Annual Safety, Security, and Fire Report

Compiled for October 1, 2016

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Introduction to Safety, Security, and Fire Report

Pine Manor College is pleased to complete with the state and federal (the Student Right-to-Know and Campus Security Act of 1990 [Public Law 101-542]) laws requiring that colleges make security information and reported campus crime statistics available to all college community members. This report summarizes safety, security, and fire prevention policies and programs. This report is published and updated annually by the Division of Student Affairs.

Safety on college campuses is a natural concern for parents, students, and the college community. Pine Manor College recognizes that safety and security support the community goals of learning, inclusive leadership, and social responsibility.

Mission and Description of the College

Pine Manor is committed to educating and empowering a diverse student body - one student at a time - with the knowledge and skills they will need to meet the challenges of career, community and, citizenship in today's global society.

Pine Manor College is a private four-year liberal arts college situated five miles from downtown Boston that prepares students for inclusive leadership and social responsibility in the workplace, family and community. The College is recognized by U.S. News & World Report America's Best Colleges 2010 as the most diverse private liberal arts college in the country and is committed to diversifying the faculty and staff. With a student-faculty ratio of 10:1, Pine Manor offers an enriching educational experience that promotes collaborative and outcomes-based learning.

About Pine Manor College’s Campus Safety

Pine Manor College recognizes that campus safety allows for student engagement and learning and promoting positive health and well-being amongst community members. Pine Manor College has entered into a contractual arrangement with Securitas, Inc. to oversee campus safety. Through Securitas, Pine Manor College has at least one supervisor and two security officers on-campus 24 hours a day/7 days a week. The Security Officers do not carry weapons or hold police authority to apprehend or arrest anyone involved in illegal acts. Security Officers enforce community standards through building relationships and documenting inappropriate behaviors. If necessary, Pine Manor College Campus Safety calls Brookline Police Department for assistance.

Contributors to the Report

The Dean of Student Affairs along with the Student Affairs Graduate Assistant and Director of Campus Safety aided in the preparation and distribution of the Annual Campus Safety, Security, and Fire Report. They gathered statistics from Campus Safety, local law enforcement, and other college officials who have “significant responsibility for student and campus activities.” The information obtained from other college officials for this report was contributed by the Dean of the College, Associate Dean of Student Engagement, Director of Athletics, Coaches, Resident Assistants, Director of Student Activities, and Human Resources.

Local agencies such as the town of Brookline Police and Fire Departments also provide information concerning safety, security, and crime statistics for disclosure in this report.
Why an Annual Safety, Security, and Fire Report?
The Department of Education requires colleges publish an Annual Safety, Security, and Fire Report every year by October 1st that contains three years of reported campus crime statistics within the schools’ geographic location (defined below) and the College’s security policies and sexual assault policy. Pine Manor College submitted its last report by October 1, 2014.

Community members and guests can access our Annual Campus Safety, Security, and Fire Report at http://www.pmc.edu/crime-reports. College employees, students, and trustees will also receive an email with the Report as an attachment by October 1.

How We Compile Statistics
Pine Manor College’s effort to compile statistics is collaborative. Campus Safety Officers enter campus incidents into a daily crime report during their shifts where a department supervisor reviews the report for appropriate classification in the correct crime category. The crime definitions align with The Handbook for Campus Safety and Security Reporting, 2016 Edition which coincide with the definitions from the FBI Uniform Crime Reporting (UCR) Handbook, the FBI’s National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR, and the FBI’s Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual.

The Director of Campus Safety maintains a close relationship with the Brookline Police and Fire Departments to receive crime reports directly reported to their departments.

The Dean of Student Affairs works with the Director of Campus Safety, Director of Facilities, Student Affairs staff, and Campus Security Authorities to compile the data in accordance with The Handbook for Safety and Security Reporting, 2016 Edition.

Pine Manor College Geographical Location
Pine Manor College’s geographical location, in compliance with The Handbook for Campus Safety and Security Reporting, 2016 Edition, includes the campus at 400 Health Street, Chestnut Hill, Massachusetts 02467-2332 along with the sidewalks and roads adjacent to campus: Woodland Road and Heath Street. The remaining sides of campus are private property; therefore, not included in our geographical area. The following map provides a visual for the buildings and property within Pine Manor College’s geographical location.
1 Heath Street Gatehouse
2 Campus Safety/Information Booth
3 Haldan Hall
4 Annenberg Library and Communications Center Hess Gallery
5 Abercrombie Fine Arts Wing
6 Dane Science Building
7 Ashby Campus Center/ Student Mail
8 Dining Hall
9 South Village
10 West Village
11 East Village
12 Southwest/ ELI
13 Hedley Soccer Field
14 Barn
15 Ann Pappajohn Vassiliou Child Study Center
16 Ellsworth Hall Center for the Performing Arts
17 Gymnasium Green Dunn Fitness Room/ Dance Studio/ Training Room
18 Kellogg Platform Tennis Courts
19 Softball Diamond
20 Pond
21 Richard Deutsch Cross-Country Course/ Fitness and Ski Trail
22 Ferry Administration Building
23 Tennis Courts
P Parking
Definitions of Reportable Crimes
The following definitions are from The Handbook for Campus Safety and Security Reporting, 2016 Edition which coincides with the FBI Uniform Crime Reporting (UCR) Handbook.

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.

Sexual Assault (Sex Offenses):
Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.
- Rape is 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. This offense includes the rape of both males and females.
- Fondling is the touching of the private body 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 is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.

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.

Aggravated Assault
An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. When reporting aggravated assaults in the Annual Safety, Security, and Fire Report, each person assaulted is entered as a single incident.

Burglary
The unlawful entry of a structure to commit a felony or a theft. When reporting burglaries in the Annual Safety, Security, and Fire Report, each incident within a closed-in space is entered as a single incident. For example, if two people took six items from a residence hall room one burglary is reported in the Report.

Motor Vehicle Theft
The theft or attempted theft of a motor vehicle.

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.

Definitions of Arrests and Referrals
Arrests and referrals include violations of the law that occur on Clery Act geography and result in arrests or persons being referred for disciplinary action. Violations of institutional policies
that resulted in persons being referred for disciplinary action are not included if there was no violation of the law. If an individual is arrested and referred, only the person’s arrest is counted in the data.

**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.

**Drug Abuse 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.

**Weapon Law Violations**
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. This classification encompasses weapons offenses that are regulatory in nature.

**Hate Crime Definitions and Additional Offences**
A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

**Race**
A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

**Religion**
A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

**Sexual Orientation**
A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender**
A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
**Gender Identity**
A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Ethnicity**
A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

**National Origin**
A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability**
A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Additional Offences**
For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-Negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

The first seven crimes coincide with the UCR, the definitions of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property are listed below:

**Larceny-Theft**
The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.
**Simple Assault**
An unlawful physical attack by one person upon another where 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.

**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.

**Destruction/Damage/Vandalism of Property**
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.

**Campus Safety & Reporting Protocol**
Pine Manor College’s Campus Safety focuses on building a safe community through outreach, programming, and community policing to ensure the health, wellness, and values of Pine Manor College. The following statements and policies comply with The Handbook for Campus Safety and Security Reporting, 2016 Edition and reflect the Pine Manor College Student Handbook.

**Campus Safety**
Pine Manor College’s Campus Safety works to build a safe, inclusive community for all students. To ensure campus safety, Security Officers take a community policing approach through remaining visible and proactive. Officers make rounds throughout campus, respond to calls for assistance, provide student escorts as needed, and work closely with residence life and Brookline Police and Fire Departments.

Our Security Officers have jurisdiction over Pine Manor College property and can issue parking and speeding tickets on campus. The Officers are unarmed and do not have authority to make arrests.

Pine Manor College does not have a memorandum of understanding with the Brookline Police Department; however, does have a working relationship with them. The Brookline Police Department may make arrests when called onto campus and conduct their own investigations, accordingly. Campus Safety and community members may call the Brookline Police for additional support.

**Campus Security Authorities**
*Campus Security Authorities (CSA)* is a Clery Act term that encompasses college officials who work for/in campus safety (even tangentially) or college officials who have significant responsibility for students and campus activities. All CSAs on a college campus must report any crimes to Campus Safety. The Dean of Student Affairs informs individuals who are CSAs at the start of the academic year and when the College hires new employees who are CSAs to provide them with the procedures for reporting incidents to Campus Safety.

Examples of Pine Manor College’s Campus Security Authorities include:
- Police and security departments
- Student Affairs staff (including Residence Life staff and team coaches)
How to Report Incidents and Emergency Phone Numbers
Pine Manor College encourages all community members to report incidents accurately and immediately to Campus Safety, a Campus Security Authority, and/or Brookline Police. If a community member is unable to report an incident accordingly, we encourage other community members to report the incident on the survivor/victims behalf.

To report an incident to Campus Safety, provide information on an incident, or receive help and assistance, students can call 617-731-7187 or email safety@pmc.edu for non-emergencies and 617-731-7777 for emergencies.

Calling Campus Safety is not synonymous with reporting an incident to the Brookline Police Department. If students wish to report an incident to the police, students should call 617-730-2222 for non-emergencies.

Campus Safety may call Brookline Police at their discretion for campus incidents. In compliance with Title IX, campus safety and Pine Manor College will not call Brookline Police Department to report sexual misconduct unless there is imminent or immediate danger.

Anonymous Reporting
To report an incident anonymously, students may use http://www.pmc.edu/report-a-crime-anonymously.

Confidential Reporting
The counselor on-campus is a confidential resource available to students. If students report a crime, students are advised of their options on reporting for both on and off campus and offered specific services depending on the incident. For example, standard practice for sexual assaults is to provide the survivor with appropriate information on Title IX, Planned Parenthood, and BARCC.

Safety Resources and Programming
To promote a safe campus, Campus Safety and Student Affairs offers the following resources, programs, and services to our community members:
- Emergency Notification System/Alerts and Timely Warnings
- “See Something, Say Something” campaign
- Monthly programming with campus safety officers throughout campus
- On-line anonymous campus reporting system
- Campus escort service
- Emergency call phone/lights throughout campus
- Regular rounds by the Resident Assistants and Campus Safety Officers
- Availability of live-in Resident Directors
- Key card system to enter residence halls
- Participation in Brookline Police Department’s Community Emergency Response Team
(CERT)
- Bomb threat checklists and triage procedures for students and community members in distress
- Fire and evacuation drills
- Title IX, sexual misconduct awareness, and bystander training during orientation and throughout the academic year including, but not limited to, Speak About It (theatre ensemble), One Love and escalation training on dating violence, Community Love campaign, Clothesline Project, and participation in Boston’s Walk for Change, and marketing of self-defense classes in Boston

**Campus Access**
All Pine Manor College students, employees, and guests who drive onto campus must stop at the front gate to show their parking decal or approval to be on campus.

Unauthorized guests, drivers, and delivery services must meet their Pine Manor College hosts or passengers at the front booth to better ensure the safety of unauthorized or unknown visitors.

To enter the residence halls, students must use their identification card to gain access to the building and their room key for their residence hall room.

Pine Manor College has open sides of the campus and is not fully fenced in on all sides of the property.

**Emergency Notification System**
Pine Manor College encourages all community members to sign-up for our Emergency Notification System through the Pine Manor College intranet at [http://my.pmc.edu/](http://my.pmc.edu/). We recommend community members receive at least two modes of emergency notification such as text message and phone call, text message and email, or phone call and email. Community members may use more than two, if they like.

In compliance with the Clery Act and to ensure safety to all members of the community, the College reports out to the community all immediate and imminent threats and emergencies through the Emergency Notification System. For example, risk of fire, gas leaks, contagious illness, armed intruder(s), or civil unrest. When Pine Manor College uses the Emergency Notification System, community members receive information on 1) the situation, 2) what to do, and 3) follow-up. These messages may come from Pine Manor College’s Director of Campus Safety, Dean of Student Affairs, Associate Deans of Student Affairs, Director of Student Activities, or IT (for technology related concerns or when an off-campus person is necessary to assist in communication).

Pine Manor College conducts at least one test of the Emergency Notification System each semester and clearly indicate on the announcement that it is a test of the Emergency Notification System. Part of this test includes an evacuation drill at least once a year. Campus Safety will record all tests of the Emergency Notification System in the Crime and Fire Log as tests or drills.

To disseminate information to the local community in the case of an emergency, Pine Manor College will work with the Brookline Police Department.
Timely Warnings
In addition to the Emergency Notification System, Pine Manor College’s Dean of Student Affairs or Director of Campus Safety issues timely email warnings when a situation occurred that may represent a serious or a continuous threat to our community. For example, Pine Manor College would email a timely warning to the community if multiple burglaries or tire slashing occurred on campus.

Timely email warnings include information about the incident (e.g. where, what), suggestions for remaining safe, and information on how community can report more information if they learn more about the situation. Pine Manor College’s Dean of Student Affairs or Director of Campus Safety send follow-up email(s) to the original timely warning as needed. Timely warning emails do not violate FERPA, identify the victims, or jeopardize their anonymity. In addition, Pine Manor College does not send out timely warnings if they may disrupt the investigation of a case.

Emergency Procedures
The following emergency procedures are available on the College webpage and student handbook.

Fire
If the fire alarm sounds, ALL persons must evacuate the building immediately. DO NOT call Campus Safety. Close your door but do not lock it, bring your room key and student ID with you. Move away from exits/entrances. Stay at least 100 feet away from the building or as directed. You will be notified when to reenter the building. If you see a fire, call Campus Safety immediately at Ext. 7777 on a campus phone or 617-731-7777. If the fire is small and you have the training, use a proper fire extinguisher to combat the fire. DO NOT endanger yourself or others by trying to extinguish a large, well developed fire. Evacuate the area.

Medical Emergency
Call Campus Safety at Ext. 7777 on a campus phone or 617-731-7777. Give your name, location, and describe the medical emergency. Avoid leaving the injured/ill person except to summon help. Do not move the person unless s/he is in danger. Render first aid if trained. If you are exposed to another’s bodily fluids, inform Campus Safety when they arrive.

Fights and Disruptive Behavior
Stay calm. Do not confront subject if doing so puts you in danger. Immediately call Campus Safety at Ext. 7777 on a campus phone or 617-731-7777. Please report all incidents and suspicious people to the Campus Safety Department.

Bomb or Bomb Threats
If you observe a suspicious device, DO NOT touch it or move it. Clear the area and call Campus Safety immediately at Ext. 7777 on a campus phone or 617-731-7777.

If you answer a phone call and a person or recording alludes to a bomb threat, follow the bomb threat checklist sent out by the Dean of Student Affairs at the start of the academic year.
Active Shooter or Life-Threatening Situation

In the case of an extreme emergency on our campus, you will be notified to either evacuate or “shelter-in-place” to limit exposure to an apparent life-threatening, hostile, or hazardous situation or threat. When a shelter in place or lockdown is declared by administrative officials, occupants of any building within the impacted area are to remain in their respective spaces locking all doors and windows, not allowing entry or exit to a secured area until the “all clear” confirmation has been given. Individuals may be required to move to a safe location if they are immediately adjacent to the life-threatening or hazardous situation (e.g. shooter, hostage threat, etc.). In all cases, individuals must follow directions given by administration officials and appropriate law enforcement officials.

If the Pine Manor College campus is under a state of emergency, you will be notified to either evacuate or shelter in place via the PMC Emergency Notification System.

Emergency Lockdown Procedures

When instructions are given for a “lockdown” by a designated administration official, the following procedures are to be implemented immediately:

- Immediately stop all activity (i.e. teaching, group work, meetings etc.).
- Lock and barricade doors. If you are in a hallway, get into a room and secure the door. If you are in a room, do not enter hallways or open areas. If you are in a room that does not allow you to lock or barricade doors (for example the Kresge Auditorium), move to the closest room with a lockable door when safe to do so.
- Students in residence halls are to remain in their rooms with the door locked or barricaded.
- Staff members are to remain in their offices, or a secure area, preferably without windows, with the door locked or barricaded.
- Faculty members are to remain in their classroom or office with the doors locked or barricaded, where possible.
- Close windows and turn off any lights, television, and radio(s). Close blinds and block windows.
- Keep calm and quiet. Encourage others to remain calm.
- Crouch down in areas that are out of sight from doors and windows; try to use furniture or desks as cover.
- Immediately put all cell phones into "Vibrate" or "Silent" mode but DO NOT turn off. Calls to Campus Police should be made only if specific information becomes available regarding the intruder or if the status of the emergency changes.
- DO NOT respond to anyone at the door until an "all clear" email, phone, or text message is received or if you are certain it is safe to do so (i.e. if police are at the door to escort you out).
- If you are directed by police to leave your secured area, assist others in moving as quietly and quickly as possible.
- Do not sound the fire alarm in the building unless there is a fire. People may be placed in harms way when they are attempting to evacuate the building. If a fire alarm does go off during a lockdown, do not evacuate unless you smell smoke or see fire in your area. Should the fire alarm sound, do not evacuate the building unless:
  - You have firsthand knowledge that there is a fire in the building.
  - You have been advised by Police or Campus Safety to evacuate the building.
  - There is imminent danger in the immediate area.
If you are outside of a building when a lockdown is announced, if it is safe to do so, run into the nearest building and follow the above lockdown instructions. If it is not safe to run into a building, hide behind a large heavy object (i.e. vehicle, tree). Notify Campus Safety at Ext. 7777 on a campus phone or 617-731-7777 of your location when safe to do so.

- Be aware of alternate exits if it becomes necessary to flee. Individuals should not attempt to leave the building until told to do so by police personnel.

- If asked to report any activity, report the following:
  - Your specific location – building name and room number.
  - Identification or description of the assailant(s): Location, number of suspects, race/gender, physical features, clothing descriptions, backpack, weapons (number and type) etc.
  - Number of people at your specific location.
  - Number of injured, types of injuries if any.

**Fire Safety**

All community members share in the responsibility to maintain a safe community and share in the responsibility to abide by the Town of Brookline’s fire codes. This includes, but is not limited to:

- Keeping all College buildings smoke-free of tobacco and other drugs.
- Keeping smoke detectors properly connected and installed at all times. Covering smoke detectors violates this regulation.
- Keeping common spaces and doors easily accessible.
- Not tampering with exit signs, fire extinguishers, thermal or smoke detectors, fire alarms, fire extinguishers, fire extinguisher boxes, fire hoses, smoke alarms, panels, and any other emergency equipment.
- Not setting any unauthorized fires on College property nor possessing, using, manufacturing, distributing, or selling any fire producing agents, explosives, and/or incendiary devices including candles, fireworks, and firecrackers. (Students that need to light candles for religious observances should contact the Associate Dean of Student Life at least a week in advance).
- Not smoking within 25 feet of any campus buildings and not smoking in “Clean Air Zones.”
- Properly disposing of all cigarette butts.

**Fire Safety in the Residence Halls**

In addition to the campus fire safety regulations, students that live on campus must abide by their signed housing contract and the following fire safety rules to ensure safety in the residence halls:

- Students may not have halogen lamps, lava lamps, extension cords, multi-outlet adapters, space heaters, holiday string and ropes lights, candles with or without wicks, open flames, incense, irons and all cooking appliances (except for microwaves) in their rooms.
- Students may have microwaves and/or 4-cubic-foot refrigerators as long as they remain plugged directly into the wall outlet. Students must not keep their microwaves and/or refrigerators in their closets when in use.
- Students may use a fuse and/or surge-protected power strips in their rooms as long as they plug it directly into the wall, and each piece of equipment plugs directly into the power strip. Students may only plug one strip into each dual wall outlet.
- Students who use personal heat-producing items (e.g., hairdryers, curling irons) must plug
them directly into the wall outlet and unplugged them when not in use.

- Students should not place combustible materials (e.g., mattresses, bedding, laundry, trash, paper, posters, tapestries) over or adjacent to electrical cords or outlets.
- Students should not use closets as kitchen/entertainment centers.
- Students should neatly coil excess cords, so wires do not dangle or run across the floor or under throw rugs.
- Ceilings should remain clear of decorations.
- Tapestries and other fabrics should only hang on walls.
- Students must keep vents/radiators in rooms, hallways, and doorways clear of obstructions (boxes, furniture).
- Students may not bring their own mattresses into the rooms (including fabric mattresses, air mattresses, etc). If students need their own mattress for medical reasons, students should work with the Associate Dean of Student Engagement.
- Students may not tamper with fire equipment (e.g., fire extinguishers, smoke detectors) in the building or in their residence hall rooms.
- Representatives from the College may inspect rooms if they smell any odor that may constitute a fire hazard. This includes, but is not limited to: cigarette smoke, marijuana, smoke of another source.
- Representatives from the College may inspect rooms without notice to verify that students are adhering to fire safety. Additionally, representatives from the Town of Brookline may periodically inspect any room without notice to insure that students and the College follow necessary safety precautions.

**Crime and Fire Logs**

To ensure transparency with safety and security on campus, Pine Manor College has Crime and Fire Logs available to the community current as of two business days. To access the Crime and Fire Logs, please reach out to the Director of Campus Safety or go to the Campus Safety office in Ashby College Center. Pine Manor College also publishes our Annual Safety, Security, and Fire Reports in compliance with The Clery Act. Past Annual Safety, Security, and Fire Reports are available to the community at [http://www.pmc.edu/crime-reports](http://www.pmc.edu/crime-reports).

**Drug and Alcohol Awareness Policy and Programming**

Pine Manor College places the health, wellbeing, and safety of our students and their guests as central to our alcohol and drug policy, while adhering to the requirements of federal and state laws.

**Massachusetts Law and Pine Manor College Policy**

The Commonwealth of Massachusetts enforces the following laws pertaining to alcohol use (see Massachusetts General Laws, Chapter 138):

- Individuals under the age of 21 may not buy, possess, or consume alcoholic beverages.
- Individuals, regardless of age, may not carry open containers of alcoholic beverages in public (e.g., outside of buildings, public areas of residence halls, lounges, or other college buildings.) If the college hosts a private event with alcohol, invited students over the age of 21 may drink responsibly upon showing proper identification (e.g., driver’s license or passport).
- No one may provide or serve alcohol to individuals who are under 21 years old.
• No individual may possess or use illegal substances or misuse prescription drugs.
• No one may sell tickets or charge admissions to events where alcohol is present without a valid license to sell alcohol.
• It is illegal to misrepresent one’s age or to possess or use falsified identification.
• It is unlawful for a person under 21 years of age to knowingly drive a car with alcohol in it or carry alcohol.
• It is unlawful to operate a motor vehicle under the influence of drugs or alcohol.

The Commonwealth of Massachusetts enforces the following laws pertaining to drug use (see Massachusetts General Laws, Chapter 94C):
• It is unlawful to operate a motor vehicle under the influence of drugs or alcohol.
• Massachusetts’s law prohibits the unlawful manufacture, possession, distribution, dispensation, or use of controlled substances.

Pine Manor College Policy Includes (In addition to the Massachusetts law)
• Liquor stores or other companies may not deliver alcohol to students on campus. The College holds students who place such orders responsible.
• Students may not have kegs, luges, beer balls, or the like on campus.
• Students may not engage in drinking games such as flip cup, quarters, or beer pong on campus.
• Students 21 or older may keep alcohol in their residence hall as long as it is in reasonable amounts (e.g., one 6-pack/person, one bottle of wine/person) and drink responsibly.
• If students 21 or older consume alcohol in their residence hall room, they must keep the door closed and must ensure that anyone else in the room is 21 years or older.
• Guests of students must honor all College policies in the Student Handbook. The Pine Manor College students hosting their guests are responsible for the actions of their guests and notifying their guests of the Pine Manor College policies.
• Students may not share, sell, or trade prescription medications or abuse or misuse their own prescription medications.
• Students may not use medicinal marijuana on campus or possess small amounts of marijuana, since the College abides by federal laws where medicinal marijuana and any amount of marijuana are illegal.

Local, State, and Federal Sanctions for Alcohol and Drugs
Local, state, and federal laws make the illegal use of drugs and alcohol a criminal offense where conviction can lead to imprisonment, fines, and other penalties.

Cities and towns in Massachusetts prohibit public consumption of alcohol and impose fines for violation. The Department of Conservation and Recreation also prohibits public consumption of alcohol in its parks and public recreational areas.

Anyone choosing to violate such ordinances can be subject to arrest.

Massachusetts’ law prohibits the sale or delivery of alcoholic beverages to persons under age 21 with a fine of up to $2,000, 12 months imprisonment, or both. Misrepresenting one’s age or falsifying identification to obtain alcoholic beverages is punishable by fine. Included among penalties for the first conviction of driving under the influence of alcohol under Massachusetts
law are a $5,000 fine, a one-year revocation of the person’s license, up to 2 1/2 years in prison, and mandatory alcohol rehabilitation.

Massachusetts imposes criminal penalties for the possession and/or distribution of controlled substances, or drugs, without valid authorization, with penalties varying as to the type of drug. Sale and possession of “drug paraphernalia” is illegal in Massachusetts.

Under both Massachusetts and federal law, penalties for possession, manufacture, and distribution are greater for subsequent convictions, including mandatory prison terms.

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.

Persons convicted of drug possession under state and federal law are ineligible for federal student grants and loans for up to one year after the first conviction and up to five years after the second. The penalty for unlawful distribution of drugs is loss of benefits for five years after the first conviction and for a longer period after the second.

Under federal law, penalties may be doubled when a person who is at least 18 years old distributes drugs within 1,000 feet of a public or private elementary or secondary school, or a public or private college to persons under 21 years of age and may include a mandatory one-year prison term.1

Health Risks Associated with Alcohol and Other Drug Abuse

Given academic, social, and other pressures inherent in college life, many students seek relief from stress through use of alcohol or other drugs. Habits of substance use formed in college often lay the groundwork for future addictions.

The use of alcohol, a depressant, slows the nervous system. Therefore, alcohol causes:

- Increased heart rate
- Loss of muscle control, leading to slurred speech and poor coordination
- Hangovers, fatigue, nausea, headache
- Blackouts and memory loss
- Unconsciousness

Mental effects of alcohol include:

- Impaired judgment
- Poor concentration and impaired thinking and reasoning
- Loss of inhibitions and exaggerated feelings

Potential consequences of alcohol abuse include:

- Alcoholism
- Damage to brain cells
- Blackouts and memory loss
- Poor concentration
- Death (as a result of accidents or alcohol poisoning)
- Social conflicts

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1 Language adapted from Tuft University’s Student Handbook.
• Accidents and injuries
• Sexual assault and violence
• Increased risk of contracting sexually transmitted diseases, including HIV
• Drinking and driving

Potential consequences of mixing alcohol and drugs or mixing different drugs include:
• The combination of two drugs can have unexpected, dangerous results.
• Combinations of alcohol and drugs and different types of drugs can produce different effects than anything taken alone. This includes hard drugs and over-the-counter drugs for colds.
• Depressants taken in combination can cause coma and death.

Alcohol poisoning and emergency situations:
• If your friend is experiencing any of the symptoms below – call Campus Safety at 617-731-7777 immediately:
  o Unconscious or semi-consciousness
  o Slow breathes
  o Cold, clammy, and/or pale or bluish skin
  o A strong odor of alcohol
• After calling Campus Safety, turn the intoxicated persons on their side and maintain that position by placing a pillow in the small of the persons’ backs to prevent choking. Stay there until medical help arrives.
• If you are unsure whether people are in an emergency state or not, call for help. Do not guess.

Good Samaritan/Amnesty Policy
If students voluntarily seek assistance from Campus Safety and/or Pine Manor College employees to help intoxicated persons or themselves and the students seeking assistance violated the College’s alcohol policies, the community standards process will take into account the totality of the circumstances. While Pine Manor College offers a Good Samaritan Policy, cases taken off campus in civil court may not grant the same understanding.

Drug and Alcohol Programming, Education, and Support
If students notice other students on campus turning to alcohol and/or drugs in unsafe ways or if students feel they have become dependent on alcohol and/or drugs, students should:
• Reach out to a Pine Manor College employee that you trust and/or the Dean of Student Affairs
• Connect with counseling services
• Connect with off-campus resources such as:
  o Massachusetts Substance Abuse Education and Information Helpline at 1-800-327-5050
  o Boston Drug Treatment Centers and Alcohol Abuse Rehab and Addiction Help at (617) 517-6448.
• Connect with the new Drug and Alcohol Awareness Task Force by contacting the Dean of Student Affairs.
Weapons, Explosives, and Hazardous Materials
Students may not possess, use, manufacture, distribute, make, or sell any weapons, explosives, or hazardous materials on campus including, but is not limited to, firearms, air guns, B.B. guns, paintball guns, pellet guns, and knives with blades longer than two inches.

Students may also not threaten the use of a weapon regardless of whether they have a weapon or not.

Hate Language and Crimes
Hate language, hate crimes, and acts of bias with the intent to intimidate any individual or sect(s) are not welcomed or tolerated on our campus. Pine Manor College’s policy on hate crimes expands on Massachusetts’ Hate Crimes Penalty Act (General Law Chapter 265, Section 39) to include race, color, religion, national origin, sexual orientation, gender identity, religion, disability, sex, gender, age, and political persuasion.

Students who believe that they have been subject to a hate crime are encouraged to report it to and/or seek help from Campus Safety or Student Affairs.

Hazing/Rites of Initiation
Pine Manor College and the Commonwealth of Massachusetts (Chapter 269, Section 17) defines hazing as:

Any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity, which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Student organizations, teams, and individuals found in violation of Massachusetts hazing laws will be subject to Pine Manor College disciplinary action. In addition, in congruence with Chapter 269, Section 17, Pine Manor College students and employees must report all hazing:

Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

All Pine Manor College students will learn about hazing during Orientation. In addition, student-athletes and student leaders will receive additional information about hazing at the start of their seasons and club formation/leadership trainings in accordance to Chapter 269, Section 19.
Parking and Driving
Campus Safety sets forth the traffic and parking regulations for Pine Manor College to ensure the safety and convenience of the Pine Manor College community and guests. These regulations are in effect 24 hours a day and apply to all students, employees, and visitors.

Registration of Vehicles on Campus
Students can purchase parking decals through the Director of Student Services in the mailroom in the Ashby Campus Center. The annual fee for resident student parking decals is $180.00 and $120.00 for commuters. We require that you bring your driver’s license and vehicle registration (in your name or your caregivers’ names) to register your vehicle on campus.

All vehicles on campus must be currently registered through the Registry of Motor Vehicles and properly display their inspection sticker and plate(s). In addition, all vehicles must be insured and be fully operable.

Resident and commuter students who do not purchase a decal but wish to park their vehicle on campus must purchase a daily temporary parking pass for $5.00/day. Students may purchase up to 10 daily passes per semester. Students bringing any vehicle on campus for more than 10 days per semester must purchase a decal.

Any vehicle that does not display a decal or pass may be ticketed or towed at the vehicle owner’s expense.

All out of state residents must fill out an out-of-state form that will be submitted to the town of Brookline and they will receive a decal that must be affixed to their windshield at no additional charge.

Replacement parking decals cost $10.00.

Parking Information
Students, employees, and guests should park in appropriately designated lots.
- All resident students’ vehicles should have a blue parking decal and park in the resident student parking lots.
- Commuter students’ vehicles should display a red commuter student decal and may park in the marked spaces in the Ellsworth Hall parking lot or in the commuter student parking lot behind the Dane Science Building between 7:00AM to 11:00PM.
- Overnight resident students’ visitors must display a guest parking pass on their dashboard and park in the southwest lot by the tennis courts. All overnight visitors’ vehicles should vacate the premises by 10:00AM on weekdays unless there is an emergency and Campus Safety has given approval.
- Students, employees, and guests are not permitted to park on grass, unpaved areas, sidewalks or courtyards, except as specifically authorized.

Failure to comply with the directives or the signage may result in the ticketing or towing of the operator’s vehicle at the owners’ expenses.
Violators should pay tickets within three business days. To appeal a ticket, please email the Dean of Student Affairs and present new material not present at the time of ticketing.

Parking and driving on campus is a privilege and not a right. Students who violate parking and driving rules and regulations risk losing their ability to park and drive on campus.

**Driving Regulations**  
The maximum speed limit on College roads or in parking lots is 15 miles per hour (mph). This limit is in effect 24 hours a day throughout the year. Campus Safety may ticket people who drive above 15 mph.

**Private Drivers and Residence Hall Deliveries**  
To ensure better safety on campus, all private drivers, their affiliates, and residence hall deliveries should pick-up and drop-off students, food take-out, etc. at the front gate. This includes, but is not limited to, pizza and Chinese food delivery drivers, Uber drivers, Fasten drivers, and Lyft drivers. In compliance with our alcohol policy, beer, wine, and/or liquor delivery is not permitted on campus.

**Residence Life and Housing**  
The community standards listed below form the foundation of our living and learning communities in the residence halls. Pine Manor College Residents, Resident Assistants, Resident Directors, along with the Student Affairs team all contribute to holding each other accountable for these guidelines and rules.

**Guest Policy**  
Pine Manor College students are responsible for their visitors to the college and our residence halls. Students must escort their guests while on campus and hold them responsible for college rules and relaying relevant information.

Students should register all guests through the on-line portal. When students’ guests arrive, the guests should check-in at the front booth with Campus Safety and students should meet their guests there.

Students can sign in a maximum of two guests up until 11PM. Students may have guests for two overnights per seven days assuming the students’ roommate agrees and the arrangement respects the rights of all students involved.

All guests must be 16 years or older.

**Maintenance and Housekeeping**  
The Campus’s custodial staff, maintenance employees, security officers, and Student Affairs team including Resident Assistants and Resident Directors perform regular rounds in the residence halls and throughout campus to ensure the safety of the physical plant (and the community).

The Housekeeping team oversees day-to-day cleaning of the common spaces on campus (e.g., common lounges, hallways, bathrooms) and empties the trash and the recycling. If
common spaces need additional attention, please email your Resident Assistant and Housekeeping@pmc.edu.

The campus maintenance team works to keep Pine Manor College’s facilities running and safe. Pine Manor College students should email any necessary repairs to their Resident Assistant who will connect with the maintenance team.

If there is a safety emergency of the physical plant (e.g. fire, oil leak), please call Campus Safety immediately.

**Propped Doors**

Exterior residence hall door should remain closed at all times. Students should not allow non-Pine Manor College students to follow them into the residence halls.

The College will discard any remaining items in the residence hall rooms after the students’ move out date and charge students for labor/removal costs.

**Missing Students**

It is mandatory to enter missing people under the age of 21 into the National Crime Investigation Center through Suzanne's Law. Suzanne's Law amends Section 3701 (a) of the Crime Control Act of 1990 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 of the Department of Justice. Suzanne's Law is named after Suzanne Lyall, a student at State University of New York at Albany, who has been missing since 1998. (Information from www.mass.gov)

Pine Manor College takes all leads on missing students seriously. To report missing students, please contact Campus Safety. Campus Safety will begin an investigation and collaborate with the Brookline Police Department, Student Affairs team, and community members, as necessary. Regardless of whether the students live on campus or not, Pine Manor College will look into the whereabouts of the reported persons to ensure their health and safety.

If not located through initial outreach, Campus Safety or Student Affairs will notify the students’ emergency contact and work with the families accordingly.

All pertinent law enforcement agencies; neighboring municipal, county, or state; those located along suspected travel corridors; or place of original domicile, will be notified and requested to render assistance during the search. Upon closure of the missing persons investigation, Campus Safety and Student Affairs will try to update all previously contacted parties on the status of the case.

**Reported Campus Statistics**

**Daily Crime and Fire Logs**

The Campus Safety Department maintains a daily crime log that records: case number, date and time incident was reported, date and time of incident, classification and description of incident, disposition (if any). The log includes all crimes and other incidents that occur on campus, on
public property adjacent to campus, or within the patrol jurisdiction of the Campus Safety Department.

The Daily Crime Log is open for public inspection and available in the Campus Safety Office in the Ashby Campus Center.

Campus Safety posts incidents in the Daily Crime Log within two business days of receiving a report of an incident. We reserve the right to exclude crime report information from the log when circumstances dictate.
**Reported Crime Statistics**

The following statistics include all reported data to Pine Manor College Campus Safety Authorities and Brookline Police Department. Any increases in numbers likely reflect additional programming and outreach Pine Manor College has instituted to encourage students and community members to “see something, say something” and/or the change to a co-educational institution.

<table>
<thead>
<tr>
<th>Crime Offenses</th>
<th>Year</th>
<th>On-Campus Properties</th>
<th>Geographical Locations</th>
<th>Non-Campus Property</th>
<th>Public Property</th>
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<tr>
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<td>Non-Campus</td>
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</table>

* Represents change in reporting procedures.

² Increase likely due to becoming a co-educational institution.

³ Number includes lost and found items reported as burglary and at least a dozen items valued under $250.
## Reported VAWA Statistics

<table>
<thead>
<tr>
<th>VAWA Offenses</th>
<th>Year</th>
<th>On-Campus Properties</th>
<th>On-Campus Student Housing Facilities (numbers also reflected in On-Campus Properties)</th>
<th>Non-Campus Property</th>
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## Arrests and Disciplinary Referrals Statistics

<table>
<thead>
<tr>
<th>Arrests and Disciplinary Referrals Offenses</th>
<th>Year</th>
<th>On-Campus Properties</th>
<th>On-Campus Student Housing Facilities (numbers also reflected in On-Campus Properties)</th>
<th>Non-Campus Property</th>
<th>Public Property</th>
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<tbody>
<tr>
<td>Arrests: Liquor Law Violations</td>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>1</td>
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<td>2013</td>
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<td>0</td>
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<tr>
<td>Disciplinary Referrals: Liquor Law Violations</td>
<td>2015</td>
<td>36</td>
<td>32</td>
<td>0</td>
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<td></td>
<td>2013</td>
<td>49</td>
<td>47</td>
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<tr>
<td>Arrests: Drug Abuse Violations</td>
<td>2015</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>2013</td>
<td>1</td>
<td>1</td>
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</tr>
</tbody>
</table>
**Reported Hate Crimes**

2015: One on-campus intimidation incident characterized by disability.

Two on-campus vandalism incidents in a residence hall characterized by national origin.

2014: No reported hate crimes.

2013: No reported hate crimes.

---

### Disciplinary Referrals: Drug Abuse Violations

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
<th>2013</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>0^4</td>
<td>17</td>
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<td>0</td>
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</tbody>
</table>

In accordance with MA laws, 1 oz. or less is a civil offense.

### Disciplinary Referrals: Weapons – carrying, possessing, etc.

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
<th>2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
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### Arrests: Weapons – carrying, possessing, etc.

<table>
<thead>
<tr>
<th></th>
<th>2015</th>
<th>2014</th>
<th>2013</th>
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<tbody>
<tr>
<td>1</td>
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<tr>
<td>0</td>
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</table>
## Fire Statistics for Pine Manor College - 2015

<table>
<thead>
<tr>
<th>Facility</th>
<th>Fires</th>
<th>Injuries</th>
<th>Deaths</th>
<th>Category</th>
<th>Cause</th>
<th>Damage</th>
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<tbody>
<tr>
<td><strong>East Village</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East 1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
</tr>
<tr>
<td>East 2</td>
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<td>0</td>
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<td>n/a</td>
<td>$0</td>
</tr>
<tr>
<td>East 3</td>
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<td>0</td>
<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
</tr>
<tr>
<td>East 4</td>
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<td>0</td>
<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
</tr>
<tr>
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<td>0</td>
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<td>n/a</td>
<td>$0</td>
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<td>East Commons</td>
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<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
</tr>
<tr>
<td><strong>South Village</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
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<td>$0</td>
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<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
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<td></td>
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<td></td>
</tr>
<tr>
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<td>0</td>
<td>n/a</td>
<td>n/a</td>
<td>$0</td>
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<tr>
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<td>n/a</td>
<td>$0</td>
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<td>0</td>
<td>n/a</td>
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## Fire Alarm and Sprinkler System

<table>
<thead>
<tr>
<th>Facility</th>
<th>Fire Alarm Monitoring Done On-Site (by UPD)</th>
<th>Partial *1 Sprinkler System</th>
<th>Full *2 Sprinkler System</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans &amp; Placards</th>
<th>Number of Evacuation (Fire) Drills Each Calendar Year</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>East Village</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>East 1</td>
<td>Millenium Alarm Co.</td>
<td>None</td>
<td>None</td>
<td>Detector</td>
<td>4</td>
<td>None</td>
<td>2</td>
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<tr>
<td>East 2</td>
<td>Millenium Alarm Co.</td>
<td>None</td>
<td>None</td>
<td>Detector</td>
<td>4</td>
<td>None</td>
<td>2</td>
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<tr>
<td>East 3</td>
<td>Millenium Alarm Co.</td>
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<td>None</td>
<td>Detector</td>
<td>4</td>
<td>None</td>
<td>2</td>
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<td>None</td>
<td>Detector</td>
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<td>Millenium Alarm Co.</td>
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<td>None</td>
<td>Detector</td>
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<tr>
<td>East 6</td>
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<td>Full</td>
<td>Detector</td>
<td>2</td>
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<td>None</td>
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<td>None</td>
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<tr>
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<td>2</td>
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<tr>
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<td>2</td>
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<td>Detector</td>
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<td>None</td>
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<td>Full</td>
<td>Detector</td>
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<td>None</td>
<td>Detector</td>
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<td>2</td>
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<tr>
<td>West 4</td>
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<td>None</td>
<td>Detector</td>
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<td>None</td>
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</table>
Sexual Misconduct Policy

Pine Manor Values, Purpose of Policy, & Statement on Nondiscrimination

Statement of Institutional Values
Pine Manor College (“Pine Manor” or “the College”) is committed to establishing and maintaining an educational, employment, recreational, and living environment that is free from sexual misconduct. Sexual misconduct, as defined below, is a violation of a person’s rights, dignity, and integrity, and is contrary to the mission and values of Pine Manor. Acts of sexual misconduct are strictly prohibited and will not be tolerated.

Pine Manor takes all allegations of sexual misconduct seriously and is committed to providing information, education, resources, support, interim measures, and direction to the College community to prevent and address sexual misconduct. In response to any report that a member of the Pine Manor community has engaged in sexual misconduct, Pine Manor will take all appropriate steps to eliminate the misconduct, prevent its recurrence, and address its effects. To achieve equitable results, Pine Manor will carefully review and/or investigate all reports and complaints of sexual misconduct with an earnest intent to understand the perspective and experiences of each individual involved, and to provide for fair and impartial evaluation and resolution.

Purpose & Scope of Policy
The purpose of this policy is to provide the Pine Manor community with a clear set of behavioral standards, definitions, and descriptions of sexual misconduct. The policy is intended to protect and guide Pine Manor community members who have been affected by sexual misconduct, whether as a Complainant, a Respondent, or a third party.

When used in this policy, “Complainant” refers to those persons who have reported to Pine Manor that they have been the subject of prohibited conduct. “Respondent” refers to those persons that have been accused of engaging in prohibited conduct. “Third party” refers to any other person with information concerning a report of prohibited conduct, including any witness to the incident or any individual who makes a report to the College concerning someone else. “Employee” refers generally to all staff and faculty members, unless otherwise specified. A “report” refers to any incident or concern regarding prohibited conduct that is reported to the College. A “complaint” is an allegation of sexual misconduct filed against a member of the Pine Manor community that initiates the disciplinary process outlined in this policy.

In addition to defining prohibited conduct relating to sex or gender that violates the standards of our community, this policy will also:

- Identify resources for all Pine Manor community members who are impacted by prohibited conduct;
- Identify Pine Manor’s Title IX Coordinator, Deputy Coordinators, and their roles;
- Provide information about where a Pine Manor community member can obtain confidential support and access resources without triggering a report to the College’s Title IX Coordinator;
- Provide information about how a Pine Manor community member can report an incident of sexual misconduct to the College, to outside law enforcement, or to neither; and,
- Provide information about how a report of prohibited conduct concerning a Pine
Manor community member will be investigated, evaluated, and resolved by the College.

This policy applies to all Pine Manor community members, including students, faculty, and staff. Vendors, visitors, and others who conduct business with the College or on College property are also expected to comply with this policy. All Pine Manor community members are responsible for their actions and behavior, both on campus and off campus. Members of the Pine Manor community have a responsibility to adhere to both College policies and all laws (local, state, and federal) of wherever they reside or travel. Therefore, this policy applies both to on-campus and off-campus conduct, including, but not limited to, off-campus conduct that has an actual or potential adverse impact on any member of the Pine Manor community or the College.

Any individual may make a report alleging a violation of this policy, whether or not he/she is affiliated with the College. The College will provide resource options and respond promptly and equitably to all reports of prohibited conduct involving a College community member. The College will engage in a Title IX review during which it is committed to maintaining fairness for all parties and balancing the needs and interests of individuals with the safety of the community.

Violations of this policy may result in disciplinary action. Depending on the nature of the violation, disciplinary consequences for violations of this policy may include denial of privileges, written warnings, disciplinary probation, suspension, and expulsion for students, and may include warnings (verbal or written), demotions, suspensions, and termination for employees. In addition, the College community should be aware that the conduct described in this policy may also violate federal or state laws and regulations.

Pine Manor reserves the right to amend or modify this policy at any time.

Coordination with College’s Nondiscrimination Policy
Pine Manor recognizes that discrimination or harassment related to an individual’s sex, gender identity or gender expression (collectively, “gender related status”), which is prohibited by this policy, can occur in conjunction with discrimination or harassment related to an individual’s race, color, ethnicity, national origin, religion, age, disability, sexual orientation, or any other legally protected characteristics (“protected characteristics”). Targeting individuals on the basis of any protected characteristics also violates Pine Manor’s community standards. When misconduct relates solely to a person’s gender related status, Pine Manor will address such conduct pursuant to this policy. When the College receives a report that a community member has engaged in misconduct related to both a person’s gender related status and other protected characteristics, the College has discretion to decide under which policy or policies to address the report and will coordinate the investigation and resolution efforts to address any and all harassment and discrimination.

Notice of Nondiscrimination
Pine Manor is committed to establishing and maintaining an environment free of all forms of harassment and discrimination for all College community members. Pine Manor does not discriminate on the basis of race, color, ethnicity, national origin, sex, sexual orientation, gender identity or expression, disability, or age in its programs or activities.

Pine Manor does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs, or in the context of employment. Sexual misconduct, including sexual
harassment as defined in this policy, is a form of sex discrimination that unjustly deprives a person of equal treatment. It is prohibited by Title IX of the Educational Amendments of 1971, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, or be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, Massachusetts General Laws Chapter 151B, and other applicable statutes.

This policy prohibits sexual misconduct committed by any Pine Manor community member, regardless of gender related status. This policy also prohibits gender-based harassment and violence that may not involve conduct of a sexual nature, including, but not limited to, certain reports of domestic violence, dating violence, or stalking.

For assistance related to civil rights, students may visit the Department of Education, Office for Civil Rights website at http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm, which provides information regarding the address and phone number of the OCR office that serves your area, or may call 1-800-421-3481.

Statement on Privacy, Confidential Resources, and Other Resources

Privacy & Confidentiality
Pine Manor is committed to respecting the privacy of all individuals involved in a report of prohibited conduct. In any Title IX review of a report or complaint of prohibited conduct, every effort will be made to protect the privacy and interests of the individuals involved in a manner that is consistent with the need for a thorough review of the allegation. Such a review is essential to protecting the safety of the Complainant, the Respondent, and the broader campus community, and to maintaining an environment free from sex or gender-related discrimination.

At all times, Pine Manor will respect and safeguard the privacy of those involved in a report of misconduct, and information relating to such a report will be shared only with individuals who “need to know” in order to assist in the College’s investigation and/or resolution of the report or complaint. In some cases, the Complainant may wish to keep his/her/their identity or other aspects of an incident confidential, or may request that Pine Manor not pursue an investigation. In such cases, Pine Manor must balance these requests against the College’s responsibility to provide a safe and non-discriminatory environment for all College community members. This responsibility may require that Pine Manor disclose certain aspects of the report to the alleged perpetrator, law enforcement officials, or others with a need to know such information. Pine Manor will seek to respect the request of the Complainant and, where it cannot do so, it will consult with the Complainant and keep her/him/them informed about the chosen course of action.

When considering a request for confidentiality, the College’s Title IX Coordinator will determine the degree of confidentiality that can be afforded, taking into account a range of factors, including, but not limited to, the following:

- Whether the Respondent is alleged to have committed sexual misconduct in the past;
The risk that the Respondent will commit additional acts of sexual misconduct;
Whether the misconduct was perpetrated with a weapon;
Whether the Complainant is a minor;
Whether Pine Manor possesses other means of obtaining relevant evidence; and,
Whether the report suggests a pattern of sexual misconduct at a particular location or within a particular group.

If Pine Manor concludes that a report of sexual misconduct represents an immediate threat to the College campus community, the College may issue a timely notice of the conduct to the College community to protect the health or safety of the broader campus community. This notice will not contain any biographical or other identifying information of the Complainant.

All Title IX investigative and sanction proceedings, and all related notices or statements issued by Pine Manor, will comply with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, and College policy. No information shall be released from such proceedings by Pine Manor, except as required or permitted by law or College policy.

Confidential Resources
Pine Manor encourages victims of sexual misconduct to talk to a trained counselor about the incident. If a member of the College community wishes to obtain confidential assistance through on-campus or off-campus resources without making report to the College, he/she may use the following Confidential Resources:

<table>
<thead>
<tr>
<th>On-Campus Resources</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>College Counseling Services:</td>
<td>Library, 2nd Floor</td>
</tr>
<tr>
<td></td>
<td>(617) 731-7172</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Off-Campus Resources</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boston Area Rape Crisis Center (BARCC):</td>
<td>99 Bishop Allen Drive</td>
</tr>
<tr>
<td></td>
<td>Cambridge, MA 02139</td>
</tr>
<tr>
<td></td>
<td>(800) 841-8371 (24 hour hotline)</td>
</tr>
</tbody>
</table>

BARCC provides counseling, legal advice, and advocacy to help you consider your options; medical advocates to accompany you to the hospital; and legal advocacy. All services are free and available to victims of sexual misconduct and their friends/family.

The Network/La Red:                           PO Box 6011
                                            Boston, MA 02114
                                            (617) 742-4911
                                            www.tnlr.org

Provides free advocacy, support, and safety planning for LGBTQ victims of domestic and dating violence.

REACH Beyond Domestic Violence:                PO Box 540024
                                            Waltham, MA 02454
                                            (800) 899-4000 (free hotline)
                                            (781) 891-0724 (office)
                                            www.reachma.org
REACH Provides free safety planning, advocacy, 24-hour hotline staffed by domestic violence crisis counselors, and shelter and support services to victims of domestic and dating violence.

**Fenway Health Center:**
1340 Boylston Street  
Boston, MA 02215  
(617) 267-9001 (help line)  
(617) 267-0900  
www.fenwayhealth.org

Fenway Health provides comprehensive health services for the LGBTQ community and beyond. Also provides support via the above help line.

**Victims Right Law Center:**
115 Broad Street  
Boston, MA 02110  
(617) 399-6720  
www.victimrights.org

Provides free lawyers to represent you on court-ordered no contact orders, school-based complaints, immigration, and other legal matters related to sexual assault and violence. Assistance available in both English and Spanish.

The persons/resources identified above are available to offer support services and are able, if requested, to maintain the confidentiality of the victim’s identity. If confidentiality is a concern, the victim should clarify the extent to which information should be kept confidential before disclosing information about the incident.

All Pine Manor employees, including faculty, who are not designated as Confidential Resources are expected to notify the College’s Title IX Coordinator if they receive information that any member of the community has engaged in conduct prohibited by this policy. Those employees must otherwise keep such information as private as possible.

**Campus Resources – Mandated Reporters**
In addition to the Confidential Resources listed above, all Pine Manor community members have access to a variety of resources provided by the College that can provide crisis intervention services, counseling, academic support, and nursing services. All of the staff and faculty listed below are trained to support individuals affected by sexual misconduct and to coordinate with the Title IX Coordinator consistent with the College’s commitment to a safe and healthy educational environment. While not bound by confidentiality, these resources will nevertheless maintain the privacy of an individual’s information within the limited circle of those involved in the Title IX resolution process.

<table>
<thead>
<tr>
<th>Resource</th>
<th>Contact Information</th>
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<tbody>
<tr>
<td>Campus Safety:</td>
<td>Ashby Student Center, Basement Floor</td>
</tr>
<tr>
<td></td>
<td>(617) 731-7777 (emergency)</td>
</tr>
<tr>
<td></td>
<td>(617) 731-7187 (non-emergency)</td>
</tr>
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<table>
<thead>
<tr>
<th>Dean of Student Affairs</th>
<th>Ashby Student Center, 2nd Floor</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(617) 731-7195</td>
</tr>
<tr>
<td>Office Hours: M-F, 9 am – 5 pm</td>
<td></td>
</tr>
</tbody>
</table>
Residence Life Office:  
Ashby Student Center, 2nd Floor  
(617) 731-7136  
Office Hours: M-F, 10 am – 5 pm

Title IX Coordinator:  
William “Bo” Opava  
Vice President of Human Resources  
Ferry Administration Building,  
(617) 731-7143  
wopava@pmc.edu

Title IX Deputy Coordinator  
for Students:  
Lisa Rodrigues  
Associate Dean of Student Engagement  
(617) 731-7136

Title IX Deputy Coordinator  
for Athletics:  
John Griffith  
Director of Athletics  
(617) 731-7160

Section 504 Coordinator  
Donna Defuria  
Disability Specialist  
Annenberg Communications Center,  
Learning Resource Center  
(617) 731-7178  
ddefuria@pmc.edu

**Employee Resources**

Various administrative agencies can provide resources and legal assistance for victims of sexual misconduct. Some agencies in the local Boston-area community include:

Massachusetts Commission Against Discrimination (MCAD)  
John McCormack Building  
One Ashburton Place  
Sixth floor, Room 601  
Boston, MA 02108  
(617) 994-6000

The MCAD prohibits sexual harassment in the workplace. The statute of limitations for filing a complaint is 300 days from the last date of discrimination.

Equal Employment Opportunity Commission (EEOC)  
JFK Federal Building  
475 Government Center  
Boston, MA 02203  
(800) 669-4000
The EEOC prohibits sexual harassment in the workplace. The statute of limitations for filing a complaint is 300 days from the last date of discrimination.

U.S. Department of Education, Office for Civil Rights (OCR)
5 Post Office Square, 8th floor
Boston, MA 02109
(617) 289-0111

While OCR complaints should generally be filed within 180 days of the last date of the alleged discrimination, OCR may extend this filing deadline in a variety of circumstances.

**Prohibited Conduct & Definitions**

Pine Manor prohibits all forms of sexual misconduct and gender-based harassment. Sexual misconduct is a broad term that includes, but is not limited to, sexual assault, sexual harassment, sexual violence, sexual exploitation, stalking, cyber-stalking, relationship violence, bullying or cyber-bullying relating to one’s sex or gender identity, and aiding or facilitating the commission of any such prohibited conduct. Gender-based harassment is also a broad term, and includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex, gender identity, gender expression or sex-stereotyping, even if those acts do not involve conduct of a sexual nature, and regardless of whether the gender-based harassment rises to the level of violating the law.

Pine Manor policy also prohibits retaliation relating to the reporting of any sexual misconduct or gender-based harassment.

**Definition of Sexual Harassment**

Sexual harassment is a form of unlawful sex discrimination and consists of three basic types:

- **Unwelcome Advances**: Any unwelcome and objectively inappropriate requests or advances upon another person to engage in sexual actions.

- **Intimidating, Hostile, or Demeaning Environment**: Any unwelcome action or verbal expression, or a series of actions or expressions, that have either the intent, or are reasonably perceived as having the effect, of creating an intimidating, hostile, or demeaning educational, employment, or living environment for a Pine Manor student or employee, either by being sexual in nature or by focusing on a person’s gender, sexual orientation, gender identity, or gender expression. An intimidating, hostile, or demeaning environment is defined as one that is so severe, pervasive, or objectively offensive that it interferes with a person’s ability to learn, exist in living conditions, work (if employed by Pine Manor), or have access and opportunity to participate in any and all aspects of campus life.

A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

- **Quid Pro Quo Harassment**: Any action in which submission to conduct of a sexual nature is made either explicitly or implicitly a term or condition of an individual’s education, grades, recommendations, or extra-curricular or employment opportunities.
In any type of sexual harassment noted above, the effect will be evaluated based on the standard of a reasonable person in the position of the Complainant.

**Forms of Prohibited Sexual Harassment**

In some cases, sexual harassment is obvious and may involve an overt action, a threat, or a reprisal. In other instances, sexual harassment is subtle and indirect, with a coercive aspect that is unstated.

Sexual harassment can take many forms:

- It can occur between persons of equal power status (e.g., student to student, staff to staff, faculty member to faculty member, visitor/contracted employee to staff) or between persons of unequal power status (e.g., supervisor to subordinate, faculty member to student, coach to student-athlete, student leader to first-year student).
  
  Although sexual harassment often occurs in the context of an exploitation of power by the individual with the greater power, a person who appears to have less power in a relationship can also commit sexual harassment (e.g., student harassing faculty member).

- It can be committed by an individual or may be a result of the collective actions of an organization or group.

- It can be committed against an individual, an organization, or a group.

- It can be committed by an acquaintance, a stranger, or someone with whom the Complainant has a personal, intimate, or sexual relationship.

- It can occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation.

- It does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Examples of behavior that might be considered sexual harassment include, but are not limited to:

- Unwanted sexual innuendo, propositions, sexual attention or suggestive comments and gestures; unwanted indecent exposure towards another person; humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person’s sexuality, gender, gender identity, sexual orientation or gender expression; insults and threats based on sex, gender, gender identity, sexual orientation or gender expression; and other oral, written or electronic communications of a sexual nature that an individual communicates is unwanted and unwelcome;

- Unwelcome leering or whistling at another in a sexually suggestive manner;

- The creation, display, or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; or the circulation, display, or creation of e-mails or websites of a sexual nature;

- Non-academic display or circulation of written materials or pictures degrading to an individual or gender group;

- Unwelcome and objectively inappropriate physical contact or suggestive body language, such as touching, patting, pinching, hugging, or kissing, or brushing against an individual’s body;
• Undue and unwanted sexual attention, such as repeated flirting, objectively inappropriate or repetitive compliments about clothing or physical attributes, sexual activities, or sexual prowess; objectively inappropriate inquiries into one’s sexual activities; or making sexually oriented gestures;
• Physical coercion or pressure of an individual to engage in sexual activity or punishment for a refusal to respond or comply with sexual advances;
• Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex, gender identity, sexual orientation, or gender expression;
• Use of a position of power or authority to: (1) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (2) promise rewards in return for sexual favors;
• Sexual assault;
• Abusive, disruptive, or harassing behavior, whether verbal or physical, which endangers another’s mental or physical health, including but not limited to threats, acts of violence, or assault based on gender related status and/or in the context of intimate partner violence;
• Demeaning verbal or other expressive behavior of a sexual or gendered nature in instructional settings; and
• Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping; harassment for exhibiting what is perceived as a stereotypical characteristic for one’s sex, or for failing to conform to stereotypical notions of masculinity and femininity, regardless of actual or perceived gender related status of the harasser or her/his/their target.

Additional Forms of Prohibited Sexual Misconduct
Sexual misconduct may vary in its severity and includes a range of behaviors. The following descriptions represent forms of sexual misconduct that violate Pine Manor’s community standards and another person’s rights, dignity, and integrity.

Sexual Violence/Sexual Assault: Engaging in physical sexual acts with someone who has not given her/his/their consent or who is incapable of giving consent. This includes rape, sexual assault, battery, and sexual coercion. Sexual violence may involve individuals who are known to one another or have an intimate and/or sexual relationship (relationship violence), or may involve individuals not known to one another. Examples include, but are not limited to:
• Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact;
• Having or attempting to have sexual contact of any kind with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one’s intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner; and,
• Knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge;

**Sexual Exploitation**: An act or acts committed through non-consensual abuse or exploitation of another person’s sexuality for the purpose of sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. The act(s) of sexual exploitation are prohibited even if the behavior does not constitute another sexual misconduct offense. Sexual exploitation may involve individuals who are known to one another, have an intimate or sexual relationship, or may involve individuals not known to one another. Examples include, but are not limited to:

• Observing another individual’s nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
• Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
• Photographing or taping someone (via audio, video, or otherwise) involved in sexual activity, sexual intercourse/penetration, or in a state of undress, without their knowledge or consent. Even if a person consented to the sexual activity or intercourse/penetration, photographing or taping someone without their knowledge goes beyond the boundaries of that consent. The dissemination of photographs or video/audio of someone involved in sexual activity, intercourse/penetration, or in a state of undress, without their knowledge or consent constitutes a separate and additional act of sexual exploitation;
• Voyeurism, which is the act of observing someone involved in sexual contact/activity or in a state of undress, without their knowledge or consent;
• Prostituting another individual; and,
• Inducing incapacitation for the purpose of making another person vulnerable to non-consensual activity.

**Stalking & Intimidation**: A course of conduct (two or more acts) involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm that individual or place him/her in fear of harm or injury, including physical, emotional, or psychological harm. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another. Prohibited sexual intimidation involves threats to commit unwanted physical contact against someone based on his/her/their sex or gender related status.

Examples of stalking and intimidation include, but are not limited to:

• Unwelcome following or surveillance of a another person;
• Unwelcome appearances at a person’s home, work, or place of study;
• Making/sending frequent and unwelcome phone calls, emails, or text messages to another person;
• Leaving unwelcome written messages or objects for a person;
• Making verbal or written threats to harm another based on their sex or
Relationship Violence Including Dating and Domestic Violence: Relationship violence is any intentionally violent or controlling behavior by a person who is currently or was previously in a relationship with the victim. Relationship violence can also involve domestic violence committed by a person with whom the Complainant shares a child and/or residence. Relationship violence includes actual or threatened physical injury, sexual assault, psychological abuse, economic control, and/or progressive social isolation. Relationship violence can occur in all types of relationships. Relationship violence can include, but is not limited to:

- physical abuse or violence;
- psychological/emotional abuse, such as demeaning or humiliating language and conduct;
- controlling/possessive behavior, including social and economic control (such as limiting access to funds or interfering with employment);
- making you feel like: you are walking on eggshells; you have to call your friends in secret; you must dress a certain way; and,
- any sexual exploitation, as defined above, that arises in the context of a relationship.

Aiding or Facilitating Sexual Misconduct: Aiding or facilitating sexual misconduct means promoting or encouraging the commission of any behavior prohibited under this policy. Members of the Pine Manor community are prohibited both from personally engaging in sexual misconduct, as well as from engaging in conduct that assists or encourages another person to engage in such misconduct.

Retaliation: Retaliating or attempting to retaliate or seek retribution against a Complainant, Respondent, or any other individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a Respondent or Complainant. Retaliation may include abuse or violence, other forms of harassment, and/or making defamatory statements about another person.

**Consent, Coercion, & Incapacitation**

**Consent to sexual activity must be clear, knowing, and voluntary.** Consent must exist from the beginning to the end of each instance of sexual activity and for each form of sexual contact. Consent to one form of sexual contact does not constitute consent to any other forms of sexual contact. Further, consent to engage in a particular sexual act at any given time is not indefinite or ongoing consent to engage in that same act, or any other sexual act, on other occasions. Mutually understandable consent must be obtained by the initiator at every stage of sexual interaction.

**Consent requires an affirmative, outward demonstration indicating that an individual has freely chosen to engage in sexual activity.** Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Consent is mutually understandable when a reasonable person would consider the words and/or actions of the parties to have expressed a mutually understandable agreement between them to do the same thing, in the same way, at the same time, with one another. Relying on non-verbal communication can lead to misunderstandings. When in doubt, ask before acting.
A lack of consent may be indicated in a variety of ways. First, a verbal “no,” even if it sounds indecisive or insincere, must be accepted as a lack of consent. If consent is requested verbally, the absence of any explicit affirmative verbal response constitutes lack of consent. In addition, if at any time a person’s words, actions, or demeanor suggest hesitancy, confusion, or uncertainty about engaging in sexual activity, the parties should stop and obtain verbal consent before continuing sexual activity.

Consent may NOT be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. In the absence of an outward demonstration, consent does not exist. If at any time it is reasonably apparent that either party is hesitant, confused, or uncertain, both parties should stop and obtain mutual verbal consent before continuing sexual activity. In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who wants to engage in the specific sexual activity to make sure that he/she/they have consent from his/her/their partner(s).

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates willingness to engage in sexual activity each time such activity occurs.

Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

In Massachusetts, consent can never be given by a minor under the age of 16.

Consent cannot be obtained from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual’s ability to exercise his or her own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm, and severe and/or pervasive emotional intimidation that places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person’s words or conduct amount to coercion if they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity. If sexual acts were preceded by threats or coercion, there is no consent.

Individuals of any age are considered incapacitated and unable to consent to sexual activity if they are not able to make rational, reasonable judgments. Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless. Individuals may be incapacitated and unable to consent to sexual activity due to drug or alcohol consumption, either voluntarily or involuntarily, or if the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. Individuals are incapacitated if they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication.
Some indicators of incapacitation may include, but are not limited to:

- lack of control over physical movements or equilibrium;
- lack of awareness of circumstances or surroundings;
- an inability to communicate coherently or other signs of confusion or disorientation; and,
- vomiting and/or lack of consciousness.

An individual may experience a blackout state in which he/she/they appear to be giving consent, but do not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person’s level of intoxication. The relevant standard that will be applied is whether the Respondent knew, or a sober reasonable person in the same position should have known, that the other party was incapacitated and therefore could not consent to the sexual activity.

Alcohol or drugs impair a person’s decision-making capacity, awareness of the consequences, and ability to make informed judgments. However, being intoxicated or impaired by drugs or alcohol is never an excuse to engage in sexual misconduct and does not excuse one from the responsibility to obtain consent. As stated above, even if Respondents are intoxicated they will be found responsible for sexual misconduct if they engage in sexual activity with another person who did not consent to the sexual activity.

**Reporting**

**Reporting Obligation**

Except for employees designated as Confidential Resources (see Section III(B)), all Pine Manor employees, including faculty, staff, and administrators, student employees who have a responsibility for student welfare, and student volunteers who have a responsibility for student welfare, are required to share with a member of the Title IX team any report of sexual misconduct they receive or of which they become aware. Examples of students who have a duty to share the information with the Title IX team include, but are not limited to, Resident Assistants, First-Year Success Mentors, and Peer Leaders. All other Pine Manor community members are strongly encouraged to notify the Title IX Coordinator, a Deputy Title IX Coordinator, and/or law enforcement if they receive information that a member of the community has been impacted by sexual misconduct.

When Pine Manor receives a report of sexual misconduct, it is obligated to take immediate steps to investigate the incident and, where possible, to prevent and remediate any violations of this policy. The College will promptly and thoroughly investigate and respond to all reports of sexual misconduct. The College will respond to all reports in an integrated, consistent manner that treats each individual with dignity and respect. The College will approach each report with an earnest intent to understand the perspective and experiences of each individual involved in order to ensure fair and impartial evaluation and resolution.

Pine Manor recognizes that the decision whether or not to report sexual misconduct is personal, and that there are many barriers to reporting, both individual and societal. Not every individual will be prepared to make a report to the College or to law enforcement, and individuals are not expected or required to pursue a specific course of action. Pine Manor recognizes that choosing to make a report, and deciding how to proceed after making the report, can be a process that
unfolds over time. Therefore, an individual does not have to decide whether or not to request disciplinary action at the time the report is made.

Pine Manor will respect an individual’s autonomy in making these important decisions and will provide support that will assist each individual in making these determinations. Pine Manor will also honor a victim’s decision as to whether or not to report the incident to law enforcement. A criminal complaint will not terminate the College’s internal investigation or its response to sexual misconduct in its programs or activities.

**Emergency/Immediate Reporting Options**

In the event that an individual is the victim of sexual assault or sexual violence, the physical safety and emotional well-being of the person is of primary importance. A victim may have been physically injured in a number of ways, may have been exposed to a sexually transmitted disease, and/or may at risk of impregnation. Pine Manor strongly encourages any person who has been the victim of sexual assault/violence to seek immediate medical attention from the nearest hospital emergency room.

Additionally, if an assault has occurred very recently, there may be physical evidence present that can be collected. Although the collection of physical evidence does not require a victim to pursue criminal or civil charges, preserving evidence allows a victim to make the decision to do so in the future. If you are assaulted: do not shower, change your clothing, or brush your teeth. The decision to seek medical attention and gather any evidence will remain confidential. Local medical resources include the following:

- **Beth Israel Deaconess Medical Center**: Rape Crisis Intervention Program 330 Brookline Avenue Boston, MA 02215 (617) 667-4645 *(Request a Sexual Assault Nurse Examiner (S.A.N.E.))*

- **Brigham and Women’s Hospital**: 75 Francis Street Boston, MA 02115 (617) 732-5636 *(Request a Sexual Assault Nurse Examiner (S.A.N.E.))*

Individuals are strongly encouraged to call 911 if they are feeling unsafe and wish to reach local law enforcement or emergency medical care (including an ambulance) anywhere within the United States. Local law enforcement can also be reached at:

- **Brookline Police Department**: 350 Washington Street Brookline, MA 02445
  - Non-emergency: (617) 730-2222
  - Chief’s Office: (617) 730-2249
  - Domestic Violence Unit: (617) 730-2244

In addition, Campus Safety can be reached at (617) 731-7777 (emergency line). Campus Safety will assist and escort any community member to safety and will provide transportation to a hospital. They will also coordinate with local police, provide the victim with information about
the College’s recourse and complaint process, and provide the victim with information about the available Confidential Resources.

**Campus Reporting Options**

To enable the College to respond to all reports in a prompt and equitable manner, the College encourages all individuals to directly report any incident of sexual misconduct to the Title IX Coordinator or a member of the Title IX team (see Section III(C)).

Pine Manor recognizes that a student or employee may choose to report sexual misconduct to any trusted employee of the College. For example, a student may choose to confide in Residence Life, a faculty member, or a coach, all of whom must report the incident to the College. Likewise, an employee may choose to confide in a supervisor. Under this policy, any employee who receives a report of sexual misconduct must share the report with the Title IX Coordinator or a member of the Title IX team. The Title IX Coordinator and Title IX team are specifically charged with investigating and responding to allegations of sexual misconduct.

**Timeframe for Reporting**

Individuals are encouraged to report sexual misconduct as soon as possible to maximize the College’s and/or law enforcement’s ability to respond promptly and equitably. Pine Manor does not limit the timeframe for reporting an incident, and upon receipt of any report, regardless of when the incident occurred, the College will conduct a Title IX assessment to determine if an investigation and/or any safety measures are necessary to maintain the community’s safety. **Pine Manor will not be able to impose disciplinary sanctions against an individual who is no longer affiliated with the College.** However, Pine Manor will provide reasonably appropriate remedial measures, assist the Complainant in identifying external reporting options, and take reasonable steps to eliminate sexual misconduct, prevent its reoccurrence, and remedy its effects.

**Coordination with Law Enforcement**

Pine Manor encourages Complainants to pursue criminal action for incidents of sexual misconduct when the incident constitutes a crime under the law of the jurisdiction where the incident occurred. If an individual chooses to report an incident of sexual misconduct to Campus Safety, then Campus Safety will notify the law enforcement agency with jurisdiction over the alleged crime. To the extent permitted by law, Pine Manor will also assist a Complainant in making a criminal report and will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process.

Pine Manor’s definitions of sexual misconduct, and its process and standard of proof for finding a Respondent responsible for sexual misconduct differ from those used in criminal prosecutions. Thus, a Complainant may reasonably seek resolution through Pine Manor’s complaint process, may pursue criminal action, may choose one but not the other, or may choose to report an incident to both or neither. Law enforcement’s determination regarding whether or not to prosecute a Respondent is not determinative of whether Pine Manor will conduct a Title IX investigation or conclude that a member of the community has committed sexual misconduct in violation of College policy. However, any criminal disposition related to the Title IX complaint will be taken into consideration in a Title IX investigation. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. However, Pine Manor will, to the extent possible and consistent with its obligations to promptly address Title IX complaints, cooperate and coordinate with local law enforcement officers and
the prosecutor’s office. For example, the College will comply with law enforcement agency requests for cooperation and such cooperation may require the College to temporarily suspend the fact-finding portion of a Title IX investigation while the law enforcement agency gathers evidence. In such cases, the College will promptly resume its investigation as soon as notified by the law enforcement agency that it has completed its evidence gathering process.

**Amnesty**
Pine Manor encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. Pine Manor recognizes that an individual who has been drinking or using drugs at the time of the incident may be reluctant to make a report for fear of being subject to discipline under the College’s Drug and Alcohol Policy. An individual who reports sexual misconduct will not be subject to disciplinary action by the College for his/her own violation of these policies.

**Bystander Intervention**
Pine Manor strongly encourages all community members to take reasonable and prudent actions to prevent or stop sexual misconduct, including relationship violence, stalking, and sexual assault, which they observe or of which they otherwise become aware. Taking action may include directly or indirectly confronting the situation (if it is safe to do so), taking steps to interrupt the situation, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the College and protected from retaliation.

**Statement Against Retaliation**
It is a violation of Pine Manor policy to retaliate in any way against an individual or a group because the individual or group made a report concerning sexual misconduct, was the subject of such a report, or otherwise participated in the College’s investigation of such a report.

Pine Manor recognizes that retaliation can take many forms, may be committed by an individual or a group against an individual or a group, and that a Respondent can also be the subject of retaliation by the Complainant or a third party. The College will take immediate and responsive action to any report of retaliation and may pursue disciplinary action as appropriate. The Title IX Coordinator will review all reports of retaliation and determine whether to impose immediate corrective action or whether to refer the report for investigation pursuant to the processes identified in this policy. In making this determination, the Title IX Coordinator may consult with the Title IX Team or members of the Title IX Team. An individual who in good faith reports sexual misconduct, is the subject of such a report, or otherwise participates in the College’s investigation of such a report may not be subject to retaliation even if the report is later not proven.

**Interim Measures**
Upon receipt of a report of sexual misconduct, Pine Manor will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. Pine Manor will determine the necessity and scope of any interim measures. Even when a Complainant or Respondent does not specifically request that protective action be taken, Pine Manor may choose to impose interim measures at its discretion to ensure the safety of any individual, the broader College community, or the integrity of the review process.
Students seeking such assistance should speak with the Title IX Coordinator, who will coordinate such requests on the behalf of the student. Pine Manor will maintain contact with the parties to ensure that all concerns are being addressed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. Pine Manor will take immediate and responsive action to enforce measures previously ordered or implemented by the College.

Pine Manor may impose any remedy that can be tailored to the involved parties to achieve the goals of this policy, even if not specifically listed here. The range of interim measures may include:

**No Contact Order:** A Complainant or Respondent may request, or the College may impose, communication and contact restrictions to prevent further, potentially harmful interaction. These communication and contact restrictions generally preclude in-person, telephonic, electronic, or third-party communications. In some cases, an individual may also wish to consider an Abuse Prevention Order or a Harassment Prevention Order from the local courts. This is a civil proceeding independent of the College. If a court order is issued, Pine Manor will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on-campus compliance with the order. The College may also limit an individual or organization’s access to certain College facilities or activities as part of the no contact order.

**Academic, Employment, and/or Residence Modifications:** Any party involved in a Title IX investigation may request an academic or employment accommodation or a change in residence after a report of sexual misconduct. An individual who requests assistance in changing their academic or living situation after an incident of sexual misconduct will receive appropriate and reasonably available accommodations. These may include:

- Academic accommodations, including a change in class schedule, taking an incomplete, dropping a course without penalty, attending a class via Skype or other alternative means, providing an academic tutor, or extending deadlines for assignments;
- Change of dormitory assignment;
- Change in work assignment or schedule; and,
- Providing an escort to ensure safe movement between classes and activities.

**Emotional Support:** The College will provide counseling services or will assist in providing a referral to off-campus agencies as detailed in this policy. Counseling and emotional support is available to any member of the campus community.

**Interim Separation:** Where the report of sexual misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of the campus community, the College may place an individual or organization on interim suspension or impose leave for an employee. Pending resolution of the complaint, the individual or organization may be denied access to campus. When interim suspension or leave is imposed, Pine Manor will make reasonable efforts to complete the investigation and resolution within an expedited timeframe.
Title IX Complaint Process

Title IX Coordinator
Pine Manor has appointed William “Bo” Opava, Vice President of Administration and Director of Human Resources, as the Title IX Coordinator. In his role as Title IX Coordinator, Mr. Opava oversees the College’s centralized review, investigation, and resolution process for reports of sexual misconduct. He also coordinates Pine Manor’s compliance with Title IX. Mr. Opava is supported by several College administrators who serve as Deputy Title IX Coordinators (see above). Each is knowledgeable and trained in state and federal laws that apply to matters of sexual harassment, as well as College policy and procedure.

The duties and responsibilities of the Title IX and Deputy Title IX Coordinators include training, education, and climate checks, as well as the oversight of procedures that promptly and equitably eliminate sexual harassment, prevent its recurrence and address its effects on individuals and our community. The Title IX and Deputy Title IX Coordinators will:

- Oversee the investigation and resolution of all reports of sexual misconduct;
- Meet with any individual, whether a Complainant, a Respondent, or a third party, to discuss interim measures, resources, and procedural options on and off campus;
- Ensure prompt and equitable resolutions that comply with all requirements and timeframes specified in the complaint procedures;
- Participate in assessment of annual climate checks, tracking, and monitoring of sexual misconduct allegations on campus; and,
- Participate in campus training, education, and prevention efforts.

The Title IX Coordinator leads an interdepartmental team, the Title IX Team, which is designed to ensure consistent application of this policy to all individuals and to enable the College to respond promptly and equitably to eliminate sexual misconduct, prevent its recurrence and address its effects. The Title IX Team coordinates the review, investigation and resolution of reports of sexual misconduct and ensures that appropriate interim measures are implemented. Members of the Title IX Team include: the Title IX Coordinator, the Deputy Title IX Coordinators, the Dean of Student Affairs, the Chief of Campus Safety, the Title IX Investigator employed or retained by the College, and others as may be deemed necessary by the Title IX Coordinator.

The Title IX Coordinator has the discretion to determine the appropriate response to reports of sexual misconduct. Other matters that do not involve complaints of sexual misconduct against a student may be referred to other departments within the College, such as the College’s Conduct System or Human Resources, for further investigation and resolution.

Timeframe for Resolution
The investigation and resolution of all reports of sexual misconduct will generally be completed within 60 to 90 days. Extenuating circumstances, including, but not limited to, the complexity and severity of a report may require the process to extend beyond 60 to 90 days. In general, a Complainant and Respondent can expect to receive periodic updates from the Title IX Coordinator and/or Investigator as to the status of the investigation and resolution.

In the event that the investigation and resolution exceed this timeframe, Pine Manor will notify all parties of the need for additional time and best efforts will be made to complete the process in a timely manner.
**Grievance Procedures and Title IX Review**
The following are Pine Manor’s procedures for responding to and resolving reports of sexual misconduct asserted against a student. Pine Manor will resolve reports of sexual misconduct asserted against a College employee in accordance with the process described in the Employee Handbook or the Faculty Handbook.

**Formal Report**
Any individual may initiate a Title IX investigation by Pine Manor against a student member of the community for violation of this policy by submitting in writing to any member of the Title IX team a report that includes the following information:
- The name of the accused student (i.e. the Respondent), or if her/his/their name is unknown, information sufficient to allow the College to identify the Respondent, such as her/his/their photograph;
- A statement explaining the nature and circumstances of the report including a list of possible witnesses; and,
- The names, addresses, and telephone numbers of those making the report.

The report must be signed by the individual initiating the report (i.e. the Complainant). **Formal reports will result in a Title IX investigation to determine whether the Respondent violated any provisions of this policy.**

**Timeframe for Submitting a Formal Report:** Pine Manor does not limit the timeframe for submitting a report. However, Complainants are encouraged to submit the report as soon as possible in order to maximize the College’s ability to investigate and come to an appropriate resolution. Pine Manor will not be able to pursue disciplinary action against a respondent who is no longer affiliated with the College.

**Withdrawal of Report:** If a Complainant withdraws her/his/their report, the Title IX Coordinator will assess whether sufficient evidence of sexual misconduct exists to support completing an investigation. Among the factors the Title IX Coordinator will consider in making this determination is whether prior reports by the Complainant or others have been made against the Respondent. Pine Manor’s decision to proceed in investigating a student member of the community when the Complainant has withdrawn the report shall be made by the Title IX Coordinator in his sole discretion, but will take the Complainant’s wishes into consideration. If the Title IX Coordinator determines that no action will be taken against the Respondent because the Complainant has withdrawn her/his/their report, a file concerning the withdrawn report will be maintained by the Title IX Coordinator, so that the matter can be re-opened if, among other things, the Complainant later decides to reinitiate the report, or if independent evidence of sexual misconduct by the Respondent comes to the College’s attention, which the Title IX Coordinator determines warrants re-opening the investigation.

**Incomplete and Unofficial Reports**
Any individual may also report that a student member of the community engaged in behavior prohibited by this policy by bringing the report to the attention of the Title IX Coordinator, any member of the Title IX Team, or any Pine Manor employee.
When the Title IX Coordinator receives a report that a Pine Manor student has engaged in prohibited conduct, but the report does not meet the requirements of a formal report, the Title IX Coordinator or his designee, alone or in coordination with the Title IX Team, will determine what steps should be taken to gather additional information. Thereafter, the Title IX Coordinator will direct the gathering of the additional information.

Once all available additional information has been obtained, it will be evaluated by the Title IX Coordinator, who will decide whether a Title IX investigation, in accordance with this policy, is warranted. In making this decision, the Title IX Coordinator will consider the wishes of the person(s) reported to have been harmed by the Respondent (the “reported survivor”), as well as the risk that declining to investigate might jeopardize the safety of the reported survivor or any member(s) of the Pine Manor community. If the Title IX Coordinator decides that an investigation is warranted as a result of an incomplete or informal report, the Respondent will be notified that the College has elected to proceed with the investigation of the report on its own initiative and the investigation will proceed without a Complainant. If the College initiates an investigation against a Respondent as a result of an incomplete or informal report, the reported survivor(s) may choose whether to participate in the investigation, for example by serving as a witness.

**Advisors**
The Complainant and Respondent may each choose, and be accompanied to any meeting or interview related to these procedures by, an advisor. Each party’s advisor may provide support related to any meeting or interview, but may not participate actively in such meetings or interviews. During meetings and interviews, an advisor may quietly confer or pass notes with the party in a non-disruptive manner. The advisor may not intervene in a meeting or interview, or address the Investigator.

Consistent with Pine Manor’s obligation to promptly resolve sexual misconduct complaints, the College reserves the right to proceed with any meeting or interview, regardless of the availability of the party’s selected advisor.

**Declining to Participate**
A Complainant and/or Respondent may decline to participate in the investigative or complaint resolution process. Pine Manor may continue the process without the Complainant’s and/or Respondent’s participation. In most cases, a refusal to participate in the investigative process will preclude a Complainant or Respondent from appealing any determination. The Title IX Coordinator will make this determination.

**Investigation and Findings Process**
After receiving a report of sexual misconduct, the Title IX Coordinator will conduct a preliminary assessment to determine whether there is sufficient evidence to support the initiation of a formal investigation. If the Title IX Coordinator concludes that a report of sexual misconduct warrants a Title IX Investigation, the following steps will generally be taken:

1. The Title IX Coordinator will appoint a Title IX Investigator. The Title IX Investigator is tasked with investigating the report and making (i) findings of fact and (ii) recommended findings as to whether the Respondent violated any provision of this policy. In making these findings, the Title IX Investigator shall employ the “preponderance of the evidence” standard of proof.
2. Prior to any meetings between any party and the Title IX Investigator, The Title IX Coordinator will meet with the Complainant and Respondent individually and:
   a. Provide each with written notification of the allegations of misconduct under investigation, which shall include, to the extent then known, a reference to any specific provisions of this policy allegedly violated;
   b. Inform each that a Title IX Investigator has been appointed who will be investigating the report;
   c. Identify the Title IX Investigator by name to each;
   d. Advise each that any behavior that can be construed as retaliation against the Complainant, Respondent, and/or witnesses will be subject to immediate disciplinary action, up to, and including, suspension or dismissal from the College;
   e. Provide each with a copy of this policy and advise each to read it carefully;
   f. Advise each that they may have one advisor present whenever they meet with the Title IX Investigator;
   g. Advise each that they will be permitted to submit a list of witnesses to the Title IX Investigator;
   h. Advise each that they will be permitted to submit relevant documentary evidence to the Title IX Investigator (e.g., texts, e-mails, photographs);
   i. Advise each of Confidential Resources, including advocates, health care providers, and counseling services, both on-campus and in the local community;
   j. Advise each of the importance of preserving evidence (e.g., texts, e-mails, notes, photographs, etc.);
   k. Advise each of their option to request that Pine Manor take steps to prevent unnecessary or unwelcome contact or communication with another member of the Pine Manor community;
   l. Advise the Complainant of her/his/their option to pursue a criminal report or complaint action against the Respondent working with local police in addition to pursuing remedies and/or sanctions through Pine Manor processes, or to seek a court order of protection/restraining order; and,
   m. Advise the Complainant that Pine Manor Campus Safety is available to assist him/her/them in contacting and communicating with local police, or in seeking court orders of protection/restraining orders.

3. Thereafter, the Title IX Investigator shall interview the Complainant (if possible). The Title IX investigator shall ask the Complainant for, among other things, names, addresses, and other contact information (e.g., phone numbers and/or e-mail addresses) of witnesses.

4. The Title IX Investigator shall then interview the Respondent (if possible). The Title IX Investigator shall ask the Respondent for, among other things, names, addresses, and other contact information (e.g., phone numbers and/or e-mail addresses) of witnesses. As a part of this process, the Title IX Investigator shall also assess whether interim measures not already implemented are appropriate and, if so, work with the Title IX Coordinator to ensure that they are in place.

5. If at any point the Respondent admits to violating this policy, the Title IX Investigator will inform the Title IX Coordinator, who will terminate the resolution process. Where appropriate, the Title IX Coordinator will send the matter through the Sanctions Process detailed below. If the Complainant and Respondent each accept the issued sanction(s), the matter will be closed. If either party is unsatisfied with the sanction(s), he/she/they
may request to proceed through the formal resolution process in full by submitting a written request to the Title IX Coordinator within five (5) business days of the receipt of the sanctions decision. The Title IX Coordinator maintains the ultimate discretion as whether or not such a request should be granted.

6. In some instances, a Complainant and a Respondent may choose to resolve a complaint through voluntary resolution. Voluntary resolution may include conflict mediation or a restorative conference with a Pine Manor community member. However, voluntary resolution may only be used:
   - Prior to the issuance of the Title IX Investigator’s draft report, under paragraph 11 below;
   - When the Title IX Coordinator determines this is a suitable option for resolving the concern, and both the Complainant and Respondent agree to use the process; and
   - When the complaint does not involve sexual assault or sexual violence as defined in this policy, the Title IX Coordinator will appoint a neutral third-party (including a Pine Manor community member) to conduct the voluntary resolution process. The Title IX Coordinator also retains the discretion to determine the form and nature of the voluntary resolution proceedings. Because the outcomes of voluntary resolution conversations are mutually developed and agreed upon by the parties involved, an appeal of the process and its result is not permitted. If the parties are unable to agree on a voluntary resolution, the matter will be referred back to the formal grievance process outlined in this section. No statements made during the voluntary resolution process may be introduced at any stage during the formal grievance process.

7. Upon meeting with the Complaint and Respondent, the Title IX Investigator shall review Pine Manor records to assess whether any prior allegations have been made against the Respondent that relate to the subject of the complaint. The Respondent will be provided with a copy of any of his/her/their own records that relate to the subject of the complaint.

8. The Title IX Investigator shall make reasonable attempts to interview any relevant witnesses identified by the Complainant or Respondent, or identified by witnesses or any other source.

9. The Title IX Investigator shall review any documentary evidence submitted by the Complainant, Respondent, or other witnesses.

10. The Title IX Investigator shall gather and assess any other relevant evidence available to the College (e.g., additional witnesses not identified by the parties, security camera footage, etc.).

11. After reviewing any witness statements, documentary evidence, and other relevant evidence as noted above, the Title IX Investigator may, in his/her/their discretion, conduct follow-up interviews with the Complainant and the Respondent.

12. Following the foregoing investigation, the Title IX Investigator shall create a written report that summarizes his/her/their investigation, sets out the documentary evidence submitted by the parties/witnesses, and describes his/her/their determination(s) concerning the relevance of the documentary evidence. Relevant information reviewed by the Title IX Investigator shall be described in the written report and appended (and redacted, if necessary), as appropriate.

13. At the conclusion of the investigation, but before any findings are reached by the Title IX Investigator, the Title IX Investigator shall submit his/her draft written report (with a summary of evidence and attachments, but without findings) to the Title IX Coordinator.
for review. The Title IX Coordinator may suggest additional clarification or the gathering of additional evidence, as appropriate.

14. The Title IX Investigator shall permit both the Complainant and Respondent and their respective advisors, if applicable, the opportunity to review a copy of the draft written report (still without findings, but as revised consistent with any suggestions from the Title IX Coordinator) under the supervision of a College employee in the Title IX Coordinator’s or Title IX Investigator’s office. Upon reviewing the draft report, the Complainant and Respondent may provide any clarifications or comments they may wish to offer.

15. Neither the Complainant nor the Respondent will be permitted to copy or remove the draft written report from the Title IX Coordinator’s or Title IX Investigator’s office. Relevant and clarifying comments provided by either party will be incorporated into the draft report by the Title IX Investigator in his/her discretion in consultation with the Title IX Coordinator, and the Title IX Investigator will note any significant deviations from previous statements. If the Complainant and/or Respondent identify additional relevant evidence, that evidence shall be gathered by the Title IX Investigator and included in the written report. Depending on the nature of the new evidence, it may be shared with the Complainant or the Respondent for comment.

16. The Title IX Investigator shall revise the draft report to summarize all relevant evidence obtained during the investigation, and shall draft written recommendations, using a preponderance of the evidence standard, as to whether the Respondent should be found to have violated any provision(s) of this policy.

17. The Title IX Investigator will submit his/her revised draft investigation report, including recommended conclusions, to the Title IX Coordinator. In reaching his/her recommended conclusions, the Title IX Investigator may not consider any statements or other evidence about the Complainant’s prior sexual conduct with anyone other than the Respondent. Further, the Title IX Investigator may not presume that a prior consensual dating or sexual relationship between the parties necessarily constitutes consent or precludes a finding of sexual misconduct.

18. The Title IX Investigator’s recommended conclusion(s) should be explained clearly and address each element necessary to establish whether the Respondent violated this policy so that the reader understands how the Title IX Investigator reached his/her recommended conclusion in light of the available evidence and the standard of proof.

19. The Title IX Coordinator may offer feedback, which should be incorporated into the final draft, if applicable. The Title IX Investigator shall revise the draft report to reflect the Title IX Coordinator’s feedback, and the Investigator shall resubmit his/her revised final draft to the Title IX Coordinator. The revised final draft shall include, along with the information contained in the draft reports:
   a. A summary of the allegations;
   b. A determination of whether the allegations were substantiated, with an identification of all supporting evidence and credibility determinations;
   c. A determination of whether this policy was violated, along with all supporting evidence, conclusions, and references to pertinent policy provisions.

20. Upon receipt of the Title IX Investigator’s final draft report, the Title IX Coordinator shall determine whether or not the Respondent violated this policy, based on the preponderance of the evidence standard, and shall update and finalize the report to reflect this decision.

21. The Title IX Coordinator shall send a letter to the Complainant and the Respondent
informing them of the investigation findings concerning whether the Respondent violated any provision of this policy (the “Determination Letter”). Generally, the Determination Letter will be issued within three (3) business days of finalizing the Title IX report. The Title IX Coordinator shall send this communication to the Complainant and the Respondent via certified mail, return receipt requested, and also by electronic mail (read receipt requested).

a. If the Respondent is found not to have violated any provision of this policy, the Title IX Coordinator’s letter to both parties will inform them of the Complainant’s right to appeal that decision, in accordance with the Appeals Process below.

b. If the Respondent is found to have violated any provision of this policy, the letter will notify both parties of those findings and provide them with information relating to the action(s) to be taken by the College described below.

c. Regardless of the findings, the Title IX Coordinator shall present both parties with an opportunity to review the final investigative report, with their advisor present, in the presence of the Title IX Coordinator or designee.

**Sanctions Process**

If a Title IX investigation concludes that there has been a violation of this policy, or if the Respondent admits to violating this policy, the Title IX Coordinator will appoint a Sanctions Administrator to determine appropriate sanctions. The name of the Sanctions Administrator, and his/her contact information, shall be communicated to the parties in the Determination Letter. The Sanctions Administrator may not be a member of the Title IX Team.

Upon review of the final report and findings, the Sanctions Administrator may impose any sanction designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting Pine Manor’s educational mission and Title IX obligations. Sanctions may also serve to promote safety or deter students from similar future behavior. Any sanctions must be issued, and communicated to the parties, within five (5) business days of the issuance of the Determination Letter (the “Sanctions Letter”).

The following, individually or in combination, are potential sanctions for violations of this policy. Where appropriate, the statement of the sanction includes the duration, any conditions to be observed during that period, and the conditions for termination of the sanction:

**Major Sanctions:**
- Expulsion from the College or a program of the College.
- Suspension from the College or a program of the College for a specific period of time.
- Deferred suspension from the College or a program of the College.
- Denial of graduation, diploma, or degree.
- Deferral of graduation, diploma, or degree for a specific period of time.
- Revocation or withdrawal of diploma or degree previously credited, awarded, or conferred.

**Other Available Sanctions:**
- Expulsion from a Pine Manor residence.
- Suspension from a Pine Manor residence for a specific period of time.
- Deferred residence expulsion (with or without relocation to a different residence location).
- Disciplinary probation. Disciplinary probation may involve counseling with
faculty or administrative staff; restriction of student privileges; prohibitions against participation in Pine Manor activities or events; and prohibitions against holding office or participating in student organizations or residence, school, or college organizations or activities.

- Residence probation. Residence probation may involve periodic meetings with a member of the residence staff and/or restriction of specific residence privileges.
- Disciplinary reprimand or warning.
- Restitution. The student will reimburse the College and/or other appropriate party for damage to or loss of property or for costs or expenses incurred by the College or other party. Restitution will be made at full cost of replacement or repair, and other expenses.

Appeals Process
The Complainant may request an appeal within ten (10) business days of the Determination Letter. The Respondent may request an appeal within ten (10) business days of the Sanctions Letter. Appeals must be in writing and submitted to the Title IX Coordinator (the “Notice of Appeal”). The Notice of Appeal shall consist of a written statement explaining the grounds for the appeal, and the bases therefore. The appeal may be based only on one or more of the following grounds: material procedural error; new material evidence or information; and/or a sanction that is disproportionate to the offense, or otherwise unjust or unfair.

The Title IX Coordinator shall notify the non-appealing party of the appeal and shall provide him/her/them with a copy of the Notice of Appeal. The non-appealing party may submit a written response to the Title IX Coordinator within ten (10) business days of receiving the Notice of Appeal.

The Title IX Coordinator shall appoint an Appeals Officer to decide the appeal. The identity of the Appeals Officer shall be communicated to the parties as soon as practicable after his/her/their appointment. The Appeals Officer shall review the final investigative report, the Notice of Appeal, and the response of the non-appealing party. Within fourteen (14) business days after the deadline for the non-appealing party’s response, the Appeals Officer shall provide his/her conclusions to the parties. These conclusions may include, but are not limited to:

- Reopening of the investigation;
- Affirming the original findings and sanctions;
- Reversing of the original findings and sanctions;
- Modifying the original findings;
- Modifying the imposed sanctions and remedies.

The appeal is based on the record and is limited to the enumerated bases for appeal. The appeal is not a de novo review. Appeal decisions are final.

Conflicts of Interest
In the event that the Complainant or Respondent believes that the Title IX Investigator, Sanctions Administrator, and/or Appeals Officer has a conflict of interest in performing the functions required of him/her/them under this policy, the Complaint or Respondent may seek to disqualify that person from the resolution process. The Complainant or Respondent may seek to disqualify the Title IX Investigator, Sanctions Administrator, and/or Appeals Officer by submitting a written objection to the Title IX Coordinator within two (2) business days of
receiving notice of the subject individual’s appointment to his/her/their position. The written objection shall state the party’s reasons for believing that the subject individual is incapable of fairly judging the matter.

The Title IX Coordinator will decide whether an objection is justified, and that decision is final. When necessary, the Title IX Coordinator will select a replacement for any removed individual. The parties will have an opportunity to object to any individual selected as a replacement.

**Obligation to Provide Truthful Information**

All Pine Manor community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of sexual misconduct is prohibited and may result in disciplinary sanctions. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated.

**Confidentiality, Education & Training**

**Confidentiality & FERPA**

All documents created in connection with the above resolution process, including but not limited to any written complaint, the investigative draft reports, the final report, the Determination Letter, the Sanctions Letter, the Notice of Appeal, any response thereto, and/or the appeals decision will be kept confidential by. They will be shared only with individuals with a “need-to-know” such information. To the extent any of these documents constitute “education records” under FERPA, they will be treated accordingly. All parties to Pine Manor’s complaint resolution process are expected to maintain the confidentiality of any documents they receive in connection with the process. A party who improperly disseminates any such documents, or otherwise discloses the contents of those documents to third-parties, will be subject to disciplinary action.

**Education & Prevention**

Pine Manor College embraces an interdepartmental, multimodal, and situational approach to educate the Pine Manor community about this policy and to prevent sexual misconduct. To that end, the Department of Student Affairs works collaboratively to provide the community with educational opportunities as follows:

- Orientation/Welcome Week
- Presentations at First Year Seminars
- Student Leaders Trainings
- Student Trainings throughout the Academic Year on:
  - Responding to reports and complaints;
  - Bystander intervention;
  - Record-keeping and documentation;
  - Assessing and reporting complaints of sexual misconduct;
  - The availability of Confidential Resources;
  - The availability of other on and off campus resources for support, advocacy, and medical assistance;
  - Train the Trainer Escalation Trainings