



Labouré College

Title IX – Sex Discrimination, Harassment & Assault

In compliance with Title IX of the Education Amendments of 1972 and other federal, state and local laws, Labouré College does not discriminate on the basis of age, color, race, gender, sexual orientation, religion, or national origin in any phase of its employment process, its admission or financial aid programs, or any aspects of its educational programs or activities.

Labouré College is committed to fostering a community that promotes prompt reporting of sexually-related misconduct, domestic violence, dating violence, and stalking in any form as well as the timely and fair resolution of complaints.

In compliance with Title IX and Violence Against Women Act (VAWA), the College provides a procedure for reporting, investigating and adjudicating misconduct.

Student, Staff, and Faculty Reporting Resource:

Contact Matthew Gregory, to arrange a meeting about a complaint involving sexual discrimination, sexual harassment, or sexual violence.

Matthew Gregory, Vice President of Student Affairs and Title IX Coordinator,
Office C128, Office Phone: (617) 322-3506; E-Mail: Matthew_Gregory@laboure.edu

This individual has been trained to receive and respond to allegations of violations of the policy. Complaints can be made by those who have been the victim of a violation of this policy, by a third party on a victim's behalf or anonymously.

A student or employee has a right to file a criminal complaint and a Title IX complaint simultaneously.

Terminology

Complainant: an individual who has become the victim of an alleged act of Misconduct which violates the policy.

Respondent: an individual against whom a complaint for violation of the policy is filed.

Witness: an individual who is present during an incident that violates the Title IX policy.

Consent: is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested an understandable agreement between them to do the same thing, in the same way, at the same time and with one another; Is not merely the absence of a verbally stated "no"; Is never final or irrevocable; Is time-limited and situation-specific; even if someone obtained consent from a partner(s) in the past, this does not mean that consent is automatically granted again; Can only be given by someone who is free from verbal or physical pressure, coercion, intimidation, threat, or force.

Dating Violence: physical violence or threats of violence or acts of physical intimidation or coercion committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Domestic Violence: physical violence, threats of violence or acts of physical intimidation or coercion between spouses or former spouses, cohabitating romantic partners or individuals who were formerly cohabitating romantic partners, individuals who share a child in common, or others in a family relationship.

Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. Stalking behavior includes but is not limited to repeated, intentional following, surveilling or observing another; or using “spyware” or other electronic means to gain impermissible access to a person’s private information.

Sexually-related misconduct: a form of Misconduct as defined by this policy, is a category of behavior that includes actual or attempted:
Sexual harassment; and,

Non-Consensual sexual contact (including non-consensual sexual intercourse or sexual exploitation. Sexually-related misconduct can occur between strangers or non-strangers, including people involved in an intimate or sexual relationship. Sexually related misconduct can be committed by males or by females, and it can occur between people of the same or different sex. Sexual violence is also a form of sexually-related misconduct.

Retaliation

It is a violation of College policy to retaliate against any person making a report of Misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of Misconduct. The College will not only take steps to prevent retaliation but will take strong responsive action if retaliation occurs and anyone engaging in retaliation is subject to disciplinary action, up to and including dismissal. Retaliation includes intimidation, threats, or harassment against any such reporting party or third party. Retaliation should be reported promptly to Title IX Coordinator and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of sexual misconduct.

Procedures for Investigating Alleged Violations of this Misconduct Policy

Labouré College investigation of a complaint and final action will normally be completed within 60 days, unless the Title IX Coordinator grants an extension for good cause. Both parties will be kept informed of any scheduling delays.

The College may take interim measures to ensure that there is not any interaction between all parties involved with the investigation. Examples may include: adjusting class schedules and issuing ‘no contact’ orders to all parties.

No direct cross-examination is permitted during the investigation, hearing, or appeal process. The respondent is not permitted to confront the complainant in any Title IX investigation.

The complainant and respondent will be permitted to have an advisor attend any investigatory meeting. Unless the matter involves a sexual assault, domestic or dating violence, or stalking, the advisor must be a non-attorney member of the campus community.

In some cases, a mediated resolution may be appropriate. This may be the case in instances of more minor acts of insensitivity or misunderstandings. Mediation is not available in cases of sexual assault or other violence or where a student is complaining of conduct by an employee in a position of authority over that student.

The Title IX team, Chief Title IX Coordinator and Deputy Title IX Coordinator, uses the preponderance of the evidence standard in making its findings and recommendations.

Investigation Process

Upon receipt of a complaint and a desire by the complainant to move forward with an investigation, or a determination by the College to move forward in the absence of a participating complainant, the investigation process will begin.

The investigation will normally be conducted by the Title IX Coordinator and/or a trained Title IX Investigator.

The investigation process generally includes interviewing the persons involved, including witnesses, and gathering and considering relevant evidence.

Normally, the investigation will be completed within 60 days of receipt of the complaint. In unusual cases, it may be apparent that an investigation should not proceed.

If a determination is made that a violation of this policy did not occur, no sanction (s) will be issued under this policy. However, the College retains the right to address inappropriate behavior through other applicable College policies and procedures.

Each party will be notified simultaneously, in writing, of the results of any decision by the Title IX Team, along with the rationale. Either party may appeal in writing within 10 days of the decision.

At all steps of the process, the Title IX Coordinator will disclose information about its investigation and resolution of sexual misconduct complaints only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all College personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process. This does not prohibit either a complainant or respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or other resources.

Domestic/Dating Violence & Sexual Assault Resources:

Outpatient care, including assessment, counseling, and follow up for individuals and families experiencing problems with alcohol and drugs, may be arranged at the following agencies:

Boston Area Rape Crisis Center (BARCC)
24-hour hotline 800-841-8371 <http://barcc.org>
Beth Israel Deaconess Medical Center
Center for Violence Prevention and Recovery
617-667—8141 www.bidmc.harvard.edu/violenceprevention
Domestic Violence Hotline: (800) 799-SAFE (7233)

Salvation Army
281 North Main Street
Brockton, MA 02301 508-586-1187 (Calls only)

Old Colony YMCA Mental Health Clinic
15 Bolton Place
Brockton, MA 02301 (Focus on Youth Development, Healthy Living and Social Responsibility)
508-427-4383

Comprehensive Addiction Program St. Elizabeth's Hospital/SECAP
736 Cambridge Street Brighton, MA 02135 (617) 789-6574
<http://www.steward.org/Substance-Abuse/SECAP>

Adcare Recovery Services, Boston@Ascare.com
Out Patient Services, 14 Beacon Street Suite 801 Boston, MA 02108 (617) 227-2622
<http://www.rehabcenter.net/rehab-centers/massachusetts-rehab-centers/boston/adcare-hospital-outpatient>

Carney Hospital chmail@cchs.org
2100 Dorchester Avenue Dorchester, MA 02124 (617) 296-4000

Neponset Health Center
398 Neponset Avenue Dorchester, MA 02122 (617) 282-3200
<http://www.hhsi.us/metro-boston/neponset-health-center/>

Bournewood Hospital (3-5 days) 300 South Street Brookline, MA 02467
1(617) 469-0300 or 1(800) 468-4358 (24-hour phone)
<http://www.bournewood.com/>

Emerson Hospital (Detoxification) 133 ORNAC Concord, MA 01742
(978) 369-1400 ARP (Addiction Rehabilitation Program)
10-day outpatient program, (978) 287-3520

Dimock Halfway House (4-6-month residential program for substance abuse; treatment facility)
info@dimock.org
Dimock Community Health Center 55 Dimock Street Roxbury, MA 02119, (617) 442-8800

NOTE: Dimock Community Health Center has many programs. Call (617) 442-8800 for a complete list of services

Hope House (4-6 months in-house facility for drug and alcohol detoxification)

8 Farnham St. Boston, MA 02118 (617) 971-9360

Alcohol and Drug Detoxification Services: Supervised, residential settings for safe withdrawal from alcohol and other drugs <http://hopehousemd.org/>

Steward Health Care

NORCAP Lodge, 71 Walnut Street, Foxboro, MA 02035

Call (800) 331-2900, ext. 2. (24-hour phone)

Main Number: (508) 543-1873 Inpatient Services: (508) 698-1104

Intensive Outpatient Evening Treatment Program: (508) 698-1117