclusion, and Library Services.
- The College's investigation will be conducted in a prompt, fair, and impartial manner.
- The investigation will typically be completed within 60 days.
- During the investigative process, both parties can identify witnesses and other evidence and can have a personal advisor.
- Both parties will be notified of the outcome of the investigative process.
- Steps will be taken to prevent recurrence of any harassment behavior and to correct its discriminatory effects on the complainant, and others if necessary.

Reporting Sexual Violence

In a case of alleged sexual harassment or sexual violence, the College's Title IX Coordinator will promptly and equitably investigate the complaint under the College's Policy on Affirmative Action, Equal Opportunity, and Diversity. The College will take appropriate steps to resolve the situation. **Mediation and/or informal procedures will not be an option as a resolution.**

A College Title IX investigation is different from a law enforcement investigation. Alleged Title IX violations are to be reported to the College's Title IX Coordinator. You have the option to file a police report – it's your decision. Our Title IX Coordinator can assist you in deciding the best course of action and can help you understand your administrative and legal options.

To submit a complaint about sexual misconduct that you have experienced or witnessed, please visit <https://www.massasoit.edu/report> and click the Sexual Misconduct (Title IX) or Discrimination Reporting Form.

What Can You Do?

For a person subjected to an act of sexual violence, there can be time-sensitive decisions to make about sexually transmitted infections, pregnancy, and collection of physical evidence in the event of eventual possible prosecution. Individuals who have been victims of sexual violence are advised as follows:

Protect Yourself and Get Medical Attention – A victim is advised to go to a safe place as soon as possible and to seek medical attention immediately. Injuries and exposure to disease may not be immediately apparent. A medical examination can provide necessary treatment and allow for the collection of important evidence. It is recommended that a physical exam be conducted within 72 hours of the violence. Submitting to a physical exam does not mean that a victim is required to press charges; this action merely preserves the option to do so. Designated College personnel (i.e. Title IX Coordinators, Campus Police) can assist in providing transportation to the hospital.

Preserve Evidence – It is important to preserve all physical evidence following an act of sexual violence. Physical evidence may be necessary in the event that criminal prosecution is pursued. If possible, a victim should be advised not to wash, eat, drink, douche, clean, use the bathroom, or change clothes. If clothes are changed, all clothes that were worn at the time of the incident should not be cleaned and should be placed into a clean, unused paper bag to be delivered to the Title IX Coordinator or Campus Police.

Health and Support Services – Various health and support services are available for students and employees who have experienced sexual violence. For information about such services, including a referral for counseling, please contact the Title IX Coordinator or the Deputy Title IX Coordinator.

Am I Protected?

A person who files a complaint of sexual harassment or sexual violence under the College's Policy on Affirmative Action, Equal Opportunity, and Diversity is referred to as a complainant.

A complainant of an allegation of sexual harassment or sexual violence is entitled to certain protections that include, but are not limited to, the following:

- Be provided with a copy of the College's Sexual Violence – **Victim's Rights and Information Advisory**, which includes information concerning counseling, health and

mental health services, victim advocacy and support, law enforcement assistance, and other services available;

- Have the right to pursue, or not to pursue, assistance from College administration officials or Massasoit Campus Police;
- Not be discouraged by College officials from reporting an incident to both on-campus and off-campus authorities;
- Be provided assistance in contacting local law enforcement if requested and have the full and prompt assistance and cooperation of College personnel should a civil and/or criminal complaint be pursued;
- Be free from any suggestion that he or she somehow contributed to or had a shared responsibility in the violent act;
- Receive the same level of support at any proceeding before College officials as is permitted to the accused party, including the presence of a personal advisor during any disciplinary proceeding and the right to be notified in a timely manner of the outcome of such proceedings and any appeal right available;
- Receive full and prompt cooperation from College personnel in obtaining and securing evidence (including medical evidence) necessary for any potential criminal proceedings;
- Have access to existing College support services, and the ability to obtain referrals to off-campus counseling and support services if desired;
- Be permitted to attend classes, work, and participate in College activities free from unwanted contact or proximity to the respondent insofar as the College is permitted and able;
- Be permitted to request changes to an academic schedule if such changes are reasonably available; and
- Be informed of any no-contact or no-trespass orders issued to the respondent by the College and the College's commitment to honor any court-issued restraining or protective orders, to the extent permitted by law.

Confidentiality

We will take all reasonable steps to investigate and to respond in a manner consistent with a student's confidentiality request, and we will let you know if we cannot ensure confidentiality due to overall community safety concerns.

- If a student requests confidentiality in a case of sexual violence and decides not to pursue a complaint under the College's Policy on Affirmative Action, Equal Opportunity, and Diversity or to press charges, the College still reserves the right to investigate the complaint and take appropriate measure to the fullest extent possible.
- The identity of an alleged victim in a case of sexual violence will not be disclosed in a Timely Warning notice issued to the College community or in the College's reporting of a case of sexual violence under the Federal Clery Act (campus crime reporting law).
- If a threat to safety exists, the College may not be permitted to preserve the confidentiality of a complainant.

Be Proactive

We all have an important role in preventing sexual violence when we are confronted with problematic situations. Bystander intervention is the act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence. Being an active bystander can include:

- Speaking out against statements, attitudes, or behavior that may perpetuate a culture endorsing violence.
- Naming, identifying, and stopping situations that could lead to a sexual assault.
- Talking openly with friends about the issues and how to confront them.
- Encouraging your friends to trust their instincts in order to stay safe.
- Not laughing at sexist jokes or comments.
- Educating yourself and your friends.
- Using College resources.

If you SEE something, SAY something!

As a bystander who positively intervenes in instances of sexual harassment or sexual violence, you can:

Step in during a high-risk incident, whether by disruption, distraction, speaking up, or even calling for help so others can step in. Get Campus Police or other authorities involved!

Ask the person who is in a potentially dangerous situation if s/he is okay and/or wants to leave.

Intervene if you hear or see someone targeting another person.

STAND SPEAK

UP UP

The Policy on Affirmative Action, Equal Opportunity & Diversity are available at

<http://www.massasoit.edu/EO>

For additional information on Title IX, please visit www.massasoit.edu/title-ix

Sexual Misconduct Smartphone Resource Guide

“**Massasoit Title IX**” is a **free** smartphone resource guide, and since it’s an app, it is convenient and private. You’ll never be asked for any identifying information, so using the app is completely anonymous.

Use **Massasoit Title IX** to find:

- What to do if you or a friend has been sexually assaulted or harassed.
- On- and off-campus resources for victims of sexual violence and harassment.
- Where to report incidents of sexual harassment & assault, domestic violence, stalking and misconduct (anonymous reporting available through the app).
- Massasoit’s Title IX Policy & complaint process.
- Links to relevant information.

Additional Title IX information can be found online at www.massasoit.edu/title-ix

Available for FREE in the



Download the App Today!



On-Campus Resources:

If you experience sexual harassment, gender discrimination, or sexual violence, we encourage you to reach out right away – we are here to help.

Massasoit Office of Diversity and Inclusion

508-588-9100 ext. 1309

Massasoit Police Department

508-427-1296 or 911 from any campus phone

Massasoit Dean of Students Office

508-588-9100 ext. 1402

Off-Campus Referral Agencies:

The following is a list of rape crisis centers in Massachusetts. As the contact information may be subject to change, current contact information on rape crisis centers and other resources in Massachusetts can be found at the Commonwealth's Executive Office of Health and Human Services website at

www.mass.gov/dph/sexualassaultservices.

These rape crisis centers offer FREE services to survivors of sexual violence, including:

- 24/7 hotline counseling, information, and referral;
- Accompanying survivors to hospitals and/or police stations 24/7;
- Accompanying survivor to court;
- One-on-one counseling and support group counseling; and
- Primary prevention education, professional training, and outreach.

Brockton area

A New Day (part of Health Imperatives), Brockton, 508-588-8255 Hotline, 508-894-2869 TTY
Family & Community Resources, Brockton, 508-583-6498 Hotline, 508-583-6498 TTY
BAMSI (Counseling and other services), Brockton/Whitman/Hanover, 781-447-6425

Southeastern Massachusetts

New Bedford Women's Center, New Bedford, 508-996-6636 Hotline, 508-996-1177 TTY
New Hope, Attleboro, 800-323-4673 Hotline, 508-323-4673 TTY
Independence House, Hyannis, 800-439-6507 Hotline, 508-771-6782 TTY
A Safe Place, Nantucket, 508-228-2111 Hotline, 508-228-7095 TTY
Martha's Vineyard Community Services, Vineyard Haven, 508-696-7233 Hotline, 774-549-9659

Greater Boston Area

Boston Area Rape Crisis Center, Cambridge, 800-841-8371 Hotline, 617-492-6434 TTY

Northeastern Massachusetts

YWCA North Shore Rape Crisis Center, Lynn, 800-922-8772 Hotline
Center for Hope and Healing, 800-542-5212 Hotline, 978-452-8723 TTY
YWCA Northeastern Massachusetts, 877-509-9922 Hotline, 978-686-8840 TTY

Central Massachusetts

Pathways for Change, Worcester, 800-870-5905 Hotline, 888-887-7130 TTY
Wayside Trauma Intervention Services/Valley Rape Crisis Program, Milford, 800-511-5070
Hotline, 508-478-4205 TTY
Voices Against Violence, Framingham, 800-593-1125 Hotline, 508-626-8686 TTY

Western Massachusetts

Elizabeth Freeman Center, Pittsfield, 866-401-2425 Hotline, 413-499-2425 TTY
Center for Women and Community, Amherst, 413-545-0800 Hotline, 413-577-0940 TTY
NELCWIT, Greenfield, 413-772-0806 Hotline, 413-772-0815 TTY
YWCA of Western Mass, Springfield, 800-796-8711, 413-733-7100 TTY

To File a Title IX Complaint:

Call the 24-hour hotline at 508-427-1296 or 911.

Fill out a complaint by visiting <https://www.massasoit.edu/report> and clicking the Sexual Misconduct (Title IX) or Discrimination Reporting Form.

File in-person with a Title IX Coordinator.

TITLE IX COORDINATORS

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Joe DiMaria

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MASSASOIT
COMMUNITY COLLEGE

Massasoit Community College is an affirmative action/equal opportunity employer and does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, genetic information, gender identity or sexual orientation in its programs and activities as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable statutes and college policies. The College prohibits sexual harassment, including sexual violence. Inquiries or complaints concerning discrimination, harassment, retaliation or sexual violence shall be referred to the Chief Diversity Officer and Title IX Coordinator, Yolanda Dennis, Office of Diversity and Inclusion, 508-588-9100 x1309, Brockton Campus, Administration Building, Room 219, ydennis@massasoit.mass.edu, or the Associate Dean of Students and Deputy Title IX Coordinator, Joseph DiMaria, 508-588-9100, x1417, Brockton Campus, Student Center, Room 208A, jdimaria@massasoit.mass.edu, the Massachusetts Commission Against Discrimination, the Equal Employment Opportunities Commission or the United States Department of Education's Office for Civil Rights. The Policy on Affirmative Action, Equal Opportunity & Diversity can be found at www.massasoit.edu/EEO