



2016 | Babson College

Annual Security & Fire Report

Wellesley, MA

Boston, MA

San Francisco, CA



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Introduction

About the Jeanne Clery Act

The Student Right to Know and Campus Security Act was signed into law in November 1990. Title II of this act was known as the Crime Awareness and Security Act. It requires institutions participating in the student financial aid program under Title IV of the Higher Education Act of 1965 to disclose information about campus safety policies and procedures and to provide statistics concerning certain crimes that occur on campus. It was amended and renamed the Jeanne Clery Act in October 1998. In March 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) was signed into law. These changes require institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking among other changes. In compliance with the act, the Public Safety Department publishes and distributes this information by October 1st of each year.

About the Annual Security & Fire Report

Babson College's annual security report includes statistics for the previous three years concerning reported crimes and

violations of College policy that occurred on campus, in certain noncampus buildings owned or controlled by Babson College and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, reporting of crimes, safety notification procedures, crime prevention and educational programs and policies concerning alcohol and drug use, sexual assault, Title IX violations or complaints and other matters. Policies outlined in this document apply to all campuses except where noted in each campus description. The procedures for preparing the annual disclosure of crime statistics to the college community include written requests for statistical information obtained from the following sources: the Babson College Public Safety Department, Wellesley and Needham Police Departments, Boston Police Department, San Francisco, California Police Department and all other mandated Babson College Campus Security Authorities. You can obtain a copy of this report by contacting the Public Safety Department or accessing the following website:

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<http://www.babson.edu/offices-services/public-safety/Documents/public-safety-report.pdf>

This document should be read in conjunction with the [Babson College Community Standards](#).

Campus Security Authorities (CSAs)

CSAs include any member of the Babson College Public Safety Department, any individual who has responsibility for security but who is not a member of the Public Safety Department, any individual identified by the College as someone to whom a crime should be reported; and any College official who has significant responsibility for student and campus activities. Individuals who fall under this definition may vary among department and area and are included in the following but are not limited to:

- Vice President of Student Affairs/Dean of Students
- Title IX Coordinator
- Associate Dean, Student Engagement
- Associate Dean, Wellness
- Assistant Dean, Student Affairs
- Assistant Dean of Community - Standards/Deputy Title IX Coordinator
- Director of Athletics
- Director of Faith and Service

All CSAs should encourage any party that reports a safety or security concern to report directly to the Public Safety Department as soon as possible. All CSAs must immediately notify the

Public Safety Department of a crime or incident surrounding security.

About Babson College

Babson College is the educator, convener, and thought leader for Entrepreneurship of All Kinds®. The College is a dynamic living and learning laboratory, where students, faculty, and staff work together to address the real-world problems of business and society—while at the same time evolving our methods and advancing our programs. We shape the leaders our world needs most: those with strong functional knowledge and the skills and vision to navigate change, accommodate ambiguity, surmount complexity, and motivate teams in a common purpose to create economic and social value. As we have for nearly a half-century, Babson continues to advance Entrepreneurial Thought and Action® as the most positive force on the planet for generating sustainable economic and social value.

An independent, not-for-profit institution, Babson is accredited by the Association to Advance Collegiate Schools of Business (AACSB), the New England Association of Schools and Colleges, and the European Quality Improvement System (EQUIS). In the 2015-2016 academic year, more than 2,100 undergraduate and 900 graduate students attended Babson, representing more than 80 countries. With over 39,000 alumni around the world, Babson is educating entrepreneurial leaders who create economic and social value – everywhere.

The Babson College Public Safety Department

The Babson College Public Safety Department provides law enforcement, security, emergency services, medical services, safety escorts, fire safety detection, one card management, parking enforcement and crime prevention initiatives for all property owned by the College, 24 hours a day, seven days a week. The Babson College Public Safety Department continues to follow best practices and is a fully accredited police department through the Massachusetts Police Accreditation Commission.

The Department is dedicated to creating an inclusive environment that students, staff, faculty and visitors feel they are treated fairly and with respect. The Department focuses efforts on a team building approach with community members and groups to promote resiliency and the overall wellness and safety of the community. Annually, the department recognizes numerous strategic goals for the Department and the College including:

- Further development and implementation of the Babson College Emergency Preparedness Plan with a focus on training and exercise.
- Continue expanding partnerships with facilities and ITSD staff to provide the College with new and improved physical and technological infrastructure.
- Focus on the professional development and training

programs of all Department staff members.

- Through Community Policing develop a college wide overall wellness program for both Department members and the community.

Upon completion of the Police Academy or other recognized equivalencies, Babson College Police Officers have full law enforcement powers on College property as special state police officers under Massachusetts General Law Chapter 22c section 63. As stated in M.G.L. c. 22C, s. 63, police officers have jurisdiction "in or upon lands or structures owned, used, or occupied by... Babson and Olin College." The main campus of Babson College is located in Wellesley, Massachusetts. Parts of the campus do extend into Needham, Massachusetts. The College owns or leases lands and buildings at other sites in the towns of Wellesley and Needham and elsewhere within the states of Massachusetts and California. Officers are expected to learn the specific boundaries of all College sites to which they may be sent and they are to be completely familiar with the boundaries of the main campus. Each employee must also complete at least 40 hours of additional classroom and practical training a year, and must demonstrate safety and proficiency with issued equipment such as firearms, meeting state requirements. In addition, all employees are frequently assigned to specialized training programs to enhance their

Introduction

professional development. If you have a complaint about the service provided by the Public Safety Department please contact the Shift Supervisor 781-239-5555 or the Office of the Chief of Police.

The Public Safety Department maintains a close working relationship with the surrounding jurisdictions including Wellesley and Needham Police Departments, which includes regular meetings and training initiatives. Additionally, campus police officers are granted full law enforcement powers throughout the municipality as special municipal officers by the town of Wellesley. In addition to Babson College's main residential campus in Wellesley, Massachusetts the College also leases classroom space utilized by faculty and students at the following locations:

- 253 Summer Street, 3rd Floor Boston, MA 02210
- 135 Main Street, 3rd Floor San Francisco, CA 94105
- 606 Post. St. San Francisco, CA 94109 (Dakota Hotel)
- 450 Powell St. San Francisco, CA 94102 (Sir Francis Drake Hotel)
- 240 O'Farrell St. San Francisco, CA 94102 (Spaulding Hotel)

Babson College also leases office space used by faculty and staff of the Babson Global Program, located at 372 Washington St, Wellesley, MA. The Public Safety Department is closely involved with the safety and security plans developed for these spaces as well as local municipality response and reporting for these spaces utilized by

the College. Through coordination with local law enforcement agencies, any reported criminal activity engaged by students at an off campus location is monitored and reported to the Office of Community Standards.

A Memorandum of Understanding agreement exists between the towns of Wellesley and Needham Police Departments and the Babson College Public Safety Department, outlining the reporting and investigative responsibilities for each department.

The allocation of responsibilities is reviewed periodically and administrators of the Public Safety Department communicate regularly with both the Wellesley and Needham Police Departments. The Public Safety Department also maintains a working relationship with other law enforcement agencies including, but not limited to, the Massachusetts State Police, the Norfolk County District Attorney's Office, the Wellesley and Needham Fire Departments, and the Massachusetts State Fire Marshal's Office. The department has radio communications interoperability through the Boston Area Police Emergency Radio Network (BAPERN) and has access to law enforcement databases as a member of the Massachusetts Department of Criminal Justice Information Services.





Reporting Crimes or Other Emergencies

Campus Policies & Procedures Regarding Reporting Criminal Actions or Other Emergencies

The Babson College Public Safety Department is charged with providing law enforcement and other emergency services to the College community. All complaints will be investigated and any violations of law or College policy (as outlined in the [College's Community Standards](#)) can result in the filing of criminal charges and/or referral to the Office of Community Standards. Actual crimes or suspected criminal activities are reported to and investigated by the Public Safety Department. In certain cases, such investigations are carried out in conjunction with local, state, and federal law enforcement agencies. The Babson College Public Safety Department will investigate and prosecute crimes and will work closely with the Wellesley and Needham Police Departments.

The College community can contact this department at **781-239-5555** or

extension **5555** from any campus telephone. A number of well-marked exterior emergency telephones are also located throughout the campus. These telephones can be used to report a criminal incident, a fire, or any other type of emergency, or to request a personal safety escort from the Public Safety Department. The Public Safety Department Communications Center is staffed 24 hours a day, 365 days a year.

The Public Safety Department recognizes the importance of having the Babson community's assistance in order to effectively perform its duties. In an effort to encourage calls from those members of the community who would not normally contact the department with concerns, information, or complaints, a confidential caller telephone line has been installed. Although the members of the department prefer to converse with individuals, we acknowledge that some people wish to leave information anonymously. To protect the identity of callers, all calls received on the confidential caller telephone line will be directed to an answering machine that

Reporting Crimes or Other Emergencies

does not have caller ID. The telephone number for this line is 781-237-8164.

In addition, members of the Student Affairs/Residence Education staff live on campus. Residents may discuss community concerns and issues of security and safety with these staff members, who may then relay the information to the Public Safety Department.

In the event of an emergency, the College has a comprehensive Emergency Preparedness Plan which includes an on demand Emergency Notification System (RAVE Mobile Safety) and response system from members of the Crisis Response Team. In appropriate circumstances, the Department issues Public Safety advisories and emergency notifications by utilizing texts, phone calls and emails throughout the campus to advise members of the campus community of actual or suspected criminal activity and other emergencies.

Policies that Encourage Accurate & Prompt Reporting of All Crimes to the Campus Police & the Appropriate Police Agencies

The Public Safety Department presents various crime prevention programs throughout the year. These education and awareness efforts encourage the reporting of **ALL** incidents and any suspicious activity to the proper

authority. Student contacts may include the Public Safety Department, Student Affairs, Office of Academic Services, Graduate Programs and Student Affairs of the F.W. Olin Graduate School of Business, Office of Counseling Services or the Wellesley or Needham Police Department. Employee contacts may include the Public Safety Department, the Office of Human Resources, or the Wellesley or Needham Police Department. Although there is no written policy encouraging pastoral and professional mental health counselors to inform clients of voluntary, confidential crime reporting procedures, there is an understanding and knowledge of the proper procedures to be followed should their client wish to report a crime that may have occurred. When a victim of a crime elects to or is unable (physically/mentally) to make such a report, the Department will make all attempts to document and investigate. The Public Safety Department is responsible for the enforcement of College rules and regulations and investigating violations of local, state and federal laws. Staff and students can help prevent crime on campus by keeping doors and windows locked and reporting any suspicious activity to the Public Safety Department immediately. If there is a problem in your building - e.g., noise complaints, disruptive parties, etc. – please contact a Residence Education staff member. They will then contact the Public Safety Department. If you have an

Reporting Crimes or Other Emergencies

emergency situation, dial 781-239-5555.

When crimes are reported to the Public Safety Department that require the investigative services or assistance by the Wellesley or Needham Police Department, the Public Safety Department and the appropriate municipal department conduct a joint investigation into the incident.

Campus Sex Offender Reporting

The federal Campus Sex Crimes Prevention Act requires that when a sex offender becomes employed, enrolls as a student, or volunteers at an institution of higher education in the state of Massachusetts, he/she

must register with the Massachusetts Sex Offender Registry Board (SORB). The SORB procedures ensure this registration information is promptly made available to law enforcement agencies having jurisdiction over the area where the institution of higher education is located. For Babson College the Wellesley, Needham, Boston and San Francisco, California Police Departments are responsible for maintaining the SORB registry. Sex offender information may be obtained upon request at these local police departments or through the Sex Offender Registry Board which can be accessed on the Babson College Public Safety website: <http://www.babson.edu/offices-services/public-safety/safety-crime-prevention/Pages/campus-safety.aspx>



Security & Access to Campus Facilities



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Security and Access to Campus Facilities

Most campus buildings and facilities, with the exception of residence halls, are accessible to members of the community as well as guests and visitors during normal hours of business, Monday through Friday, and for designated hours on Saturdays and Sundays during the school year (excluding holiday periods). Exterior doors on residence halls are locked 24 hours a day. Classroom and administrative buildings are secured at the conclusion of normally scheduled business hours.

Electronic card readers control access to residence halls and access is available to all authorized resident students via their Babson OneCard ID. Guests and visitors who wish to enter residence halls should call their undergraduate/graduate hosts on a campus information phone located at the main entrances of each residence hall or by cell phone. The residence halls are equipped with annoyance alarms which will detect unauthorized access as well as doors that have been propped open. These alarms are monitored at the

Public Safety Department Communications Center. The Residence Education staff also randomly check residence hall exterior doors on evening rounds. The Office of Facilities Management and Planning in coordination with Public Safety controls key requests and maintains all door hardware, including locking mechanism repairs.

Security cameras monitored at Public Safety have been installed in all residential buildings as well as card access entry/exit points for improved safety and security and investigative purposes as needed. These cameras record 24 hours a day, 7 days a week but are not routinely monitored. The Public Safety Department, the Office of Residence Life and the Office of Facilities Management and Planning are involved in making decisions about the maintenance and security of campus facilities and should be contacted with questions regarding these areas.



Fire Safety

Fire Safety

All Babson College buildings are equipped with fire pull-boxes, alarms, emergency strobe lights and emergency lighting. When activated these warnings should direct those occupants and other people affected to evacuate the building immediately via the evacuation route indicated on the evacuation diagram, located on each floor of all Babson facilities. The College has provided the residence halls with automated fire prevention systems that are monitored 24 hours a day and seven days a week. Fire protection systems in residence halls consist of sprinkler systems, both wet and dry, tied to master boxes and fire alarm panels. Some buildings are equipped with emergency generators and battery back-ups that automatically activate whenever there is a power loss. These back-ups will operate life safety systems including all fire safety equipment, sprinkler systems, hallway lighting, exit doors, and lighting in all emergency exit stairwells. Each room has an early detection smoke alarm and the hallways are equipped with both smoke and heat detector units. Additionally, there are emergency pull stations in every

hallway, chemical fire extinguishers in every kitchen area, and dry powder extinguishers in hallways. The College also permits students to have an all-purpose fire extinguisher in their room. A dry-powder extinguisher is the only type of extinguisher permitted.

Fire egress drills for the residence halls are conducted once a year in coordination with the Wellesley and Needham Fire Departments and administrative building fire egress drills are conducted every other year. All students, faculty and staff receive an email notification regarding the fire egress drills as well as a detailed overview of fire safety education. Health and safety inspections are conducted twice during each academic year by the Office of Residential Education in conjunction with the Public Safety Department. Several fire safety programs are presented each year during RA training and also with resident students, including basic fire safety instruction and cooking safely within the residence halls.

The setting of fires is strictly prohibited. Due to the serious risk of injury to persons and property and to

Fire Safety

minimize fire and safety hazards within the residence halls, the following items, including but not limited to, are prohibited: air conditioners, sun-lamps, candles, hookahs*, hoverboards*, incense, space heaters, halogen lamps, fog/smoke machines, foam machines, electric blankets, and other heat producing appliances, hot plates, toaster ovens, toasters, and coil immersion heaters for cooking.

Compact refrigerators (up to 5.0 cubic feet) are permitted. Popcorn poppers, coffeemakers, and small microwaves (0.8 cubic feet, 700 watts or less) are permitted, if they are properly cleaned and maintained.

In using extension cords, students must use grounded (3 prong) surge-protected plug strips with an off/on switch. To see the full list of prohibited items, please visit the [Housing website](#).

*Possession or use of hookah pipes or equipment on campus (inside and outside of the residence halls) is prohibited. Additionally, the use, possession or storage of self-balancing scooters, commercially known as hoverboards, on campus is prohibited. As with other prohibited items that violate the College's fire safety regulations, items found to be in violation of this policy will be confiscated and students found to be in possession of those items will be referred to the student conduct process.

Appliances such as toasters, toaster ovens, and other heat-producing cookware are permitted in residential living areas and suites that currently have working cooktop ranges. These

items can be stored in the room (not plugged in) but may only be used in the residential living areas and suites that have working cooktop ranges. Excessive appliances in these areas will be evaluated and may result in removal of appliances by Student Affairs.

Violators are subject to immediate referral to the College's student conduct process and/or the appropriate law enforcement agency for possible legal action. When a fire alarm is sounded, whether established as actual or false, the building must be evacuated immediately. Any individual failing to vacate a building during a fire alarm is subject to disciplinary action and a College fine. A second violation may result in suspension from housing or the College. Tampering with fire extinguishers, fire protection equipment, or fire exits is a criminal offense. Students found responsible for doing so may be subject to criminal prosecution and College disciplinary action if malicious or intentional damage is done to fire equipment, including but not limited to pull boxes, hoses, smoke alarms, heat sensors, and fire extinguishers.

In the event a pulled alarm box or activation of the alarm system is determined to be malicious, disciplinary action may be taken, including revocation of campus housing privileges, suspension, or expulsion from Babson. Violators will be reported to the Wellesley or Needham fire departments for possible criminal prosecution.

Babson College upgrades life safety systems during scheduled construction and renovation projects

Fire Safety

and allocates additional funding each fiscal year for the installation or upgrade of the existing life safety systems as determined necessary.

Babson College maintains its buildings at or above regulatory requirements.





Workplace Threats & Violence

Babson College is committed to providing a safe, healthful workplace that is free from violence or threats of violence. This applies to all persons – employees, students, affiliates, business associates, vendors, and all visitors—as well as all locations—in or on our campus facilities, at an off-campus class, seminar, or event we sponsor, or elsewhere. Babson strictly prohibits behavior, whether direct or through the use of College resources, property, or facilities, that:

- Is violent;
- Threatens violence;
- Harasses or intimidates others;
- Interferes with an individual's legal rights of movement or expression; or,
- Disrupts the workplace, the academic environment or the College's ability to provide services.

Violent or threatening behavior can include, but is not limited to, physical acts, oral or written statements, harassing email messages, harassing telephone calls or texts, obscene or abusive gestures and expressions, or behaviors such as stalking. Violence in

the workplace includes relationship or domestic violence that may follow an employee into the workplace, endangering the employee and others in the workplace.

Reporting Workplace Threats and Violence: It is the responsibility of all Babson College personnel to notify the Public Safety Department of any threats they have witnessed, received, or have been told that another person has witnessed or received. All complaints will be fully investigated. Babson College will promptly respond to any incident or suggestion of violence. Violations of the policy can lead to disciplinary action up to and including dismissal and criminal prosecution. Public Safety has partnered with Human Resources in creating and presenting a Workplace Safety Program for staff and faculty across campus.

Security Awareness & Crime Prevention

Crime awareness and prevention is a primary objective of the Public Safety Department. To achieve this goal, the Department stresses eliminating or minimizing criminal opportunities and encourages members of the campus community to be cognizant of their own

Crime Prevention

safety and the safety of others. Community cooperation and involvement in campus safety is absolutely necessary. Students must assume responsibility for their own personal belongings by taking simple, commonsense precautions. The Public Safety Department is continually involved in discussion groups and presentations regarding residence hall security during all first year orientation programs as well as community policing initiatives throughout the year. Annual presentations such as Situational Awareness, Workplace Safety and Managing Crisis in the Community are available that focus on issues such as keeping doors locked, etching identification numbers on valuable possessions, and reporting suspicious persons or activities to the Public Safety Department so crimes can be prevented.

The Public Safety Department makes information and recommendations in the area of crime awareness and crime prevention available to various campus publications through the Department's website, email messages and social media. The Public Safety Department posts information, leaflets and posters regarding crime prevention and community policing inside the lobby of the Public Safety Department as well as throughout the College. The following is a list of programs and services provided by Public Safety Department to promote crime prevention and awareness:

Police and Fire Log: The Public Safety Department provides a daily

crime log that is accessible to the public 24 hours a day which gives students and all community members information on complaints and criminal incidents that have occurred on campus. This log is provided to promote community awareness of incidents occurring on campus and assist in their prevention.

Website and Social Media: The Public Safety Department utilizes its website and social media (Facebook) to promote crime prevention initiatives as well as information sharing.

Crime Prevention Message: If it is appropriate, a crime prevention message may be included in the community newsletter suggesting future preventative measures to avoid the occurrence of further incidences.

Community Advisory

Program: The Public Safety Department's Community Advisory Program sends messages to the campus community through the College computer electronic mail service. The Community Advisory Program may provide information pertaining to a crime prevention initiative and education or a timely notice to the College community regarding current information on incidents occurring on campus whenever such incidents are considered by the college to represent a threat to the community and offers crime prevention suggestions.

New Student and Orientation: During Orientation for new students

Crime Prevention

the Public Safety Department, in conjunction with Academic Services and the Office of Residence Education, presents programs for students regarding residence hall and community security. As part of these programs, officers visit residence halls to discuss various issues regarding campus safety with students.

Group Meetings: Community policing members regularly meet with student groups and organizations to discuss different topics of concern or safety issues.

Personal Safety Escort Service: The Public Safety Department has provided a personal safety escort program upon request. The Public Safety Department will dispatch a Police Officer or Community Service Officer to any location on campus to accompany community members to their destinations on campus. Public Safety staff will make every effort to accommodate your request in a timely manner. There may be times when this service is delayed. Contact the Public Safety Department anytime at extension **5555** if you are in need of an escort.

Basic Self-Defense Training Classes: The Public Safety Department has several police officers who are specially trained instructors certified to teach unique basic self-defense program.

Workplace Safety Program: Public Safety in coordination with Human Resources has put together a presentation that covers basic safety

tips as well as a response to an act of violence.

Emergency Blue Light Phones: These two-way emergency call boxes are strategically located around the campus. They allow an individual in need of assistance to speak directly with a Communications Officer. A Babson College Police Officer will then be dispatched to the caller.

Lighting Surveys: Annually, the Public Safety Department works closely with Facilities to inspect, assess and recommend the appropriate means of safe lighting throughout campus.

Criminal Activity at NonCampus Student Organizations

The College currently has no recognized noncampus student organizations. All student organizations are housed in on-campus buildings.





Missing Student Protocol

Missing Student Protocol

The purpose of this protocol is to establish procedures for the College's response to reports of missing students. This protocol applies to any actively enrolled student (including commuter or resident on campus) and is determined through a third-party report to be a "missing person." **For purposes of this protocol, a student may be considered to be a missing person if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence.** Such circumstances could include but not limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare. This protocol does not impose any obligation upon the College to continuously "check" on the whereabouts of any student.

I. Summary of Protocol

In the case of a student determined to

be a missing person, the Dean of Students, Graduate Dean, the Director of Public Safety/Chief of Police and their respective staff will work to ensure that appropriate members of the campus community (staff, faculty and students) and parents are notified and services and resources are effectively used. Outside law enforcement assistance will be sought appropriately and College services and resources will be made available to assist in finding the missing person as soon as possible.

II. Procedures for Designation of Emergency Contact Information

A. Students age 18 and above, emancipated minors and those who have not identified a contact person

Students will be given the opportunity during each year to designate an individual or individuals to be contacted by the College no more than 24 hours after the time the student to be determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student. All contact information provided by the student will be

Missing Student Protocol

registered confidentially. This information will be accessible only to authorized campus officials and it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

B. Students under the age of 18

In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the College shall notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

C. Timeframes for reporting to emergency contacts, parents or spouse

The above stated time frames shall be accelerated under appropriate circumstances. If foul play is suspected, contact should be made as soon as sufficient information has been confirmed. Such contact shall be made by the Vice President for Student Affairs/Dean of Students or the Director of Public Safety/Chief of Police. Name and phone numbers should be left with the emergency contact. If the student is a graduate student, the contact should be made in consultation with the Graduate Dean.

III. Notification Procedures for a Missing Student

A. A missing person report may be initiated by any member of the campus community or by a third party. For example, it may begin with a roommate notifying a resident assistant or the

Office of Residence Education or with a parent notifying the Office of Student Affairs.

B. The Public Safety Department and VP/Dean of Students shall be promptly advised of any such report. The Graduate Dean shall be advised if the student is a graduate student.

C. The Public Safety Department will gather all essential information about the missing student from the reporting person and from the student's acquaintances: description, clothes last worn, where the student might be, who the student might be with, vehicle description/license and information about the student's physical and mental well-being. The Public Safety Department has a detailed Missing Person Well Being Checklist that officers shall follow and fill out appropriately throughout the investigation.

D. The following specific information and materials shall be promptly assembled and contacts made, in response to any such report:

1. Personal information: Student's full name, ID, mailbox, residence hall assignment/local address, room, phone number, cell phone number, class, date of birth, country of citizenship and any e-mail addresses (College and secondary).
2. Home address, parents' names, address, phone numbers and cell phone numbers.
3. Recent photograph.
4. Class schedule: Last known class attended, faculty name.

Missing Student Protocol

5. Meal card: Location and time of last known meal eaten.
 6. OneCard: Last known swipe in a residence hall or other building.
 7. Roommate(s): Names, phone numbers, cell phone numbers.
 8. Resident assistant: Name, phone number, cell phone number.
 9. Identity of last known person in contact.
 10. Health Services: any medical conditions or medication that student needs, any mental health services the student may have sought.
 11. Athletic facilities: Last known use of facilities.
 12. Class Dean.
 13. Area hospitals contacted.
- E. Appropriate campus staff will be notified to aid in the search for the student.
- F. Arrangements for the parents to come to campus should be made, if necessary.

IV. Communications about Missing Students

A. In cases involving a missing student, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore all communications regarding a missing student will be handled by the Office of Public Relations in coordination with

the Public Safety Department in consultation with the Vice President of Student Affairs/Dean of Students (and the Graduate Dean if the student is a graduate student) and by outside law enforcement authorities.

B. All inquiries to the College regarding missing students, or information provided to any individual at the College about a missing student, shall be referred to the Public Safety Department who shall refer such inquiries and information to other law enforcement authorities or Office of Public Relations.

C. Prior to providing the College community with any information about a missing student, the Public Safety Department and, as appropriate, external law enforcement authorities shall be consulted to ensure that communications do not hinder the investigation.

D. Where appropriate, paper flyers, e-mail and the Emergency Notification System (*RAVE Mobile Safety*) may be used to assist in seeking information about a missing student.

V. Follow-Up:

A. If the student is found quickly with minimum response, all offices that were contacted should be notified the student has been located. After contacting the parents, if they have been contacted, the Dean of Students or Graduate Dean, as the case may be, should meet with the student and arrange for any follow-up actions.

B. If the student is found, but after law enforcement has been notified, the Public Safety Department should

Missing Student Protocol

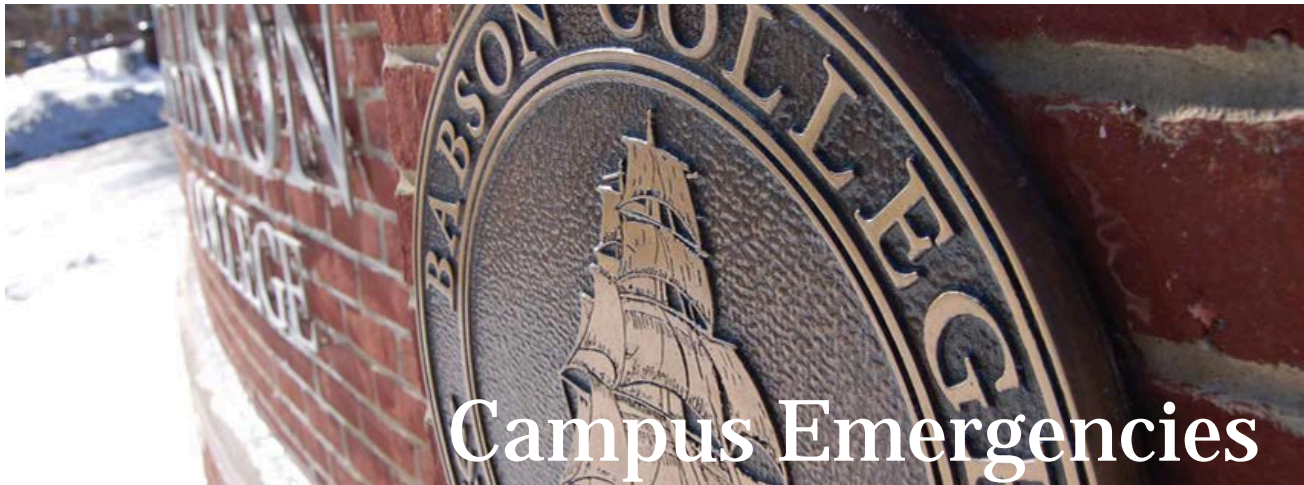
report the student has been located. After contacting the emergency contact and various offices on campus, if they have been contacted, the VP/Dean of Student or Graduate Dean, as the case may be, should meet with the student and arrange for any follow-up actions.

- C. If the student is found dead/seriously injured, the appropriate crisis response protocols should be followed.

VI. Off-Campus or Commuter Students

A. When an off-campus and/or commuter student is believed to be missing, the Public Safety Department should immediately notify the appropriate external law enforcement authorities. The Public Safety Department will assist external authorities with these investigations as requested.





Campus Emergencies

Timely Warning Policy

The Director/Chief of Police or his/her designee is responsible for issuing timely warnings in compliance with the Jeanne Clery Act, 20 U.S.C. A timely warning is defined as what is considered by the institution to represent a serious or continuing threat to students and employees. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: arson, criminal homicide and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by campus officials. Accordingly, the Public Safety Department will continuously and diligently work and coordinate with the Wellesley and Needham Police Departments and other law enforcement agencies to address exigent public safety concerns. Anyone with information warranting a timely warning should report the circumstances to the Public Safety Department.

Timely Warning Procedure

Emergency Notification

The College has a mass emergency notification system (RAVE mobile safety) to provide on-demand notification and response. The information that each community member enters into their emergency notification page on the Babson Portal is used to notify community members in the event of a crisis. This information will send out messages through numerous methods and the system is tested twice a year (Fall & Spring Semesters.) Babson College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Babson College uses several different methods of notification to alert students, faculty, staff, and others in an emergency. These include:

- Text, phone, and email alerts through the emergency alert system (RAVE)

Campus Emergencies

Mobile Safety) which is imported from information that is entered by the Babson College community member through the Babson College portal

- Email alerts sent to the babson.edu email addresses of all students, staff, and faculty
- Phone calls to campus phones
- Posting information on the Babson College [homepage](#) and the [Emergency Preparedness webpage](#)
- Information will be updated on the Babson College INFO line: 781-239-4636
- Official Babson College social media platforms

In case of an emergency, these systems will provide information about the nature of the emergency, what to do and where to get additional details.

Emergency updates and further information will be provided by posting to the listed websites, emails to the Babson College community and other methods as needed. It is recommended that persons do not call 911 or Babson College Public Safety unless truly an emergency (Police, Fire, Ambulance.)

Emergency Response & Evacuation Procedures

Within its educational framework, Babson College has in place plans for appropriate response to all types of emergencies and procedures for evacuation. For further information visit

<http://www.babson.edu/search/Pages/results.aspx?k=emergency%20prepare&dness>

The College has instituted an All Hazards Emergency Operations Plan to provide for the safety of students,

faculty, staff, and visitors in the event of an emergency on campus including evacuation procedures. The All Hazards Emergency Operations Plan establishes policies, procedures and organizational structure for response to emergencies that are of significant magnitude to cause a disruption of all or portions of the College. This plan outlines the response to these critical incidents such as natural and man-made disasters, pandemics, acts of terrorism, civil disturbances, bomb threats, mass arrests, hostage/barricaded person situations and other unusual incidents. It is the objective of Babson College to be consistent with the same incident management system (ICS Incident Command System) that is utilized by our town, county and state emergency response partners. The development of this plan has been consistent and closely linked to the regional plans of the Town of Wellesley and Needham and the Massachusetts Office of Emergency Management Agency.

The College has determined threat level classifications as a guide to emergency responses and communication

Threat Level Classifications

LEVEL 1: Administrative Notification / Localized Issue

ACTION: Update community as needed through personal contact, email, website, and postings/handouts

Campus Emergencies

LEVEL 2: Monitor/Standby

ACTION: Update community as needed through personal contact, email, website, and postings/handouts.

LEVEL 3: Alert

ACTION: Alert and update community as needed through emergency notification system (RAVE Mobile Safety), email, Babson College home page and emergency preparedness website, and update INFO line directing inquiries.

LEVEL 4: Emergency

A catastrophic emergency event involving the entire campus and surrounding community. Immediate resolution of the disaster, which is usually multi-hazard, is beyond the emergency response capabilities of campus and local resources (Example: earthquake, major hurricane, or act of terrorism that would require State and Federal assistance). Procedures followed by College personnel will be similar to those outlined above with respect to Level 4 emergencies.

ACTION: Alert and update community as needed through emergency alert system (RAVE Mobile Safety), email, Babson College home page and emergency preparedness website, and update INFO line directing inquiries.

The plan's goal is to preserve life, property, and the continuity of campus operations. The overall objective is to ensure the effective management and coordination of College resources in preparing for and responding to

situations requiring minor (e.g. residence hall), moderate (e.g. building or buildings and/or area or areas), or full-scale (entire campus) evacuation.

The Evacuation Plan establishes an organizational structure for evacuation, decision making, general evacuation priorities and guidelines, and specific building evacuation procedures for response to an emergency at the college. The plan describes the roles and operational responsibilities of designated college personnel during an evacuation emergency and the responsibilities of both internal and external departments, including the Wellesley and Needham Police and Fire departments. The College conducts regular drills on campus to include full evacuation of all residential halls through fire alarm testing annually and all administrative buildings bi-annually. All buildings on campus have detailed evacuation procedures posted throughout the building and the community is regularly advised of this information during exercises and drills.

The Evacuation Plan revolves around the concept of All-Hazards planning and is intended as a core College response plan that is generic for any type of evacuation incident or situation, and is used as a foundation for more specific evacuation plans layered on this plan for each building on campus. It is organized around the core operational considerations associated with the management of emergencies as outlined by the Federal Emergency Management Agency (FEMA).

Members of the Crisis Response Team, including members at the Executive

Campus Emergencies

Level, meet regularly throughout the year to discuss procedures and debrief incidents as well as participate in an annual Emergency Preparedness tabletop exercise and other extensive training within the Public Safety Department. Babson College's Public Safety Department prepares for and responds to all emergency situations in a safe, effective and timely manner. Appropriate College personnel and supporting resources are to be used to accomplish the following priorities:

- Protection of students, faculty, staff and visitors
- Assessment of the situation and damages, dispatch of Public Safety personnel and equipment, and maintenance of life and safety support
- Preservation of campus resources and restoration of general campus operations





Drug & Alcohol Policies

Drug-Free Schools and Communities Act (Public Law 101-226)

Students at Babson College must be aware their behavior with respect to alcohol and other drugs is constrained by two sets of rules: Massachusetts state law and the College's policies, which reflect the concern for the health and well-being of its students. The policies adopted by the College in order to comply with the Drug-Free Schools and Communities Act are set forth in the [College's Community Standards](#).

Massachusetts State Law

Alcohol

Massachusetts state law subjects an individual to fines ranging from \$300 to \$1,000, loss of driver's license, and/or imprisonment for the following acts:

- Sale or delivery of alcohol to anyone under 21 years of age
- Possession, purchase, delivery, or transportation of alcohol by anyone under 21 years of age
- Misrepresentation or falsification of identification in order to

purchase alcohol

No person shall possess or consume an alcoholic beverage as defined by M.G.L. Chapter 138, Section 1, as amended, within the limits of any park, playground, public land or public building owned or under the control of the Town of Wellesley and Needham.

The law further states anyone who wishes to purchase alcohol must show, upon request, a valid Massachusetts driver's license indicating that he or she is 21 years of age or older.

Drug Laws

The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, use of narcotic and addictive drugs, and drugs with high potential for abuse, have heavier penalties. Possession of drugs is illegal

Drug & Alcohol Policies

without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and the full minimum term must be served.

Marijuana

Massachusetts Marijuana Law

On January 2, 2009, the Commonwealth of Massachusetts enacted a change in the law regarding the possession of marijuana. The new law amends the possession of one (1) ounce or less of marijuana or THC from a criminal offense to a civil infraction, punishable by a \$100 civil penalty and forfeiture of the contraband. The law does not change the criminal status for those offenders who are in possession of marijuana or THC that exceeds one (1) ounce.

Offenders who are found to be in possession of one ounce or less of marijuana or THC may receive a civil citation to appear in court. The marijuana or THC will also be seized.

College Policy on Alcohol & Drug Use

In addition to maintaining strict compliance with all state and federal laws, Babson College has established its own drug and alcohol policies. The

following acts are prohibited on College premises or at College-sponsored activities and events: distribution, possession, or use of any illegal drug and/or the use, possession, or distribution of any controlled substance without legal authorization; providing alcoholic beverages to individuals under 21 years of age; unauthorized use of prescription drugs; possession of drug paraphernalia; possession of alcoholic beverages by individuals under 21 years of age; illegal or unauthorized possession of an open container of an alcoholic beverage; public intoxication; driving while intoxicated; drinking alcoholic beverages in an unauthorized public place; drinking games and drinking paraphernalia; the possession of a central source of alcohol and the commercial delivery of alcohol to the residence halls. Persons who violate the College's policy regarding alcohol and drugs, as described below, are subject to appropriate disciplinary action, counseling, education, probation, suspension, expulsion, and referral to proper law enforcement authorities for prosecution. Under appropriate circumstances, the College may refer violations to the Wellesley or Needham Police Department and the offices of the Norfolk District Attorney, the Middlesex District Attorney, or the United States Attorney, as appropriate, for investigation and/or prosecution. A new law suspends federal student aid eligibility for students convicted under federal or state law of possession or sale of drugs (not including alcohol or tobacco).

Prevention & Education

Babson College is committed to encouraging and facilitating responsible student decision making and focusing on the overall wellness of the community. The College provides educational programs on alcohol and drugs as well as counseling services. The College recognizes there are serious health risks associated with the misuse and abuse of mind-altering drugs, including all controlled substances and alcohol. These risks include, but are not limited to, physical and psychological dependence; damage to the brain, pancreas, kidneys, and lungs; high blood pressure; heart attacks and strokes; ulcers; birth defects; diminished immune system; and death.

In addition to health risks, the misuse and abuse of mind-altering drugs, including all controlled substances and alcohol, impacts the safety of students, respect for College property, and the educational mission of the institution. Alcohol and drug abuse among students has been shown to have serious negative effects on the abilities of students to reach their educational goals. While students have the primary responsibility for maintaining their academic progress and their overall health, Babson College seeks to, in all of its programs, services, and activities, enforce the legal and responsible use of alcohol on its campus and among its community members.

Alcohol and Other Drug Services

The Health & Wellness Department, within the Division of Student Affairs,

provides health and wellness education and strives to create an environment that promotes, encourages and supports healthy decisions and behaviors. Services include prevention and education in the following areas: alcohol and other drugs, sexual assault, sexual health, sleep hygiene, emotional well-being, and stress management. Working in collaboration with various College departments such as Academic Services, Athletics, Community Standards, Counseling Services, Faith & Service, Fraternity & Sorority Life, Health Services, Public Safety, Residence Education, and Student Activities and Leadership, the department seeks to provide resources, programming and continuity of care for Babson students and the community.

The newly-created Office of Alcohol & Other Drug Services (AODS) provides leadership for a comprehensive substance abuse prevention program focused on education, intervention services, policy initiatives, and coordination with treatment providers. In addition to providing training and educational programs for the community, AODS provides confidential consultations for students who have been referred for alcohol and drug-related concerns and for students who have concerns about someone else's substance use.

The following is a description of the various intervention services provided by AODS:

Individual Consultations

AODS offers free and confidential consultations by appointment. These

Drug & Alcohol Policies

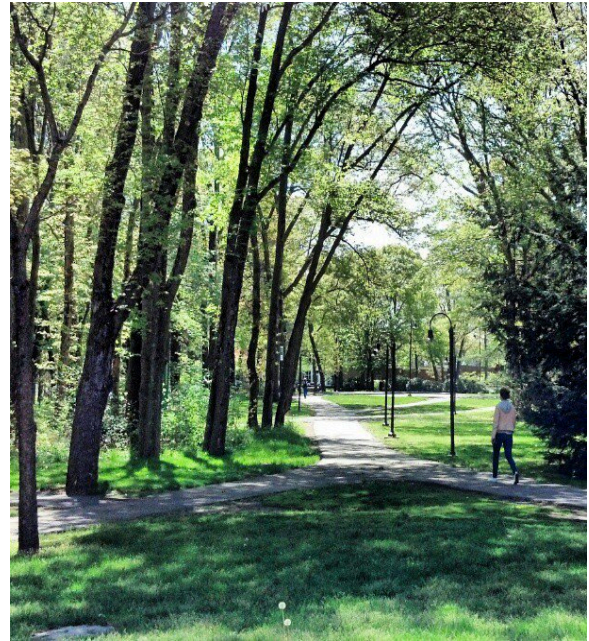
sessions usually last 50 minutes and provide students with an opportunity to explore the nature of their relationship with alcohol and/or drugs, discuss concerns for self or others, receive personalized feedback, and gather information and resources.

BASICS

BASICS (Brief Alcohol Screening & Intervention for College Students) is a two-session assessment designed specifically for college students. Developed at the University of Washington, BASICS has been found to significantly reduce negative consequences resulting from drinking, as well as alcohol consumption rates. The first session typically includes an intake interview and the completion of an online assessment that gathers information about the student's relationship with alcohol. A comprehensive personalized feedback profile is generated for the second session, which features comparisons to campus norms, consequences and student goals. The provider guides the student through their profile, using principles of Motivational Interviewing throughout the process.

Substance Abuse Evaluation

If the College believes a student could benefit from a more in-depth evaluation of their alcohol or other drug use, the Director of Counseling Services works with the student directly to connect him/her to a clinician that can conduct a thorough evaluation.



Gender-Based Misconduct



Sexual Violence, Sexual Harassment & Other Gender-Based Misconduct

Babson College is dedicated to supporting members of the Babson community who have experienced gender-based misconduct. When the College becomes aware that a Babson community member may have committed gender-based misconduct, the College will promptly coordinate a response that aims to stop the behavior, to prevent its recurrence, and to remedy its effects on the community. In all cases where the College receives a report that a Babson community member is the victim of gender-based misconduct, the reported victims will be provided with written information about their options for medical care, advocacy, support, and with information about how to request changes to academic, living, transportation and working situations as well as their options to speak with confidential resources, on or off campus. Babson College informs all reported victims of gender-based misconduct of their rights and options for filing a complaint with the police and/or with the College. To ensure the institutional response to sexual violence is holistic and consistent, the College has

a comprehensive set of policies and procedures in place for the prevention of and response to gender-based misconduct. These policies address the rights and support services afforded to all victims, investigatory and disciplinary processes and procedures, and the onboarding and continuing education of our community.

Information for Students Who Have Experienced Gender-Based Misconduct

Babson College students have access to Babson Health Services for STI testing and other relevant testing and care. Additionally, students can receive transportation to a local emergency room for a SANE (sexual assault nurse examiner) exam. This program has specially trained nurses who can examine you and collect evidence. The department of Sexual Assault Prevention and Response Services (SAPRS) can provide medical advocacy. Confidential medical care is available regardless of whether you report to the College or local law enforcement. Students can also go to a SANE program on their own. SANE hospitals in the Boston Area are available at:

- Beth Israel Deaconess Medical Center (Boston)

Gender-Based Misconduct

- Boston Medical Center
- Brigham and Women's Hospital
- Cambridge Hospital
- Children's Hospital
- Massachusetts General Hospital

Misconduct Policy for students for more information about Sanction Guidelines.

If an assault has occurred within 72 hours, students have the opportunity to preserve evidence. Students can place clothing and other items (sheets, blankets) in a brown paper (not plastic) bag. Avoid drinking, bathing, showering, douching, brushing your teeth, using mouthwash, combing your hair or changing clothes. Physical evidence will be collected in the emergency room if applicable.

Additional Information on Determining Sanctions for Gender-Based Misconduct

Any student found responsible by Babson for violating the gender-based misconduct policy provision for engaging in nonconsensual sexual contact (where no penetration has occurred), sexual exploitation, sexual harassment, intimate partner violence or stalking will receive a sanction up to and including expulsion. Sanctions are determined on an individual basis, based on the facts and circumstances of each case. To determine the appropriate sanction, the decision-maker will take into account any previous disciplinary history, the impact on the affected party(ies) and community, and will consider the potential effectiveness of the sanction to prevent reoccurrence. Please see Section VIII of the Gender-based

Gender-Based Misconduct Policy & Procedures for Student Respondents

- I. **INTRODUCTION - NOTICE OF NON-DISCRIMINATION**
- II. **SCOPE OF POLICY/JURISDICTION**
- III. **DEFINITIONS**
- IV. **RESOURCES AND ACCOMODATIONS**
- V. **INTERIM MEASURES**
- VI. **REPORTING OPTIONS AND CONFIDENTIALITY OF INFORMATION**
- VII. **INVESTIGATION/RESOLUTION PROCESS**
- VIII. **SANCTION GUIDELINES**
- IX. **APPEAL PROCESS**
- X. **NOTICE OF RIGHTS**
- XI. **OTHER PROVISIONS**
- XII. **PREVENTION, EDUCATION AND TRAINING**
- XIII. **TITLE IX COORDINATOR CONTACT**

I. INTRODUCTION - NOTICE OF NON-DISCRIMINATION

Babson College (the “College”) is committed to preserving a learning environment that promotes the health and safety of our community members. This community must be free from gender-based discrimination and the College therefore strictly prohibits gender-based discrimination in any and all forms, including harassment and misconduct. Such misconduct is considered to be one of the most serious violations of the College’s community standards.

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. To ensure compliance with Title IX and other applicable laws, the College has developed the following policy that prohibits discrimination on the basis of gender, gender identity or expression, including but not limited to sexual misconduct, sexual violence, sexual harassment, intimate partner violence, stalking, and any other gender-based harassment or misconduct. Harassment or discrimination based upon an individual’s sexual orientation is considered gender-based misconduct under this policy.

Whether or not a complaint or report has been filed, the College will promptly and effectively respond to allegations of gender-based misconduct and take immediate action to eliminate the harassment, prevent its recurrence, and address its effects in accordance with this policy. When a community member is found to have violated this policy, sanctions may be implemented in an effort to ensure that such actions are not repeated. This policy is intended to define community standards and to outline the investigation and grievance procedures when those standards are alleged to have been violated. Any attempt to engage in conduct prohibited under this policy will be treated as a violation unless the attempt is abandoned or the prohibited conduct is

Gender-Based Misconduct

prevented from occurring under circumstances that demonstrate a voluntary change of behavior. Aiding or cooperating in the violation of this policy is also prohibited.

Babson College does not discriminate on the basis of race, color, national or ethnic origin, ancestry, religious creed, sex, pregnancy, sexual orientation, gender identity, gender expression, age, genetics, physical or mental disability, veteran status, military obligations, participation in discrimination complaint-related activities, or any other characteristic protected by federal, state, or local laws in its practices, programs or activities.

II. SCOPE OF POLICY/JURISDICTION

The scope and jurisdiction of this policy are the same as set forth in the [College's Community Standards](#). To the extent that additional alleged violations of the College's community standards other than gender-based misconduct arise in the context of this policy, such related allegations may be addressed hereunder in the sole discretion of the Assistant Dean for Community Standards.

This policy relates specifically to student behavior and applies when the accused (hereafter referred to as "respondent") is a student or a student group. When the respondent is a Babson faculty or staff member, the matter will be addressed in accordance with the policies set forth in the *College's Gender-Based Misconduct Policy for Faculty, Staff, and Affiliated Persons*.

III. DEFINITIONS

The following are definitions of prohibited conduct under this policy.

Gender-Based Misconduct – Gender-based misconduct is a broad term which encompasses unwelcome conduct of a sexual nature that is prohibited by Title IX and the College. The term includes but is not limited to sexual harassment, sexual assault, sex discrimination, sexual violence, rape, intimate partner violence, domestic violence, and stalking.

Sexual Harassment – Any unwelcome and/or unsolicited gender-based verbal, written or physical conduct of a sexual nature. Sexual harassment **must also fall within the definition** of hostile environment harassment and/or quid pro quo sexual harassment.

- Hostile environment sexual harassment exists where harassment is sufficiently severe, persistent, or pervasive and objectively offensive such that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the College's educational or employment program and/or activities.
- Quid pro quo sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a

Gender-Based Misconduct

sexual nature where submission to, or rejection of, such conduct results in adverse educational or employment consequences. Quid pro quo harassment may also exist when a threat of adverse action or a promise of a benefit is conditioned on submission to, or rejection of, such requests.

- Behaviors that may constitute sexual harassment include but are not limited to:
 - Sexual advances, regardless of whether or not they involve physical touching;
 - Requesting or demanding sexual favors with respect to employment, academic or other College activities;
 - Lewd or sexually suggestive comments, jokes, gestures, or innuendos;
 - Displaying sexually suggestive objects or pictures;
 - Inquiries into one's sexual experiences;
 - Discussion of one's sexual experiences;
 - Unwelcome leering, whistling, gestures, suggestive or insulting comments;
 - Unwelcome communications (verbal, written, electronic, etc.) of a sexual nature;
 - Gossip about one's sex life or comments about an individual's sexual activity;
 - Failure to accept the termination of a consensual relationship with repeated and persistent requests and behavior.

Sexual Misconduct

- **Non-Consensual Sexual Penetration** – Any sexual penetration (anal, oral, or vaginal), however slight, with any part of one's body or any object by a person without Effective Consent. Non- consensual penetration includes both situations where a person's body is penetrated without Effective Consent and situations where a person is forced, caused or made, without their Effective Consent, to penetrate another person's body.
- **Non-Consensual Sexual Contact** – Any intentional sexual touching, however slight, with any part of one's body or any object by a person without Effective Consent, or any disrobing of another by a person without Effective Consent
- **Sexual Exploitation** – Taking sexual advantage of another person without Effective Consent. Examples include but are not limited to:
 - Causing or attempting to cause the incapacitation of another person to effect Sexual Misconduct through ingestion or use of drugs or alcohol or otherwise;
 - Exposing one's genitals or other intimate body parts to a particular person and/or to the general public;
 - Electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person without consent;
 - Allowing third parties to observe consensual or non-consensual sexual acts without the consent of each person being observed;
 - Engaging in voyeurism (i.e. observing people engaging in private or intimate acts without their Effective Consent);

Gender-Based Misconduct

- Distributing intimate or sexual information about another person without consent;
- Prostituting or soliciting another person or causing the prostitution of another person; and/or
- Knowingly exposing another person to a sexually transmitted infection or disease, including HIV.

Effective Consent

Effective Consent is consent that is informed, knowing **and** voluntary. Effective Consent is mutually understandable words or actions which indicate willingness to participate in mutually agreed-upon sexual activity. Consent obtained as a result of physical force, threats, intimidating behavior, duress or coercion is not Effective Consent.

Effective Consent may never be given by minors (in Massachusetts, those not yet sixteen (16) years of age), mentally disabled persons, those who are unconscious, unaware, and/or otherwise physically helpless and/or those who are in a state of incapacitation as a result of alcohol or other drug consumption (voluntary or involuntary). A person who engages in sexual activity with another person who they know or should reasonably have known is unable to provide Effective Consent will be in violation of this policy.

Incapacitation - Incapacitation is a state beyond drunkenness or intoxication. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the nature (i.e., the **who, what, when, where, why or how**) of their sexual interaction. (For example, an individual may experience a blackout state in which they do not have conscious awareness or the ability to give consent. That person may be considered incapacitated.)

In addition, it is important to understand that:

- 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 to do the same thing, in the same way, at the same time, with one another.
- In the absence of mutually understandable words or actions, it is the responsibility of the initiator, or the person who seeks to engage in the specific sexual activity, to make sure that they have the consent from their partner(s) prior to initiating sexual activity.
- Effective Consent is active, not passive.
- Effective Consent to one form of sexual activity does not constitute Effective Consent to other forms of sexual activity. Effective Consent must be obtained with respect to each form of sexual activity in which parties intend to engage.
- The person who is the object of sexual advances is not required to physically or otherwise resist. The absence of resistance will not, in itself, suffice to demonstrate Effective Consent.
- Silence, previous sexual relationships or experiences, and/or a current

Gender-Based Misconduct

relationship may not, in themselves, be taken to demonstrate Effective Consent.

- Intentional use of alcohol or other drugs does not excuse a violation of this policy.
- Consent to sexual activity may be withdrawn at any time, as long as the withdrawal is communicated clearly (as set forth in the definition of Effective Consent). Once consent is withdrawn for some or all sexual activity, such activity must cease without delay.
- Coercion is unreasonable pressure for sexual activity. Seeking to persuade someone to engage in either sexual activity in general, or any particular sexual acts, after they have made clear they do not wish to do so may be considered coercive. In assessing whether coercion was used, the frequency, duration, and intensity of the pressure applied will be taken into consideration.

Stalking – Any behaviors or activities occurring typically on more than one occasion that collectively instill fear and/or threaten a person’s safety, mental health, and/or physical health. Such behaviors or activities may include but are not limited to the following:

- Non-consensual communication (e.g., face-to-face communication, telephone calls, voice messages, text messages, email messages, communication via social media networks, written letters, gifts, or any other communication that a reasonable person should have known was unwanted)
- Threatening or obscene gestures;
- Surveillance, trespassing or pursuing; or
- Waiting, or showing up uninvited at a place of residence, classroom, workplace, etc.

Intimate Partner Violence – Any abusive behavior in an intimate relationship, whether emotional, psychological, physical or sexual, including any behavior that one person in an intimate relationship uses in order to control the other. This type of behavior may be a single act or a pattern of behavior in relationships. Examples include but are not limited to:

- Threats;
- Demeaning or derogatory communications that amount to abusive behavior;
- Preventing contact with family or friends; or
- Actual or threatened physical harm.

Retaliation – Any intentional adverse action taken against a person on the basis of their participation in a protected activity. Retaliation can include intentional action taken by a respondent or allied third party as reprisal for participating in a protected activity.

Examples of protected activity include but are not limited to:

- Participating in or otherwise assisting with a College investigatory procedure or law enforcement investigation;
- Filing a complaint alleging a College policy violation or a violation of law; or

Gender-Based Misconduct

- Filing a complaint about the College's policy for resolving alleged violations of policy.

Examples of adverse action include but are not limited to:

- Threats, intimidation, continued harassment or other misconduct;
- Discouraging an individual from participation in an investigation or adjudication process; or
- Adverse educational or employment consequences.

The College maintains the right to take action against a student for other legitimate reasons in accordance with College policies and procedures, even if that student has filed a complaint under the gender-based misconduct policy or otherwise participated in a protected activity.

Retaliation by any member of the College community or any person acting on their behalf is strictly prohibited. Retaliation is a serious violation that can result in sanctions independent of the merits of the underlying complaint or allegation. The College will respond immediately to retaliation and impose disciplinary measures as appropriate, including but not limited to interim or longer term suspension from the College.

Retaliation should be promptly reported to the deputy Title IX coordinator as outlined in Section VI B below. Intentional adverse action taken against a respondent after it was determined that the respondent did not violate the College's Gender-based Misconduct policy may be considered a violation of the College's Harassment policy and/or other College policy and should also be reported to the deputy Title IX coordinator.

For information on sanctions, please see Section VIII (Sanction Statement)

IV. RESOURCES AND ACCOMMODATIONS

Individuals who have experienced gender-based misconduct have options and resources available to them whether or not they choose to participate in an internal or criminal investigation. The College seeks to ensure that such individuals feel supported and safe.

The College encourages all individuals who have experienced sexual assault to ***promptly*** seek appropriate medical attention and to preserve any evidence. Confidential medical care is available whether or not an individual chooses to report the incident to the College or to an external law enforcement agency (e.g., the Wellesley Police Department). For information about medical care and the preservation of evidence, please see the [Sexual Assault Prevention and Response Services](#) website.

The Title IX coordinator and the director of sexual assault prevention and response

Gender-Based Misconduct

services can provide the following assistance and accommodations to students who have experienced gender-based misconduct by:

- informing them of, and connecting them to, available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- issuing a no-contact order (if the person with whom a student wishes to avoid contact is affiliated with the College);
- helping arrange a change to a student's on-campus housing, working arrangements or course schedules or adjustments for assignments or tests;
- informing the student of their right to report a crime to campus or local law enforcement and to seek protective orders through the courts – and providing the student with assistance if the student wishes to do so.

Reasonable accommodations will be provided if requested by a student who experienced gender-based misconduct irrespective of when the misconduct occurred, whether it involved another Babson community member, or whether the student requesting accommodation reports a crime to law enforcement or files a formal complaint with the College. If confidentiality is requested, accommodations will be implemented as feasible while preserving the privacy of the complainant as much as is possible.

Students may also choose to take advantage of off-campus resources. Please [click here](#) for a comprehensive list of off-campus resources in the Boston area. Off-campus counselors, advocates, and health care providers will generally maintain confidentiality and not share information with the College unless the individual requests the disclosure and signs a consent or waiver form.

While off-campus counselors and advocates may maintain an individual's confidentiality by not informing the College, they may have reporting or other obligations under applicable law. These may include making reports to governmental agencies in cases involving minors, persons with disabilities and the elderly; a requirement to provide testimony in response to a subpoena or court order; or where the individual is at risk of imminent harm to self or others.

V. INTERIM MEASURES

When the College is made aware of an alleged violation of the gender-based misconduct policy, it will promptly take steps to ensure equal access to its programs and activities and protect the safety and well-being of affected individuals.

At any point after receiving a report of gender based misconduct, the College may put in place interim restrictions to stop the alleged harassment or discrimination, and to protect the safety and well-being of an individual and/or the College community. These actions may include, but are not limited to, College housing suspensions, campus access restrictions, and College suspensions in accordance with applicable

Gender-Based Misconduct

policies and procedures. Interim action is preliminary, and shall remain in effect only until the gender-based misconduct process is complete and a decision is rendered by the College. The full interim restriction policy can be found in the *College's Community Standards*. The specific interim measures implemented and the process for implementation will vary depending on the facts and circumstances. To the extent possible, interim measures will be imposed in a way that minimizes the burden on the complainant while balancing the rights of the respondent.

When an interim restriction decision has been made in reference to an allegation of a violation of the gender-based misconduct policy, the complainant also has the right to petition the vice president of student affairs and dean of students for a modification of this restriction.

VI. REPORTING OPTIONS AND CONFIDENTIALITY OF INFORMATION

The College encourages individuals who have experienced gender-based misconduct to promptly talk to somebody about what happened, so that they can get the support they need and the College can respond appropriately. The College will take seriously every report of gender-based misconduct, offering appropriate support and allowing individuals to maintain as much control as possible over their situation. When considering who to speak with about something that happened, it is important to understand the difference between *confidential*, and *non-confidential* resources.

RESOURCES AND REPORTING OPTIONS

A. Confidential Resources

The following resources are not required to report any information about an incident to the Title IX coordinator or others at the College without an individual's permission. Contact information for these individuals follows below:

- The physicians and nurse practitioners in Health Services, on the first floor of Hollister Hall. Health Services can be reached by calling 1-781-239-6363 or students can make an appointment online at babson.medicatconnect.com.
- The psychologists, psychiatrists, and social workers at Babson Counseling Services (provided by Human Relations Services, Inc.). HRS is located at 11 Chapel Place in Wellesley. However, the Director of Counseling Services and the Assistant Director of Counseling Services both have offices in the Wellness Center in Park Manor South and are on-campus Monday-Friday 8:30am-4:30pm. Students can make an appointment by contacting Counseling Services at 781-239-6200 during business hours or emailing counselingservices@babson.edu. Please Note: The College provides all students with 8 pre-paid counseling sessions per academic year. Transportation to HRS can be provided, at no charge, by Babson Community Service Officers through Public Safety.
- Ordained chaplains in the Office of Faith and Service located in the Glavin

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Chapel, who can be contacted by calling 781-239-5623

- o Ecumenical Chaplain, Rev. Jenny Rankin
- o Catholic Priest, Maurice Ashley Agbaw Ebai
- o Rabbi, Richard Backer

The following resources can generally talk to individuals without revealing any personally identifying information about an incident to the College. Individuals can generally seek assistance and support from these individuals without triggering a College investigation that could reveal the individual's identity.

While maintaining an individual's confidentiality, these individuals or their office must report the nature, date, time, and general location of an incident to the Title IX coordinator. This limited report – which does not include information that would directly or indirectly identify the individual – helps keep the Title IX coordinator informed of the general extent and nature of sexual misconduct on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX coordinator, these individuals will consult with the individual to ensure that personally identifying details are not shared with the Title IX coordinator.

Babson College SAFE HOTLINE:

- The SAFE Hotline is a Babson-specific rape crisis hotline that can be accessed by students 24/7/365. The hotline is staffed by trained advocates who are ready to help survivors, friends, or campus partners. The SAFE Hotline is answered in the office on weekdays between 8:30am- 4:30pm and is then transferred to staff member when the office is closed.
- The SAFE Hotline is available to help students' access services at any hour without barrier. **If you, or a friend or loved one, needs confidential on-call assistance, please do not hesitate to call 781-239-7233 (SAFE) or xSAFE from an on-campus landline.**
- While the Director of Sexual Assault Prevention and Response Services (SAPRS) will closely monitor the line and is committed to quick response, there is a possibility that a call may be missed. If this happens, please leave a message with a safe phone number for a SAPRS staff person to reach you as soon as possible.
- Remember, leaving a voicemail with contact information is the only way that SAPRS can respond to your call appropriately.

Contact information for other confidential resources follows below:

- Director of Sexual Assault Prevention and Response Services (Ashleigh Hala), located in the Wellness Center in Park Manor South, 781-239-5201
- Assistant Director of Student Wellness/Coordinator of Alcohol and Other Drug Services (Leah Berkenwald)
- Assistant Director of Faith and Service (Denicia Ratley), 781-239-5969
- Campus Chaplains in the Office of Faith and Service, Glavin Chapel, 781-239-5623:

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- Catholic Chaplain, Crista Mahoney
- Muslim Chaplain, Bilal Mirza
- Hindu Chaplain, Vaishali Gupta
- Undergraduate Christian Chaplain, Ben Pierce
- Graduate Christian Chaplain, Marianne Smith
- The administrative assistants (professional staff members) who work in Health Services and in the Wellness Center

An individual who speaks to any of the confidential resources above must understand that, if the individual wants to maintain confidentiality and/or privacy, the College may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent. Accordingly, the scope of the available remedies, including interim measures may be limited.

Nevertheless, confidential resources may still assist the individual in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

An individual who initially requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While resources designated as confidential in this Policy may maintain confidentiality vis-à-vis the College (i.e., they will not provide information to the College that is disclosed to them in confidence), they may have reporting or other obligations under applicable law. These may include making reports to governmental agencies in cases involving minors, persons with disabilities and the elderly; a requirement to provide testimony in response to a subpoena or court order; or where the individual is at risk of imminent harm to self or others.

B. Reporting to “Responsible Employees”

A “responsible employee” is a College employee who has the authority to redress gender-based misconduct, who has the duty to report incidents of gender-based or other student misconduct, or who a student could reasonably believe has this authority or duty. All Babson College staff and faculty members, with the exception of those listed above as confidential resources for students, are considered responsible employees. **Resident Assistants and Peer Mentors are also considered responsible employees.** When a complainant tells a responsible employee about an incident of gender-based misconduct, the College will review what happened without delay and address the matter promptly and equitably.

A responsible employee must promptly report to the Title IX coordinator all relevant details they learn from any source about alleged gender-based misconduct committed by or impacting any community member. The College will then take steps to provide the reported victim/survivor with rights and resource information. Responsible

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employees must tell the Title IX coordinator all information they know relating to a report of potential gender-based misconduct – including the names of the victim and accused (if known), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with those responsible for handling the College's response to the report. A responsible employee should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement or the employee is otherwise required by law to do so.

Before a complainant reveals any information to a responsible employee, the employee should, if possible, seek to ensure that the complainant understands the employee's reporting obligations. If the complainant wants to maintain confidentiality, the employee should direct the complainant to confidential resources.

If the complainant wants to tell the responsible employee what happened, but also maintain confidentiality, the employee should tell the complainant that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX coordinator, the responsible employee will also inform the Title IX coordinator of the complainant's request for confidentiality.

Responsible employees will not pressure a complainant to request confidentiality or to make a full report if the complainant is not willing to do so. The College will seek to honor and support the complainant's wishes.

C. Formal Reporting Options:

To formally report an incident of gender-based misconduct, complainants may file a report with the College and/or law enforcement. See below for an explanation of both options:

1. Reporting to the College:

- a. Title Coordinator and Deputy Title IX Coordinators (during regular business hours)

Complaints against students and student groups, should be reported to the deputy Title IX coordinator for Student Affairs:

Colleen Ryan, Assistant Dean for Community Standards Office of Community Standards, Park Manor Central cryan10@babson.edu; 781-239-6344

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Complaints against faculty and staff, third parties and visitors should be reported to the Title IX coordinator:

Betsy Rauch, Title IX
Coordinator President's
Office, Horn 329
brauch1@babson.edu; 781-
239-5501

2. **Reporting to law enforcement:**

The College strongly encourages prompt reporting to law enforcement. Reporting is best done as soon as possible after an incident, but it may be done at any time.

If the incident occurred on campus and the complainant wants to report the incident to law enforcement, they may file a report with Babson College Public Safety by calling 781-239-5555 and/or Wellesley Police Department by calling 781-235-1212 and/or Needham Police Department at 781-455- 7570.

If the incident occurred off-campus, the complainant has the right to file a report with the local law enforcement agency in the jurisdiction where the incident occurred. Babson Public Safety can assist a complainant with identifying the appropriate local law enforcement agency and with the filing of a report with that agency.

Following is a list of other law enforcement reporting options:

- Massachusetts State Police: 1-508-872-8713
- Norfolk County District Attorney Office - Brookline: 1-617-738-5072
- Norfolk Superior Court: 1-781-326-1600
- Dedham District Court: 1-781-329-4777

Law enforcement agencies, including Babson College Public Safety, are generally required to investigate reports of a criminal nature to the extent they are able. However, filing a complaint with law enforcement does not require the complainant to participate in a criminal process if the complainant chooses not to do so.

Anonymous Reporting

Any individual may make an anonymous report to the College concerning an act of gender-based misconduct committed by a member of the College community. Any individual may report an incident to the Title IX coordinator anonymously, without disclosing their name, identifying the respondent, or requesting any action. Depending on the level of information provided to the Title IX coordinator about the incident or the individual(s) involved, the College's ability to respond to an anonymous report may be limited. As described in this policy, the College may have an obligation to respond to the information provided and/or other available information.

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D. Requesting Confidentiality from the College: How the College Will Weigh the Request and Respond

If a complainant discloses an incident to a responsible employee of the College but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the College honors the request for confidentiality, a complainant must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited. Additionally, remedies available for the complainant may be limited as well.

There are times when the College may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all students and employees. The College has designated any one or more of the following individuals to evaluate requests for confidentiality once the College is placed on notice of alleged gender-based misconduct:

- Title IX Coordinator
- Deputy Title IX Coordinator for Student Affairs
- Vice President for Student Affairs and Dean of Students

When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, one or more of the above employees will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of gender-based misconduct or other violence, such as:
 - whether there have been other gender-based misconduct complaints about the same respondent;
 - whether the respondent has a history of arrests or records from a prior institution indicating a history of violence;
 - whether the respondent threatened further gender-based or other violence against the complainant or others;
 - whether the gender-based misconduct was committed by multiple perpetrators;
 - whether the gender-based misconduct was perpetrated with a weapon; and
 - whether the complainant is a minor;
- Whether the College possesses other means (e.g., security cameras, witnesses, or physical evidence) to obtain relevant evidence of the gender-based misconduct; or
- Whether the complainant's report or other documentation reveals a potential pattern of perpetration at a given location or by a particular individual or group (e.g., by intentionally incapacitating an individual without their knowledge via the use of drugs).

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The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely honor the complainant's request for confidentiality. If the College determines that it can grant a complainant's request for confidentiality, the College will also discuss other actions that might be implemented to protect and assist the complainant.

If the College has credible information that the respondent was reported, investigated and/or found responsible for gender-based misconduct in the past, the College would likely be compelled to investigate the allegation and, if appropriate, pursue disciplinary action. If the College determines that it cannot maintain a complainant's confidentiality, the College will inform the complainant prior to an investigation and, to the extent possible, share information only with those responsible for handling the College's response.

The College will remain mindful of the complainant's well-being and take ongoing steps to protect the complainant from retaliation or harm. Retaliation against the complainant, whether by students or College employees, will not be tolerated.

The College will not require a complainant to participate in any investigation or disciplinary proceeding.

Because the College is under a continuing obligation to address the issue of gender-based misconduct campus-wide, reports of that nature (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported acts occurred; increasing education and prevention efforts, including to targeted population groups; and/or revisiting its policies and practices.

Reporting Obligations

The College has a duty to report certain crimes to Babson Public Safety for statistical reporting purposes in accordance with the Federal Clery Act. Personally identifiable information is not provided, but statistical information must be reported depending on the nature of the incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the College's annual Campus Security Report.

Additionally, College administrators must issue *timely warnings* in accordance with applicable law for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will ensure that a complainant's name and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the potential harm or danger posed.

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VII. INVESTIGATION/RESOLUTION PROCESS

The deputy Title IX coordinator for Student Affairs (“deputy coordinator”), in coordination with the College’s Title IX coordinator, is responsible for the oversight of investigations of gender-based misconduct complaints where the respondent is a student or student group. Formal rules of process and evidence such as those applied in criminal or civil courts are not applicable in these investigations or in the resolution process.

When made aware of a potential violation of the gender-based misconduct policy, the deputy coordinator or designee will open and conduct a preliminary investigation. The preliminary investigation under this policy will be conducted as soon as practicable, and will ordinarily be completed within ten (10) calendar days from the time of reporting. This time period may be shorter or longer depending on the circumstances, including the availability of witnesses and preliminary evidence.

PRELIMINARY INVESTIGATION

After reviewing the information received, the deputy coordinator will:

1. Work to determine the identity and contact information of the complainant;
2. Take a statement from the complainant (when possible);
3. Identify what, if any, portion(s) of the gender-based misconduct policy were allegedly violated;
4. Meet the complainant, if feasible, to inquire about and finalize the complaint;
5. Determine if there is cause to proceed with a formal investigation.

If the deputy coordinator determines that there is no reasonable cause to pursue a complaint (e.g., if the information received does not present any potential violation of the gender-based misconduct policy, or if it is so vague or incomplete that no further investigation is possible), the matter will be closed with no further action and that decision will be communicated to the reporting party.

FORMAL INVESTIGATION

If the deputy coordinator determines that there is reasonable cause to pursue the complaint, a formal investigation will be initiated. The formal investigation under this policy will be conducted as promptly and equitably as possible without compromising thoroughness. Absent extenuating circumstances, the College’s investigation and resolution process for gender-based misconduct complaints will ordinarily be completed within sixty (60) calendar days from the time of reporting (not including the appeal process). This time period may be shorter or longer depending on the circumstances including, but not limited to, the complexity of the case and the availability and number of witnesses. Should this process last longer than 60 days, the deputy coordinator will communicate the reasons and expected timeline for

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completion to all parties.

At the initiation of the formal investigation, the deputy coordinator or designee will:

1. Notify the respondent and complainant of the investigation and provide an explanation of the investigation process;
2. Provide the respondent and complainant with a written notice of the charges, listing the specific portion(s) of the gender-based misconduct policy alleged to have been violated; and
3. Appoint a trained investigator to lead the investigation. The deputy coordinator may appoint additional investigators in their sole discretion. Concerns relating to any potential bias or conflict of interest of the appointed investigator(s) should be promptly addressed to the deputy coordinator who shall have sole discretion to remove or re-appoint investigator(s) as necessary.

At reasonable intervals throughout the investigation, the deputy coordinator and/or investigator will maintain communication with the complainant and the respondent regarding the status of the investigation and overall process.

The appointed investigator will:

1. Commence a thorough and impartial investigation by developing an investigation plan, including a witness list, intended investigation timeframe, and order of interviews for all witnesses and the respondent;
2. Provide regular updates on the investigation to the Title IX coordinator
3. Determine whether or not one or more specific portions of the policy were violated based on the preponderance of the evidence. Under this standard, the respondent is presumed not to have violated the gender-based misconduct policy unless a preponderance of the evidence supports a finding that a violation occurred. A preponderance of the evidence indicates that it is *more likely than not* that the identified portion of the policy was violated by the respondent.

Investigations shall proceed generally as follows:

1. The investigator will conduct interviews with the complainant, respondent and any witnesses deemed appropriate by the investigator.
 - a. All parties will be asked to provide names of relevant witnesses. The investigator will, in their sole discretion, determine which witnesses to interview. Witnesses are typically limited to people with firsthand knowledge of the events being reviewed. Character witnesses and character statements are not permitted.
2. All interviewed parties will be asked to submit relevant documentary evidence (e.g., photographs, video recordings, text messages, reports, phone records, etc.) to the investigator. The investigator will gather and review available documents, materials, or other identified evidence relevant to the investigation. The investigator, in consultation with the Title IX coordinator, will use their discretion about what evidence and information will be included in the case file. Redactions may be made as deemed necessary in the sole discretion of the

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- investigator.
4. After each interview, the investigator will provide the interviewed party a written interview summary. The interviewed party will be afforded a reasonable opportunity to review the summary to confirm its accuracy or to provide written clarifications, comments, and/or corrections. The investigator shall review any written clarifications or comments that are submitted and incorporate those deemed relevant and appropriate into the interview summary. Comments that conflict significantly with information previously submitted by the interviewed party will be noted.
 5. During the investigation, the investigator will afford the complainant and respondent an opportunity to respond to information provided by other parties, including witnesses. This information will typically be shared verbally during the interview. Either party may also request an opportunity to review the written interview summaries and/or documentary information. Such request will be granted if and when deemed appropriate in the sole discretion of the investigator.
 6. At the conclusion of the investigation, but before any determinations are made by the investigator, the investigator will schedule separate meetings with the complainant and respondent to review the information included in the case file (including all written interview summaries and documentary evidence deemed relevant by the investigator). The complainant and respondent will have the opportunity to provide corrections, clarifications, new relevant information or documentation, and/or suggest new witnesses who possess material information.
 - a. The complainant and respondent will be given an additional two (2) business days after this meeting to provide any additional documentation or written clarifications or corrections. The investigator shall review the information submitted by both parties and will incorporate the information deemed relevant and appropriate into the case file. Information that conflicts significantly with information previously submitted by the interviewed party will be noted. General comments on the information in the case file and/or one party's analysis of the information in the case file will not be considered.
 7. If the complainant and/or respondent identify additional relevant evidence, that evidence shall be gathered by the investigator to the extent reasonably possible and will also be included in the case file. Depending on the nature of the new evidence, it may be shared with the complainant and/or the respondent for comment.
 8. The investigator will complete the case file to include all relevant evidence obtained during the investigation.
 9. The investigator will review the case file and reach written conclusions as to whether or not the respondent violated the gender-based misconduct policy based on a preponderance of the evidence standard.
 10. The investigator will send the case file and written conclusions to the deputy coordinator for review.
 11. The deputy coordinator will review the case file and written conclusions to ensure the following:
 - a. The investigation was thorough, reliable, and impartial;

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- b. The conclusions were based on the evidence collected;
- c. The conclusions were based on the preponderance of the evidence; and
- d. The policy was applied appropriately.

If the deputy coordinator determines that any further steps are necessary to meet any of these requirements, the deputy coordinator will so inform the investigator. The investigator will take the necessary steps and return the case file to the deputy coordinator for review.

12. Upon approval of the case file, the deputy coordinator will meet separately with the complainant and the respondent to deliver the finding. These meetings will be arranged as contemporaneously as possible. At the meetings, the deputy coordinator will:
 - a. Make the case file available to both parties for their review (necessary redactions may be made in the discretion of the deputy coordinator); and
 - b. Explain the next steps in the process:
 - a. Appeal process if the finding is not responsible (see section IX)
 - b. Sanction process if the finding is responsible (see below)

Please note: in addition to sharing the outcome with the parties, the deputy coordinator will also work directly with the Title IX coordinator to determine whether additional remedies are necessary for the complainant and/or community, if any, to address the incident.

CONFLICT RESOLUTION OPTIONS

The deputy coordinator may offer conflict resolution options when appropriate based on the facts and circumstances and regardless of the finding of the preliminary or formal investigation. Such conflict resolution may include mediation, restorative justice, or other options and will only be utilized when both parties consent to the option. Mediation will not be used in cases involving sexual violence.

SANCTIONS PROCESS

1. The complainant and the respondent shall each have two (2) business days from the date of the delivery of the finding to submit a written impact statement to the deputy coordinator. The written impact statement is intended to inform the deputy coordinator of relevant information in determining the appropriate sanction(s), including, but not limited to, how the incident has affected the impacted party, and whether they believe any mitigating or aggravating facts and circumstances warrant leniency or enhanced sanctions.
2. Both the complainant and the respondent have the option to meet with the deputy coordinator to discuss potential sanctions either, instead of, or in addition to, a written impact statement. Such a meeting is not an opportunity to challenge or contest the finding of the investigation.
3. The deputy coordinator will confer with the Title IX coordinator regarding potential sanctions. The deputy coordinator also reserves the right to meet with other relevant parties, including but not limited to the investigator or

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witnesses, if the deputy coordinator believes it will assist in determining the appropriate sanction(s).

4. Before determining the sanction(s), the deputy coordinator will review: i) the case file and investigator's conclusions, ii) the respondent's prior disciplinary record, if any, and iii) any impact statements submitted by either party.
5. The deputy coordinator has three (3) business days from the last meeting with a relevant party to issue a written decision letter with rationale to both parties. Decision letters will be sent via email.
 - a. All sanctions are enacted immediately (unless otherwise stated) regardless of the status of the appeal.
 - b. The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information related to the outcome of the proceeding.

VIII. SANCTION GUIDELINES

Any student found responsible for violating the gender-based misconduct policy provision on nonconsensual sexual contact (where no penetration has occurred), sexual exploitation, sexual harassment, intimate partner violence or stalking will receive a sanction up to and including expulsion, depending on the severity of the incident and taking into account any previous disciplinary history. The standard sanction for non-consensual sexual penetration is suspension or expulsion.*

**The decision-maker reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating or aggravating circumstances. Neither the initial decision-maker nor any appeals officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.*

Please see a list of possible sanctions in the [Part IV, Section 7 of the *College's Community Standards*](#).

IX. APPEAL PROCESS

Both the respondent and the complainant have the opportunity to submit an appeal based on the finding of the investigation and/or sanction as set forth below.

Guiding principles of the appeal process:

- Appeals are confined to a review of the case file and any other information deemed relevant by the appeal officer based on one or more of the pertinent grounds for appeal described below. Appeals are not intended to re-hear the allegations or to constitute a *de novo* review of the investigation.

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- Absent clear and material error, appeals determinations are intended to be deferential to the original decision-maker. Findings should be revised by the appeal officer only when remanding for further investigation or granting a new investigation would be insufficient, impractical or unnecessary. Sanctions should be revised by the appeal officer only if there is a compelling justification to do so.

An appeal must be submitted within three (3) business days after the decision letter is delivered to the student's Babson email account (or non-Babson email account for complainants who are non-Babson students). An appeal may be made solely on the grounds of:

1. Error in the charge, misapplication of the policy and/or error in the investigation or sanctioning process that has materially affected the outcome (e.g., substantiated bias, material deviation from established procedures, etc.),
2. New information that could not have been discovered prior to the investigation or sanctions meeting through the exercise of reasonable diligence and that would have materially affected the finding. A summary of this new evidence and its potential impact must be included in the written appeal; or
3. The sanctions imposed fall outside the range of sanction guidelines and are grossly disproportionate to the violation(s) committed.

The Vice President for Student Affairs and Dean of Students or designee shall act as the appeal officer. The appeal must be made in writing to the appeal officer and must clearly and succinctly outline and explain how the specific grounds described above have been met. The party submitting the appeal has the burden of demonstrating how the above grounds have been met.

When one party submits an appeal, a copy of the appeal will be provided to the other party by the appeal officer. The other party will have the opportunity to submit a written statement to the appeal officer within three (3) business days, to be considered with the original appeal. The written statement shall be limited to a response to the content of the original appeal.

After reviewing the written appeal(s), written statement(s), and associated case file, the appeal officer will take one of the following actions:

1. Reject the appeal as untimely or improper based on the grounds articulated above.
2. Uphold the original decision and/or sanction.
3. Grant the appeal and:
 - Remand the case with specific instructions to the deputy coordinator for further consideration or, in the rare circumstances in which it would be impractical, improper, or infeasible to remand the case, grant a new investigation.
 - If remanded for further investigation, any resulting sanction may be appealed.
 - If the appeal officer remands to the deputy coordinator for

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review of the sanction, the reconsideration of the deputy coordinator is final.

- Modify the sanction(s) by reducing or enhancing the sanction(s). A rationale will be provided by the appeal officer when a sanction is modified.
- In rare circumstances, revise the finding of the investigation from a “not responsible” to a “responsible” finding, or from a “responsible” to a “not responsible” finding.
 - If the finding of the investigation is revised from a “not responsible” to a “responsible” finding, the appeal officer will either determine the final sanction(s) or remand the case to the deputy coordinator to determine the sanction(s). If remanded to the deputy coordinator, the resulting sanction(s) may be appealed.

The complainant and the respondent will receive simultaneous written notification of the appeal officer’s decision regarding the appeal(s) at their Babson email accounts (or non-Babson email account for complainants who are non-Babson students). Except where the case is remanded or a new investigation is granted, the decision of the appeal officer is final and not subject to further review.

X. NOTICE OF RIGHTS

Rights of the Complainant

The complainant has a number of rights under this policy and with respect to a resolution of a complaint. If the College initiates an investigation, the complainant will retain the rights below. They include both those outlined above and the following:

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct, gender-based discrimination and/or harassment made in good faith to the College;
- The right to be treated with respect by College employees throughout the process;
- The right to be notified of available counseling, mental and physical health services, on and off- campus;
- The right to be informed of and to report the incident to off-campus authorities and/or law enforcement and to be assisted by College employees in doing so;
- The right to be provided with a written explanation of rights and options with respect to the matter;
- The right to have the investigation and resolution process fully explained;
- The right receive written notice of all allegations for which the respondent is charged;
- The right to be notified of possible sanctions that may result if the respondent is found responsible of violating the policy(ies) in question;
- The right to a finding based on information the decision-maker finds

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- credible, relevant and convincing by a preponderance of the evidence (i.e., it is more likely than not that a policy violation occurred);
- The right to appeal the outcome of the investigation and/or sanction, in accordance with the appeal guidelines established in this policy;
- The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary.

Rights of the Respondent

The respondent has a number of rights under this policy and with respect to a resolution of a complaint. They include both those outlined above and the following:

- The right to an investigation and appropriate resolution of all credible complaints of sexual misconduct, gender-based discrimination and/or harassment made in good faith to the College;
- The right to be treated with respect by College employees throughout the process;
- The right to be notified of available counseling, mental and physical health services, on and off- campus;
- The right to be provided with a written explanation of rights and options with respect to the matter;
- The right to have the investigation and resolution process fully explained;
- The right to receive written notice of all charges;
- The right to be notified of possible sanctions that may result if found responsible for violating the policy(ies) in question;
- The right to a finding based on information the decision-maker finds credible, relevant and convincing by a preponderance of the evidence (i.e., it is more likely than not that a policy violation occurred);
- The right to appeal the outcome of the investigation and/or sanction , in accordance with the appeal guidelines established in this policy;
- The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary.

XI. OTHER PROVISIONS

ADVISERS

Both the respondent and the complainant have the right to one (1) adviser of their choice. Advisers serve as a support person for the parties during the process, including investigative meetings, meetings with the deputy coordinator and sanction meetings. The adviser's name and relationship to a party (e.g., student, faculty member, family member, attorney, etc.) must be disclosed to the deputy coordinator prior to the meeting for which they will serve as the adviser. Students who are witnesses to the incident or are otherwise involved in the matter may not typically serve as advisers.

Advisers are not permitted to advocate for a student or speak on their behalf during any of the aforementioned meetings. The College reserves the right to remove an

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adviser from any meeting should these expectations and guidelines be violated. Meetings are not generally delayed or rescheduled due to an adviser's schedule or availability. The deputy coordinator will consider requests made to delay or reschedule a meeting and will make the final determination at their sole discretion.

The College reserves the right to have legal counsel present during any meeting.

ATTENDANCE

To enable the most accurate and fair review of the facts, the respondent is expected to attend and participate in meetings during the course of an investigation under this policy. If an individual chooses not to attend one or more meetings, the charges will be reviewed on the basis of the information and evidence available, and a decision will be made. Although no inference may be drawn against a student for failing to attend a meeting or remaining silent, the process will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the respondent to attend one or more meetings, to participate in such meeting(s), or to answer the charges.

HISTORY OF THE PRINCIPAL PARTIES

Sexual History:

Neither the past sexual history nor sexual character of either party will be considered in the investigation or any other proceeding unless such information is determined by the deputy coordinator to be specifically and directly relevant to a pending charge.

Disciplinary History/History of Previous Complaints:

Previous disciplinary history or previously filed complaints may be considered in the course of the investigation only if:

1. The facts related to the previous disciplinary history or complaints are substantially similar to the facts related to the present charge(s);
2. The information indicates a pattern of behavior and substantial conformity with that pattern by the respondent; or
3. There are other reasons deemed by the deputy coordinator to be specifically and directly relevant to the present charge(s).

If any previous disciplinary history or complaints are considered in the course of the investigation, the relevant party will be notified of such and will be permitted to review the information that is to be considered.

EFFECT OF CRIMINAL PROCEEDINGS

Because the standards for determining a violation of criminal law are different from the standards for determining a violation of this policy, criminal investigations, reports, or outcomes are not determinative of whether gender-based misconduct has occurred for purposes of this policy. In other words, conduct may constitute gender-based misconduct under this policy even if there is insufficient evidence of a crime or if law enforcement agencies decline to prosecute. The filing of a complaint of gender-based misconduct under this policy is independent of any criminal

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investigation or proceeding, and the College will not await the conclusion of any criminal investigation or proceedings to: (i) commence its own investigation; (ii) take interim measures to protect the complainant and the College community, if necessary; and/or (iii) implement disciplinary proceedings without regard to any pending criminal proceedings.

FALSE COMPLAINT/FALSE INFORMATION

The College will not tolerate false reporting and reserves the right to discipline members of the College community who knowingly bring false complaints of gender-based misconduct or provide false information during an investigation or hearing. No complaint will be considered "false" solely because it cannot be corroborated. If a respondent is determined to have provided false information during the investigation or sanctioning process, the respondent may be charged with "false information and misrepresentation" and/or the false information may be considered an aggravating circumstance during the sanctioning phase.

AMNESTY FOR MINOR VIOLATIONS

The College will extend amnesty for minor violations of policy, including but not limited to the possession and/or consumption of drugs or alcohol, when the violation is related to a report of gender-based misconduct. The seriousness of gender-based misconduct is a major concern for the College and the College does not want any circumstances (e.g., drug or alcohol use) to inhibit the reporting of gender-based misconduct or cooperation with an investigation. When amnesty is granted for minor violations of policy, the College may refer students to resources such as alcohol and/or drug education, but there will be no disciplinary record or sanction regarding the violation for which amnesty was granted. The deputy coordinator will determine what policy violations will be considered "minor" and therefore eligible for amnesty in this context. Amnesty for minor policy violations may be extended to all parties involved in the case, including but not limited to, the complainant, the respondent and witnesses.

ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Reasonable accommodations will be provided to students with disabilities in accordance with applicable law. A student with a disability who requires an accommodation for any meeting or process under this policy must follow the procedure for requesting an accommodation through the Learning Center. The Learning Center will make a determination regarding the request and notify the appropriate parties. A student will not be considered to have a disability unless the student registers with the Learning Center and follows the applicable procedures. Please contact the Learning Center at 781-239-5509, by email at mpowell@babson.edu or on the hub at <http://studentportal.babson.edu/node/229156> for further information.

POLICY REVIEW

The gender-based misconduct will be reviewed by the College a minimum of every 24 months.

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XII. PREVENTION, EDUCATION, AND TRAINING

The College engages in a comprehensive and educational approach to programming that addresses the multiple levels of influence around violence and victimization being mindful of the individual, their relationships, and their community and cultural environments. By building relationship skills, discussing policy, procedure, and practice, addressing social norms, and promoting bystander intervention, Babson seeks to change behavior and reduce risk. Educational programming consists of primary prevention and awareness programs – including bystander intervention for all incoming students as well as ongoing prevention and awareness campaigns for all students and the campus community in its entirety aimed at preventing domestic/dating violence, sexual assault, and stalking. These educational programs and awareness initiatives have clear goals and objectives, including but not limited to:

- Identify domestic violence, dating violence, sexual assault, stalking, and other forms of Gender- Based Misconduct as prohibited;
- Define the behavior that constitutes domestic violence, dating violence, sexual assault, stalking, and other Gender-Based Misconduct;
- Define what behavior and actions constitute consent to sexual interactions;
- Provide safe and effective options for both active and passive bystander intervention;
- Provide information on both harm reduction and risk reduction to help the college community recognize warning signs of prohibited behavior and to minimize the risk of potential attacks or retaliation;
- Provide an overview of information contained in the Annual Security Report in compliance with Title IX, VAWA, the Campus SaVE Act, the Clery Act and other applicable laws.

The College has developed an annual educational curriculum consisting of presentations to the following populations (including but not limited to); new and returning students; student leaders (classified as “responsible employees”); on-call and first line access staff; and Public Safety. Specific considerations in regards to education and programming are made in an effort to be culturally competent in practice and approach. The educational curriculum consists of programs throughout the year, including sessions such as:

- Prevalence of Sexual Assault on College Campuses
- Gender-Based Misconduct Policy Literacy/Procedure Overview & Reporting
- Contracted Speakers on Healthy Relationships & Sexual Assault
- Bystander Intervention
- Positive Consent
- Healthy Relationships a& Boundary Setting
- Trauma-Informed Practice & Crisis Response
- Secondary Trauma
- Responding to Disclosure & Empathetic Listening

In addition to prevention and education efforts, the College ensures that all

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investigators, decision- makers and appeal officers receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking as well as training on how to conduct an investigation, how the resolution process works and how to protect the safety of complainants and promote accountability.

XIII. TITLE IX CONTACT

Questions or concerns regarding the College's procedures and Title IX may be directed to one or more of the following resources:

Title IX Coordinator - responsible for overall compliance with Title IX including the investigation process:

Betsy Rauch, Title IX Coordinator
President's Office, Horn 329
781-239-5501; brauch1@babson.edu

Inquiries may be made externally to and complaints may be filed with:

Office for Civil Rights (OCR)
U.S. Department of
Education 400
Maryland Avenue, SW
Washington, DC
20202-1100

Customer Service hotline: 800-
421-3481 TDD #: 877-521-2172

Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

Criminal Investigation & Law Enforcement

If a student wishes to report a case of domestic violence, sexual assault, or other gender based related crimes, and to have the matter prosecuted criminally or pursue a protective order, Babson College's Public Safety Department will investigate in conjunction with other law enforcement agencies. A College representative is available to accompany the student during this process. Babson College will not shield members of the Babson community from the law, nor will it intervene in external legal proceedings initiated against a member of the community. If a victim wants to report the incident to law enforcement, they may file a report with Babson Public Safety by calling 781-239-5555 and/or Wellesley Police Department by calling 781-235-1212 or Needham Police Department at 781-455-7570 (if the incident occurred on campus.) If the incident occurred off-campus, a victim has the right to file a report with the local law enforcement agency in the jurisdiction where the incident occurred.

The Public Safety Department has specially trained Sexual Assault Investigators who would be called upon to respond and investigate a reported sexual assault on campus, immediately focusing the priority on the physical and mental well-being of the survivor. It is the policy of the Babson College Public Safety Department in responding to the report of a sexual assault to ensure consistent standardized procedures for the investigation and prosecution of all sexual assaults by providing officers and investigators with guidelines for responding, assisting survivors, collaborating with local health and law enforcement agencies, and conducting interviews with survivors, witnesses, and suspects as well as evidence collection. When a report has been disclosed to a member of the Public Safety Department or other law enforcement agency, a criminal investigation will be launched with the information provided in coordination with local law enforcement and the District Attorney's Office. This does not require the survivor to participate in prosecution but the priority is to provide all the resources, support and options a survivor may require in moving forward. Babson College Public Safety can assist a victim with this process if the victim so chooses.

Gender-Based Misconduct Policy for Babson College Faculty, Staff & Affiliated Persons

- I. **INTRODUCTION**
- II. **NOTICE OF NON-DISCRIMINATION**
- III. **SCOPE OF POLICY/JURISDICTION**
- IV. **PROHIBITED CONDUCT**
- V. **EMPLOYEES' AND BABSON'S OBLIGATIONS**
- VI. **REPORTING OPTIONS AND RESOURCES FOR COMPLAINANTS**
- VII. **REQUESTS FOR CONFIDENTIALITY**
- VIII. **INVESTIGATION/RESOLUTION AND DISCIPLINE PROCESS FOR
EMPLOYEE RESPONDENTS**
- IX. **INVESTIGATION/RESOLUTION AND DISCIPLINE PROCESS FOR
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- X. **NOTICE OF RIGHTS**
- XI. **OTHER PROVISIONS**
- XII. **TITLE IX COORDINATOR CONTACT**

I. INTRODUCTION

Babson College (“Babson” or “the College”) is committed to preserving a learning and working environment that promotes the health and safety of all community members. The College therefore strictly prohibits all Babson “community members” — which includes faculty, staff, students, student workers and other College affiliated persons, including volunteers, agency/contract personnel, and visiting researchers and scholars — from engaging in any type of gender-based discrimination or harassment (“gender-based misconduct”). Except where otherwise indicated in this Policy, the term “employee” includes Babson faculty and staff, but not other community members as defined above.

As used in this Policy, the term “complainant” refers to any individual who reports to the College that a College community member has engaged in gender-based misconduct. The term “respondent” refers to any College community member accused of engaging in gender-based misconduct.

This Policy identifies: a) behaviors that the College prohibits as gender-based misconduct, b) obligations of Babson employees who observe or otherwise become aware of gender-based misconduct that impacts any Babson community member, and c) rights and resources available to Babson community members who are impacted by gender-based misconduct.

Gender-based misconduct is one of the most serious violations of the College’s community values. Whether or not a formal complaint or report has been filed, the College will promptly and effectively respond to allegations of gender-based misconduct

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and take immediate action to eliminate the harassment, prevent its recurrence, and address its effects in accordance with this Policy. When a College community member is found to have violated this Policy, discipline and/or other action as appropriate will be implemented in an effort to ensure that such actions are not repeated. This Policy outlines the investigation and grievance procedures the College will use when College community members are reported to have engaged in gender-based misconduct. Any attempt to engage in conduct prohibited under this Policy will be treated as a violation unless the attempt is abandoned or the prohibited conduct is prevented from occurring under circumstances that demonstrate a voluntary change of behavior. Aiding or cooperating in the violation of this Policy is also prohibited.

II. NOTICE OF NON-DISCRIMINATION

Babson College is committed to establishing and maintaining an environment free of all forms of harassment and discrimination for all College community members. Babson College does not discriminate on the basis of race, color, national or ethnic origin, ancestry, religious creed, sex, pregnancy, sexual orientation, gender identity, gender expression, age, genetics, physical or mental disability, veteran status, military obligations, participation in discrimination complaint-related activities, or any other characteristic protected by federal, state, or local laws in its practices, programs or activities.

The College's Title IX Coordinator, Betsy Rauch, is responsible for the oversight of Babson's Gender-Based Misconduct Policies. She can be reached at brauch1@babson.edu or 781-239-5501.

The College's Vice President for Human Resources, Donna Bonaparte, has been designated by the College to respond to inquiries or concerns regarding other College non-discrimination policies. She can be reached at: dbonaparte@babson.edu or 781-239-6434.

Gender-based misconduct, as defined in this Policy, is a form of sex discrimination that unjustly deprives a person of equal treatment. Such misconduct is prohibited by Title IX, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, 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, Massachusetts General Laws Chapter 151B, Massachusetts Fair Education Practices Act, Massachusetts General Laws 151 C, Section 2(g), and other applicable state and federal statutes.

This Policy prohibits all forms of sexual harassment and sexual misconduct committed by any College community member. This Policy also prohibits community members from engaging in gender-based misconduct that may not involve conduct of a sexual

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nature, including, but not limited to intimate partner violence, and certain instances of domestic violence or stalking.

This Policy applies regardless of a complainant's or respondent's race, color, national or ethnic origin, ancestry, religious creed, sex, pregnancy, sexual orientation, gender identity, gender expression, age, genetics, physical or mental disability, veteran status, military obligations, participation in discrimination complaint-related activities, or any other characteristic protected by federal, state, or local laws. Harassment and/or discrimination based upon an individual's sex, sexual orientation, gender-identity or expression may be considered gender-based and shall be subject to Babson's Gender-Based Misconduct Policies.

For assistance related to civil rights, community members can contact either of the following agencies:

Massachusetts Commission Against Discrimination (MCAD)
One Ashburton Place, Room 601
Boston, MA 02108, or call 1-617-994-6000.

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 or call 1-800-669-4000.

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.

III. SCOPE OF POLICY/JURISDICTION

This Policy applies when the respondent is a community member other than a Babson College student. This Policy applies regardless of whether a respondent's reported misconduct occurred on or off campus, if the reported conduct occurred in connection with the respondent's employment or affiliation with Babson, or potentially impacts other members of the Babson community.

When a respondent is a Babson College student, the matter will be addressed in accordance with Babson's [Gender-Based Misconduct Policy for students](#). The Gender Based Misconduct Policy for students also describes resources, accommodations and safety measures available to students.

The resources, accommodations and safety measures described in this Policy are available to all College employees. Certain resources, accommodations and safety measures are available to non-employee and non-student community members as the College may deem appropriate.

Gender-Based Misconduct

If the College receives a report that a College community member may have engaged in discrimination or harassment related to a person's sex or gender-related status, and any other legally protected characteristic(s), such as race, color, ethnicity, national origin, religion, disability, or age, the College retains discretion to decide under which policy or policies to address the report. The College will coordinate the investigation and resolution efforts to address any and all harassment and discrimination.

IV. PROHIBITED CONDUCT

All conduct prohibited under the Gender Based Misconduct Policy for students ("Student GBM Policy") is likewise prohibited under this Policy for all other community members. Except as specifically modified below, the definitions and examples of prohibited gender-based misconduct that are included in the Student GBM Policy also apply to all non-student community members.

The following definitions apply under this Policy:

Gender-Based Misconduct is a broad term which encompasses unwelcome conduct of a sexual nature and other discriminatory acts or behavior related to one's gender, which is prohibited by Title IX and the College. The term includes but is not limited to sexual harassment, sex discrimination, sexual misconduct, sexual violence, including rape and sexual assault, sexual exploitation, domestic violence and dating violence, and stalking. Gender-based misconduct also includes any conduct of a sexual nature that lacks Effective Consent, or that has the purpose or effect of threatening, intimidating, or coercing an individual.

Sexual Harassment refers to unwelcome and/or unsolicited gender-based verbal, written or physical conduct of a sexual nature. Such unwelcome and/or unsolicited conduct violates this Policy if it also falls within the definition of hostile environment harassment and/or quid pro quo sexual harassment.

Hostile environment sexual harassment exists where harassment is sufficiently severe, persistent, or pervasive and objectively offensive such that it unreasonably interferes with, limits or denies the ability to participate in or benefit from the College's educational or employment program and/or activities.

Quid pro quo sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to, or rejection of, such conduct results in adverse educational or employment consequences. Quid pro quo harassment may also exist when a threat of adverse action or a promise of a benefit is conditioned on submission to, or rejection of, such requests.

Behaviors that may constitute sexual harassment include but are not limited to:
Sexual advances, regardless of whether or not they involve physical touching;
Requesting or demanding sexual favors with respect to employment, academic or other

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College activities; Lewd or sexually suggestive comments, jokes, gestures, or innuendos; Displaying sexually suggestive objects or pictures; Inquiries into one's sexual experiences; Discussion of one's sexual experiences; Unwelcome leering, whistling, gestures, suggestive or insulting comments; Unwelcome communications (verbal, written, electronic, etc.) of a sexual nature; Gossip about one's sex life or comments about an individual's sexual activity; Failure to accept the termination of a consensual relationship with repeated and persistent requests and behavior.

Prohibited Relationships Between Students and Non-Student Community Members: Any Babson College non-student community member who has academic responsibility towards students (as defined in section 6.2.4 of the Faculty Handbook), is strictly prohibited from engaging in romantic or sexual relationships with any currently enrolled Babson College student—even if both parties in the relationship believe the relationship is consensual, and even if the non-student community member does not teach, evaluate or advise the student now or intend to do so in the future. Such romantic or sexual relationships violate both section 6.2.4 of the Faculty Handbook and this Policy.

Babson College non-student community members who do not have academic responsibility towards students, but whose job duties or responsibilities include advising, coaching, mentoring, or evaluating students, or who are responsible for students' physical or emotional well-being, are also strictly prohibited from engaging in romantic or sexual relationships with any currently enrolled Babson College students. Non-student community members who serve in other roles at the College are strongly discouraged from engaging in romantic or sexual relationships with currently enrolled Babson students, as they may be found responsible for violating this Policy if their conduct creates a hostile environment related to sex for any member of the Babson community.

Retaliation is any intentional adverse action taken against a person on the basis of their participation in a protected activity. Absent a legitimate nondiscriminatory purpose, retaliation can include intentional action taken by a respondent or allied third party as reprisal for participating in a protected activity, or intentional adverse action taken against a respondent after it was determined that the respondent did not violate this Policy.

Examples of protected activity include but are not limited to:

Participating in or otherwise assisting with a College investigatory procedure or law enforcement investigation; Filing a complaint alleging a College policy violation or a violation of law; or Filing a complaint about the College's policy for resolving alleged violations of policy.

Examples of adverse action include but are not limited to:

Threats, intimidation, continued harassment or other misconduct; Discouraging an individual from participation in an investigation or adjudication process; or Adverse educational or employment consequences.

The College maintains the right to take action against a community member for other

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legitimate reasons in accordance with College policies and procedures, even if that individual has filed a complaint under this Policy or otherwise participated in a protected activity.

Retaliation by any community member or any person acting on their behalf is strictly prohibited. Retaliation is a serious violation that may result in disciplinary action by the College independent of the merits of the underlying complaint or allegation. The College will respond immediately to reports of retaliation and may impose disciplinary measures as appropriate, including but not limited to interim or longer term suspension, and termination of employment from the College.

Retaliation by any community member relating to a report of gender based misconduct should be promptly reported to the College's Title IX Coordinator. Reports that any employee has engaged in retaliatory behavior that does not relate to gender-based misconduct should be reported to the Department of Human Resources in accordance with Babson College Policy.

V. EMPLOYEES' AND BABSON'S OBLIGATIONS CONCERNING GENDER-BASED MISCONDUCT

This section addresses the responsibilities that different categories of employees have if they become aware of potential gender-based misconduct involving any other Babson community member. If an employee is personally impacted by gender-based misconduct, their reporting options, rights and resources are identified below in Section VI.

A. Most Employees' Obligations

All College employees, with the exception of employees who are designated below as Confidential or Private Resources for students, are considered "responsible employees", who are required to promptly notify the Title IX Coordinator if they observe, witness, or otherwise learn that any member of the College community or visitors or guests of the College may have engaged in or been impacted by gender-based misconduct. Babson College students who are employed as Resident Assistants or Peer Mentors also are "responsible employees" who must promptly notify the Title IX Coordinator if they observe, witness or otherwise learn that any community member, visitor or guest of the College may have engaged in or been impacted by gender-based misconduct. If a responsible employee receives information about a possible incident of gender-based misconduct, they should not solicit details or seek to investigate the matter themselves, but must promptly (the same or next business day if possible) tell the Title IX Coordinator any information they know about the matter so that the College can take appropriate steps to review what happened and to address the matter promptly and equitably.

Disclosures about gender-based misconduct that are made to any responsible employee at the College generally obligate the College to review the incident and take appropriate steps to address the situation. Therefore, a responsible employee must promptly report to the Title IX Coordinator all relevant details they know about an alleged gender-based

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misconduct that they possess. This includes the names of the complainant and respondent(s) (if provided), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident. Responsible employees who are not themselves either a complainant or respondent in an investigation are expected to cooperate in good faith with any investigation the College may conduct concerning reported misconduct. Employees who are either the complainant or respondent in a reported incident of gender-based misconduct can choose whether to participate in an investigation. However, they may not interfere with or seek to impede an investigation that may be initiated by the College or law enforcement.

Any employee who has imminent concerns about a student's well-being outside of regular business hours should contact Public Safety and ask to be connected with the Dean on Call. The Dean on Call will respond to assess if the student requires immediate support or assistance—and thereafter will inform the Title IX Coordinator if the situation reported involves gender-based misconduct. Absent health and safety emergencies, however, employees should not share information they receive about gender-based misconduct with law enforcement unless the reported victim/complainant consents to their doing so, the reported victim/complainant has also reported the incident to law enforcement, or the employee is otherwise required by law to do so. Responsible employees should seek to ensure, as early as possible, that anyone who begins to reveal information about gender-based misconduct to them understands the responsible employee's reporting obligations – and, if the person disclosing the incident wants to maintain confidentiality, the responsible employee should direct the person to confidential or private resources.

If anyone tells a responsible employee information involving possible gender-based misconduct, and indicates they want the responsible employee to maintain confidentiality and not share such information with anyone, the responsible employee must explain that he or she is obligated by law and College policy to share any information they know about gender-based misconduct with the College's Title IX Coordinator. However the responsible employee can assure the individual that the College will consider their request for confidentiality, and they will not be required to file a formal complaint or participate in an investigation unless they wish to do so. In reporting details of any reported incident to the Title IX Coordinator, a responsible employee should always inform the Title IX Coordinator if the complainant has requested confidentiality.

Responsible employees who learn about potential gender-based misconduct involving any community member should only share such information with those at the College responsible for handling the College's response to that report, in order to preserve the parties' privacy as much as possible. Responsible employees should not pressure a complainant to request confidentiality or to make a full report if the complainant does not wish to do so. The College will seek to honor and support the complainant's wishes.

B. Obligations of Designated Confidential and Private Resources

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The College has designated certain individuals as “confidential or private resources” for students. The following individuals who are designated by the College as *confidential* resources should not report any information they learn in confidence about gender-based misconduct to the Title IX Coordinator without the permission of the person who confided in them:

- The physicians and nurse practitioners in Health Services;
- Babson’s Director of Counseling Services, the Assistant Director of Counseling Services, and all counselors, psychologists, psychiatrist, and social workers at Babson Counseling Services (provided by Human Relations Services, Inc.); and
- Ordained chaplains in the Office of Faith and Service.

The following *private* resources can generally talk to students without revealing any personally identifying information about an incident to the College, but must report certain statistical information to the College:

- Director of Sexual Assault Prevention and Response Services;
- Babson College Safe Hotline –which is staffed 24 hours/day, 7 days/week, 781-239-7233 (SAFE)
- Director of Alcohol and Other Drug Services;
- Assistant Director of Faith and Service;
- Non-Ordained Campus Chaplains in the Office of Faith and Service; and
- The administrative assistants (professional staff members) who work in Health Services and in the Wellness Center.

Private resources should report to the Title IX Coordinator the following limited information about incidents involving gender-based misconduct, and if possible, to report such information without revealing the identity of involved parties: the nature, date, time, and general location of an incident. This limited report – which includes no information that would directly or indirectly identify the individual who confided in them – helps keep the Title IX Coordinator informed of the general extent and nature of gender-based misconduct impacting the community, so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, private resources should consult with the individual who spoke with them in confidence to ensure that no personally identifying details are shared with the Title IX Coordinator. NOTE: While individuals whom Babson designates as confidential or private resources for students may maintain confidentiality vis-à-vis the College, they may have reporting or other obligations under applicable law. These may include making reports to governmental agencies in cases involving minors, persons with disabilities and the elderly; a requirement to provide testimony in response to a subpoena; or where the individual is at risk of imminent harm to self or others.

C. Babson’s Reporting Obligations Regarding Gender-Based Misconduct

The College has a legal duty to report certain incidents to Babson Public Safety for statistical reporting purposes in accordance with applicable law. When incidents are

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reported to Public Safety for statistical reporting purposes, Public Safety will not be told personally identifiable information about those involved in the reported incidents, so that the complainant can decide whether they wish to report the matter to law enforcement. Rather, only limited information about the nature of the incident and its general location (on or off-campus, in the surrounding area, but no precise addresses are given) will be shared so that Public Safety can appropriately assess if the incident should be included in crime statistics published in the College's annual Campus Security Report.

Babson also must issue *timely warnings* in accordance with applicable law for incidents reported to the College that pose a substantial threat of bodily harm or danger to members of the campus community. When Babson determines that a timely warning should be issued to the community, the College will ensure that a complainant's name and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the potential harm or danger posed.

VI. REPORTING OPTIONS AND RESOURCES FOR COMPLAINANTS

A. REPORTING OPTIONS

Babson recognizes and respects the right of individuals who have experienced gender-based misconduct to decide when and whether they wish to report misconduct to the College, to law enforcement authorities, to both the College and law enforcement, or to neither. The College also will honor the right of those impacted by misconduct to decide whether they wish to participate in a College and/or law enforcement investigation. Reporting options are explained below:

1. Reporting to the College:

Complaints that any Babson employee has engaged in gender-based misconduct should be reported to **Babson's Title IX Coordinator** or to one of the Deputy Title IX Coordinators for Human Resources:

Betsy Rauch, Title IX Coordinator
Brauch1@babson.edu
781-239-5501

Barbara Nadeau, Deputy Title IX Coordinator
Manager, Talent Acquisition and Employee Relations
bnadeau@babson.edu
781-239-4419

Kate O'Leary, Deputy Title IX Coordinator
Manager, Compensation & Recognition
koleary@babson.edu
781-239-4209

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Complaints that any Babson College student or student group(s) have engaged in any type of misconduct, including but not limited to gender-based misconduct, should be reported to the Deputy Title IX Coordinator for Student Affairs:

Colleen Ryan
Assistant Dean for Community Standards
Cryan10@babson.edu
781-239-6344

Complaints that any Babson College affiliated person, who is neither a student nor employee, or that any non-community member has engaged in gender-based misconduct that impacts the Babson community, should be reported to Babson's Title IX Coordinator:

Betsy Rauch, Title IX Coordinator
Brauch1@babson.edu
781-239-5501

2. Reporting to law enforcement (24/7):

The College strongly encourages prompt reporting to law enforcement. Reporting is best done as soon as possible after an incident, but it may be done at any time.

If a community member wishes to report to law enforcement an on-campus incident involving dating or domestic violence, sexual assault, stalking, or other gender-based related crimes, and to have the matter prosecuted criminally or pursue a protective order, Babson College's Public Safety Department will investigate in conjunction with other law enforcement agencies. If an individual wants to report the incident to law enforcement, s/he may file a report with Babson Public Safety by calling 781-239-5555 and/or Wellesley Police Department by calling 781-235-1212 or Needham Police Department at 781-455-7570 (if the incident occurred on campus.) If the incident occurred off-campus, a complainant has the right to file a report with the local law enforcement agency in the jurisdiction where the incident occurred. Regardless of where an incident occurred, Babson Public Safety can assist a complainant with identifying the appropriate local law enforcement agency and with the filing of a report with that agency.

Babson College's Public Safety Department has State certified Sexual Assault Investigators who would be called upon to respond to and investigate a reported sexual assault on campus, immediately focusing the priority on the physical and mental well-being of the survivor. It is the policy of the Babson College Public Safety Department in responding to the report of a sexual assault to ensure consistent standardized procedures for the investigation and prosecution of all sexual assaults by providing officers and investigators with guidelines for responding, assisting survivors, collaborating with local health and law enforcement agencies, and conducting interviews with survivors, witnesses, and suspects as well as evidence collection. When

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a report has been disclosed to a member of the Public Safety Department or other law enforcement agency, a criminal investigation will be launched with the information provided in coordination with local law enforcement and the District Attorney's Office. This does not require the survivor to participate in prosecution but the priority is to provide all the resources, support and options a survivor may require in moving forward. Babson Public Safety can assist a survivor with this process if the survivor so chooses.

Following is a list of other law enforcement reporting options:

Massachusetts State Police: 1-508-872-8713

Norfolk County District Attorney Office - Brookline: 1-617-738-5072

Norfolk Superior Court: 1-781-326-1600

Dedham District Court: 1-781-329-4777

Law enforcement agencies, including Babson College Public Safety, are generally required to investigate reports of a criminal nature to the extent they are able. However, filing a complaint with law enforcement does not require a complainant to participate in a criminal process if the complainant chooses not to do so. Regardless of whether a community member wants to participate in a criminal process, Public Safety can provide information about the process for seeking court ordered civil restraining orders or harassment protection orders.

3. Anonymous Reporting

Any individual may report an incident to the Title IX Coordinator anonymously, without disclosing their name, identifying the respondent, or requesting any action. However, depending on the level of information provided to the Title IX Coordinator about the incident or the individual(s) involved, the College's ability to respond to an anonymous report may be limited. As described in this Policy, the College may have an obligation to respond to the information provided and/or other available information.

B. INTERIM MEASURES, REASONABLE ACCOMODATIONS AND SAFETY MEASURES

When requested and reasonably available, Babson College will provide support, safety measures, and reasonable accommodations to employees who report to the College that they have been impacted by gender-based misconduct, regardless of whether the respondent is a community member, and regardless of whether the complainant participates in an internal or criminal investigation of the matter. Support, safety measures, and reasonable accommodations may also be provided upon request to non-employee and non-student community members as the College deems appropriate. If a complainant requests confidentiality, reasonable accommodations and safety measures may be implemented to the extent feasible while preserving the privacy of the complainant.

When the College receives a report that an employee has been impacted by alleged

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gender-based misconduct, it will promptly take steps to ensure equal access to its programs and activities, and protect the safety and well-being of affected individuals. The College will notify the complainant of their options to minimize contact with the respondent if the respondent is a Babson College community member, and will also inform complainants of their right to obtain protective orders through the courts. If a formal gender-based misconduct complaint is filed against a College community member, the College may impose interim measures in accordance with applicable College policies. Interim measures may include restricting or suspending the respondent's access to campus, if the College determines that such measures are necessary to stop the alleged discrimination or to protect the safety or well-being of any community member or the Babson community as a whole. Interim measures that the College may impose may or may not be considered disciplinary measures. Any interim measures and preventative safety actions may remain in effect until the investigation process is complete and a decision is rendered by the College. To the extent possible, when both complainant and respondent are members of the Babson community, interim measures will be imposed in a way that minimizes the burden on a complainant while balancing the rights of the respondent.

C. OFF CAMPUS RESOURCES

Babson College encourages individuals who experience gender-based misconduct to talk to somebody about what happened, so that they can get the support they need, and receive accurate information about their reporting rights and available resources. Any individual who experiences gender-based misconduct has options and resources available to them regardless of their desire to participate in an internal or criminal investigation.

Babson College employees and their family members who wish to obtain confidential assistance relating to challenges they may be facing, including but not limited to gender-based misconduct, can access services of a confidential Employee Assistance Provider (EAP), without cost to the employee. **These confidential EAP services can be reached by calling KGA Associates: 1-800-648-9557.** Employees may use KGA's services regardless of whether they report an incident to the College or law enforcement. Many other off-campus resources also are available to individuals who are impacted by gender-based misconduct. For example, all of the following resources are available to support individuals who have been impacted by gender-based misconduct:

- **Boston Area Rape Crisis Center ("BARCC"):** offers a 24-hour hotline at 800-841-8371. BARCC provides comprehensive, free services including the hotline, 24-hour medical advocacy, individual and group counseling, legal advocacy, and accompaniment to local hospitals and police stations.
- **Jane Doe Inc.** (Massachusetts Coalition Against Sexual Assault and Domestic Violence confidential and multilingual statewide hotline): offers a 24-hour hotline as well as a website to connect victims of sexual assault to local resources. 1-877-785-2020.

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- **Gay Men's Domestic Violence Project (“GMDVP”)**: has a 24-hour crisis line: 1-800-832-1901. The GMDVP also offers confidential information and referrals for rape, sexual assault, dating violence, and domestic violence for gay, bisexual, and transgender men in Massachusetts.
- **Fenway Health**: Focused on the LGBTQI community, **Fenway Health Violence Recovery Program** offers a 24-hour hotline: 1-888-242-0900 (Extension 311). In addition Fenway Health also has confidential individual and group counseling, advocacy, information and referrals for lesbian, gay, bisexual, and transgender men and women.
- **Casa Myrna Vazquez**: 1-800-992-2600 (offers a 24-hour shelter hotline)
- **SafeLink** (Statewide Domestic Violence Hotline Program of Casa Myrna Vazquez, Inc.): 1-877-785-2020
- **REACH** Domestic Violence - 24-hour Hotline: 1-800-899-4000

All of the resources listed above will generally maintain confidentiality and not share information with the College unless the individual requests the disclosure and signs a consent or waiver form. However, while off-campus counselors and advocates may maintain an individual’s confidentiality by not informing the College, they may have reporting or other obligations under applicable law. These may include making reports to governmental agencies in cases involving minors, persons with disabilities and the elderly; a requirement to provide testimony in response to a subpoena; or where the individual is at risk of imminent harm to self or others.

VII. REQUESTS FOR CONFIDENTIALITY

In any Title IX review of a report or complaint of prohibited conduct, every effort will be made to protect the privacy interests of those involved to the degree possible consistent with the College’s need to investigate the report and maintain an environment free from gender discrimination. In addition, when gender-based misconduct is reported to the College, Babson will to the extent possible, seek to honor a reporting party’s request for confidentiality.

If a complainant discloses an incident to a responsible employee of the College, but indicates that they wish for the College to maintain confidentiality and not investigate the incident or take any disciplinary action, the College must weigh that request against the College’s obligation to provide a safe, non-discriminatory environment for all community members, including the complainant.

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If the College honors the request for confidentiality, a complainant must understand that the College's ability to meaningfully investigate the incident and pursue disciplinary action against the respondent may be limited. Additionally, remedies available for the complainant may be limited as well.

There are times when the College may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all community members. The College will evaluate requests for confidentiality once the College is placed on notice of alleged gender-based misconduct. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the College will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of gender-based misconduct or other violence, such as:
 - whether there have been other gender-based misconduct complaints about the same respondent;
 - whether the respondent has a history of violence;
 - whether the respondent threatened further gender-based or other violence against the complainant or others;
 - whether the gender-based misconduct was committed by multiple perpetrators;
 - whether the gender-based misconduct was perpetrated with a weapon; and
 - whether the complainant is a minor.
- Whether the College possesses other means (e.g., security cameras, witnesses, or physical evidence) to obtain relevant evidence of the gender-based misconduct; or
- Whether the complainant's report or other documentation reveals a potential pattern of misconduct at a given location or by a particular individual or group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely honor the complainant's request for confidentiality.

If the College has credible information that the respondent was reported, investigated and/or found responsible for gender-based misconduct in the past, the College may be

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compelled to investigate the allegation and, if appropriate, pursue disciplinary action. However, if the College determines it must investigate a matter despite the complainant's wish for confidentiality, the complainant need not participate in any investigation or disciplinary proceeding.

If the College determines that it cannot maintain a complainant's confidentiality, the College will inform the complainant prior to an investigation and, to the extent possible, share information only with those responsible for handling the College's response. The College will remain mindful of the complainant's well-being and take ongoing steps to keep the complainant informed about the College's course of action, and protect the complainant from retaliation or harm. Retaliation against a complainant, by any community member, will not be tolerated.

Because the College is under a continuing obligation to address the issue of gender-based misconduct campus-wide, reports of that nature (including non-identifying reports) will also prompt the College to consider broader remedial action-- such as increased monitoring, supervision or security at locations where the reported acts occurred; increasing education and prevention efforts, including to targeted population groups; and/or revisiting its policies and practices.

If the College determines that it can grant a complainant's request for confidentiality, the College will consider other actions that might be implemented to protect and assist the complainant.

All Title IX investigative and sanction proceedings and notices issued by the College will consider both the privacy interests of parties involved, as well as the College's legal obligations. No information will be released by the College except as permitted by law or College policy.

VIII. INVESTIGATION/RESOLUTION AND DISCIPLINE PROCESS FOR EMPLOYEE RESPONDENTS

Reports concerning faculty and staff respondents will be preliminarily assessed by the Title IX Coordinator, in consultation with Human Resources, to determine whether a formal investigation is warranted. Formal rules of process and evidence such as those applied in criminal or civil courts are not applicable in the preliminary or formal investigations or in the resolution process described below. The investigation and resolution process for employees subject to a collective bargaining agreement ("CBA") with the College shall be conducted in accordance with the CBA.

When a complaint is filed against a community member who embodies more than one status at the College (i.e., the community member is a student and an employee), the Title IX Coordinator has the authority to determine the investigation process (student or employee) for the reported incident. The selected grievance process shall have the authority to make final determinations affecting all of a respondent's statuses at the College.

Gender-Based Misconduct

A. PRELIMINARY INVESTIGATION

After reviewing the information received, the Title IX Coordinator will:

1. Work to determine the identity and contact information of the complainant;
2. Identify what, if any, portion(s) of the gender-based misconduct policy were allegedly violated;
3. Meet the complainant, if feasible, to inquire about and finalize the complaint; and
4. Determine if there is cause to proceed with a formal investigation.

If the Title IX Coordinator determines that there is no reasonable cause to pursue a complaint (e.g., if the information received does not present any potential violation of the gender-based misconduct policy, or if it is so vague or incomplete that no further investigation is possible), the matter will be closed without initiating a Title IX investigation and that decision will be communicated to the reporting party.

B. FORMAL INVESTIGATION

If the Title IX Coordinator determines that there is reasonable cause to pursue the complaint, a formal investigation will be initiated. The formal investigation under this Policy will be conducted as promptly and equitably as possible without compromising thoroughness. Absent extenuating circumstances, the College's investigation and resolution process for gender-based misconduct complaints will ordinarily be completed within sixty (60) calendar days from the time of reporting (not including the appeal process). This time period may be shorter or longer depending on the circumstances including, but not limited to, the complexity of the case and the availability and number of witnesses. Should this process last longer than 60 days, the Title IX Coordinator or a Deputy Coordinator will communicate the reasons and expected timeline for completion to all parties.

At the initiation of the formal investigation, the Title IX Coordinator or designee will:

- Notify the respondent and complainant of the investigation and provide an explanation of the investigation process;
- Provide the respondent and complainant with a written notice of the charges, listing the specific portion(s) of the gender-based misconduct policy alleged to have been violated; and
- Appoint a trained investigator, who may be either an internal and/or external investigator, to conduct the investigation. The College may appoint additional investigators in their sole discretion. Concerns relating to any potential bias or conflict of interest of the appointed investigator(s) should be promptly addressed to the Title IX Coordinator who shall have sole discretion to remove or re-appoint investigator(s) as necessary.

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At reasonable intervals throughout the investigation, the Title IX Coordinator or a Deputy Title IX Coordinator will maintain communication with the complainant and the respondent regarding the status of the investigation and overall process.

The appointed investigator will:

- Commence a thorough and impartial investigation by developing an investigation plan, including a witness list, intended investigation timeframe, and order of interviews for all witnesses and the respondent;
- Provide regular updates on the investigation to the Title IX Coordinator; and
- Determine whether or not one or more specific portions of the policy were violated based on the preponderance of the evidence. Under this standard, the respondent is presumed not to have violated the gender-based misconduct policy unless a preponderance of the evidence supports a finding that a violation occurred. A preponderance of the evidence indicates that it is more likely than not that the identified portion of the policy was violated by the respondent.

At the conclusion of the investigation, the investigator will provide the Title IX Coordinator with their written conclusions as to whether or not the respondent violated the gender-based misconduct policy based on a preponderance of the evidence standard and citing the key evidence on which the decision was based. The Title IX Coordinator will review investigator's factual findings and proposed conclusions, to ensure the following:

- a. The investigation was thorough, reliable, and impartial;
- b. The conclusions were based on the evidence collected; and
- c. The conclusions were based on the preponderance of the evidence.

If the Title IX Coordinator determines that any further steps are necessary to meet any of these requirements, they will so inform the investigator. The investigator will take the necessary steps and update their investigative report accordingly.

When the Title IX Coordinator receives an investigative report that the Coordinator determines is final, the Title IX Coordinator or a Deputy Coordinator will separately inform both the complainant and the respondent of the outcome of the investigation and the next steps in the process. Those next steps are the appeal process and discipline process if there was a finding of responsibility.

In addition to sharing the outcome with the parties, the Title IX Coordinator will also determine whether additional remedies are necessary for the complainant and/or community, if any, to address the incident.

The Title IX Coordinator may offer the parties conflict resolution options when appropriate based on the facts and circumstances and regardless of the outcome of the preliminary or formal investigation. Such conflict resolution may include mediation, restorative justice, or other options and will only be utilized when both parties consent to the option. However, mediation will not be proposed or used in cases involving reported sexual violence.

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C. DISCIPLINE PROCESS

When a respondent faculty or staff member has been found responsible for violating this Policy, the following discipline process will be followed:

1. The complainant and the respondent shall each have two (2) business days after the date they are provided notice of the outcome of the investigation to submit a written impact statement to the Title IX Coordinator. The written impact statement is intended to inform the College of relevant information in determining the appropriate discipline, including, but not limited to, how the incident has affected the impacted party, and whether they believe any mitigating or aggravating facts and circumstances warrant leniency or enhanced discipline.
2. Both the complainant and the respondent have the option to meet with the Title IX Coordinator to discuss potential disciplinary measures either instead of or in addition to a written impact statement. Such a meeting is not an opportunity to challenge or contest the outcome of the investigation.
3. The Title IX Coordinator also reserves the right to meet with other relevant parties, including but not limited to the investigator or witnesses, if she/he believes it will assist in determining the appropriate disciplinary measures.
4. Before determining the disciplinary measures, the Title IX Coordinator will review: i) the investigator's report and conclusions; ii) the respondent's prior disciplinary record, if any, and iii) any impact statements submitted by either party.
5. When a decision about disciplinary measures has been made by the College, the Title IX Coordinator will send both parties a written decision letter, informing the respondent of all measures to be imposed and informing the complainant of any disciplinary measures that directly impact him or her (i.e., whether the respondent will be restricted from the community). Decision letters will be sent via email.
 - a. All disciplinary measures are enacted immediately (unless otherwise stated) regardless of the status of the appeal.
 - b. The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding.

A finding by the College that any employee has violated this Gender-Based Misconduct Policy is considered just cause for Babson to take disciplinary action under any employment contract, agreement, or other policy of the College. Babson reserves sole discretion and right to determine appropriate disciplinary measures for employees who are found to have engaged in gender-based misconduct. Employees who are found to have engaged in gender-based misconduct may face discipline up to and including termination of employment, or in the case of tenured faculty, initiation of tenure revocation procedures. In any instance where the College initiates tenure revocation procedures, the College's Title IX Coordinator has discretion to share information and documentation from the underlying Title IX investigation with the Appointment Decisions Managing Body (ADMB).

Gender-Based Misconduct

If the College determines that there is insufficient evidence to find a respondent employee engaged in gender-based misconduct, the College still retains any and all rights it otherwise has to take employment action against the individual.

D. APPEAL PROCESS

After the parties are informed of the outcome of an investigation, both the respondent and the complainant may submit an appeal based on the outcome of the investigation and/or any disciplinary measures taken as set forth below.

Guiding principles of the appeal process:

- Appeals are not intended to re-hear the allegations or to constitute a new or “*de novo*” review of the investigation.
- Absent clear and material error, appeals determinations are intended to be deferential to the original decision-maker.
- Findings should be revised by the appeal officer only when remanding for further investigation or granting a new investigation would be insufficient, impractical or unnecessary. Discipline should be revised by the appeal officer only if there is a compelling justification to do so.

An appeal must be submitted within three (3) business days after the decision letter is delivered to the parties’ Babson email account (or non-Babson email account for complainants who are not affiliated with Babson). An appeal may be made solely on the grounds of:

1. Error in the charge and/or investigation that materially affected the outcome (e.g., substantiated bias, material deviation from established procedures, etc.);
2. New information that could not have been discovered prior to the investigation or disciplinary meeting through the exercise of reasonable diligence and that would have materially affected the outcome. A summary of this new evidence and its potential impact must be included in the written appeal; or
3. The disciplinary measures imposed by the College were grossly disproportionate to the violation(s) of Policy found to have been committed.

When a staff employee is found responsible for engaging in gender-based misconduct, the Vice President of Human Resources or their designee shall act as the appeal officer. When a faculty member is found responsible for engaging in gender-based misconduct, the Provost or their designee shall act as the appeal officer. Appeals must be made in writing to the appeal officer and must clearly and succinctly explain how the specific grounds described above have been met. The party submitting the appeal has the burden of demonstrating how the above grounds have been met.

When one party submits an appeal, a copy of the appeal will be provided to the other party by the appeal officer. The other party will have the opportunity to submit a written statement to the appeal officer within three (3) business days, to be considered with the original appeal. The written statement shall be limited to a response to the content of the original appeal.

After reviewing the written appeal(s), written statement(s), and associated case file, the appeal officer will take one of the following actions:

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1. Reject the appeal as untimely or improper based on the grounds articulated above.
2. Uphold the original decision and/or disciplinary action.
3. Grant the appeal and:
 - a. Remand the case with specific instructions to the Title IX Coordinator for further consideration or, in the rare circumstances in which it would be impractical, improper, or infeasible to remand the case, grant a new investigation.
 - i. If remanded for further investigation, any resulting disciplinary action may be appealed.
 - ii. If the appeal officer remands to the Title IX Coordinator for review of the discipline, the reconsideration of the Title IX Coordinator is final.
 - b. Modify the disciplinary action(s) by reducing or enhancing the discipline. A rationale will be provided by the appeal officer when a disciplinary action is modified.
 - c. In rare circumstances, revise the outcome of the investigation from a “not responsible” to a “responsible” finding, or from a “responsible” to a “not responsible” finding.
 - i. If the outcome of the investigation is revised from a “not responsible” to a “responsible” finding, the appeal officer will either determine the final discipline or remand the case to the Title IX Coordinator to determine the appropriate disciplinary action. If remanded to the Title IX Coordinator, the resulting discipline may be appealed.

The complainant and the respondent will receive contemporaneous written notification of the appeal officer’s decision regarding the appeal(s) at their Babson email accounts (or non-Babson email account for complainants who are not Babson community members). Except where the case is remanded or a new investigation is granted, the decision of the appeal officer is final and not subject to further review.

IX. INVESTIGATION/RESOLUTION AND DISCIPLINE PROCESS FOR NON-EMPLOYEE AND NON-STUDENT RESPONDENTS

Reports concerning community member respondents other than faculty, staff, or students (such as volunteers, agency/contract personnel, visiting researchers and scholars, and all other affiliates) will be assessed by the Title IX Coordinator to determine whether an investigation is warranted. If an investigation is deemed warranted, the Title IX Coordinator shall determine the nature, structure, and scope of the investigation to ensure that it is reasonable and appropriate under the circumstances and meets the College’s obligations under Title IX. The College reserves the right to take disciplinary and other appropriate action, up to and including termination and/or the removal of such respondents from campus at the discretion of the Title IX Coordinator and in accordance with any applicable contract or agreement. Any action taken by the College involving such respondents is not subject to appeal.

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X. NOTICE OF RIGHTS

Rights of the Complainant

Employees or students who file gender-based misconduct complaints with the College against either another employee or a student have a number of rights, including the following:

- The right to an investigation and appropriate resolution of all credible complaints of gender-based misconduct made in good faith to the College;
- The right to be treated with respect by College employees throughout the process;
- The right to request safety measures and accommodations from the College and to receive such assistance from the College when readily available;
- The right to report the incident to off-campus authorities and/or law enforcement and to be assisted by College employees in doing so;
- The right to be provided with a written explanation of rights and options with respect to the matter;
- The right to have the investigation and resolution process fully explained;
- The right to receive written notice of all allegations for which the respondent is charged;
- The right to be notified of possible disciplinary action that may result if the respondent is found responsible of violating the policy(ies) in question;
- The right to an outcome based on information the decision-maker finds credible, relevant and convincing by a preponderance of the evidence (i.e., it is more likely than not that a policy violation occurred);
- The right to appeal the outcome of the investigation and/or discipline, in accordance with the appeal guidelines established in this Policy; and
- The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary.

Rights of the Respondent

A respondent, who is a Babson faculty or staff employee, has a number of rights under this policy and with respect to a resolution of a complaint. They include the following:

- The right to an investigation and appropriate resolution of all credible complaints of gender-based misconduct made in good faith to the College;
- The right to be treated with respect by College employees throughout the process;
- The right to request safety measures and accommodations from the College and to receive such assistance from the College when readily available;
- The right to be provided with a written explanation of rights and options with respect to the matter;
- The right to have the investigation and resolution process fully explained;
- The right to receive written notice of all charges;
- The right to be notified of possible discipline that may result if found responsible for violating the policy(ies) in question;
- The right to an outcome based on information the decision-maker finds credible, relevant and convincing by a preponderance of the evidence (i.e., it is more likely than not that a policy violation occurred);
- The right to appeal the outcome of the investigation and/or discipline, in accordance with the appeal guidelines established in this Policy; and
- The right to privacy, and the assurance that information regarding the complaint will be shared only with those necessary.

XI. OTHER PROVISIONS

ADVISERS

When a Babson employee is either complainant or respondent in a gender-based misconduct investigation, both they and the other party will have the right to have one (1) adviser of their choice assist them during the investigative process. Advisers serve as a support person for the parties during the process, including investigative meetings, meetings with the Title IX Coordinator and disciplinary meetings. The adviser's name and relationship to a party (e.g., friend, colleague, family member, attorney, etc.) must be disclosed to the Title IX Coordinator prior to the meeting for which they will serve as the adviser. Individuals who are witnesses to the incident(s) under investigation or are otherwise involved in the matter may not typically serve as advisers.

Advisers are not permitted to advocate for a party or speak on their behalf during any of the aforementioned meetings. The College reserves the right to remove an adviser from any meeting should these expectations and guidelines be violated. Meetings are not generally delayed or rescheduled due to an adviser's schedule or availability. The Title IX Coordinator will consider requests made to delay or reschedule a meeting and will make the final determination at their sole discretion.

The College reserves the right to have legal counsel for the College present during any meeting concerning a gender-based misconduct complaint.

ATTENDANCE

To enable the most accurate and fair review of the facts, a respondent who is a Babson employee is expected to attend and participate in meetings during the course of an investigation under this Policy. If a respondent chooses not to attend one or more meetings, the charges will be reviewed on the basis of the information and evidence available, and a decision will be made. Although no inference may be drawn against a respondent for failing to attend a meeting or remaining silent, the process will proceed and the conclusion will be based on the evidence presented. No decision shall be based solely on the failure of the respondent to attend one or more meetings, to participate in such meeting(s), or to answer the charges.

HISTORY OF THE PRINCIPAL PARTIES

Sexual History:

Neither the past sexual history nor sexual character of either party will be considered in the investigation or any other proceeding unless such information is determined by the Title IX Coordinator and investigator to be specifically and directly relevant to a pending charge.

Disciplinary History/History of Previous Complaints Against Respondent:

Previous disciplinary history or previously filed complaints may be considered in the course of the investigation if:

1. The facts related to the previous disciplinary history or complaints are

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- substantially similar to the facts related to the present charge(s):
2. The information indicates a pattern of behavior and substantial conformity with that pattern by the respondent; or
 3. There are other reasons deemed by the Title IX Coordinator to be specifically and directly relevant to the present charge(s).

If any previous disciplinary history or complaints are considered in the course of the investigation, the relevant party will be notified of such and will be permitted to review the information that is to be considered.

EFFECT OF CRIMINAL PROCEEDINGS:

Because the standards for determining a violation of criminal law are different from the standards for determining a violation of this Policy, criminal investigations, reports, or outcomes are not determinative of whether gender-based misconduct has occurred for purposes of this Policy. In other words, conduct may constitute gender-based misconduct under this Policy even if there is insufficient evidence of a crime or if law enforcement agencies decline to prosecute. The filing of a complaint of gender-based misconduct under this Policy is independent of any criminal investigation or proceeding, and the College will not await the conclusion of any criminal investigation or proceedings to: (i) commence its own investigation; (ii) take interim measures to protect the complainant and the College community, if necessary; and/or (iii) implement disciplinary proceedings without regard to any pending criminal proceedings.

FALSE COMPLAINT/FALSE INFORMATION

The College will not tolerate false reporting and reserves the right to discipline members of the College community who knowingly bring false complaints of gender-based misconduct or provide false information during an investigation or hearing. However, no complaint will be considered "false" solely because it cannot be corroborated. If any employee is determined to have knowingly provided false information during the investigation or disciplinary process, that employee may face disciplinary action up to and including termination of employment from the College, in accordance with applicable College policies. If the employee has been found responsible for gender-based misconduct, their knowingly providing the College with false information may be considered an aggravating circumstance during the disciplinary phase.

XII. TITLE IX COORDINATOR CONTACT INFORMATION

Questions or concerns regarding this Policy, the College's procedures for responding to reports of gender-based misconduct, and Title IX may be directed to the following resource:

Betsy Rauch
Title IX Coordinator
Horn 329
781-239-5501
brauch1@babson.edu

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EDUCATION FOR THE COMMUNITY

The College has developed an annual educational curriculum consisting of presentations to the following (but not limited to) populations; new students; new employees orientation; student leaders (classified as “responsible employees”); on-call and first line access staff; and Public Safety. Specific considerations in regards to education and programming are made in an effort to be culturally competent in practice and approach. The educational curriculum consists of programs throughout the year, including sessions such as:

- **Sex Signals** (a theater troupe educational program centered around consent)
- **Sex Signals Debrief** (an introduction to College policy and practice, including confidential resources and supports)
- **Positive Consent** (small group workshops on healthy sexual communication and consent)
- **Haven, Haven Plus, and Haven for Faculty & Staff** (mandatory online training programs powered by EverFi)
- **College Policy Literacy** (First Year Seminar course on students’ rights and responsibilities under Title IX and the College’s Gender-Based Misconduct policy)
- **Bystander Intervention** [*funded in part by the Avon Foundation for Women*] (a comprehensive program designed to teach positive intervention techniques through understanding cultural competency, barriers to intervention, and trauma)
- **Healthy Relationships & Boundary Setting** (Training program exploring dating violence, intimate partner violence, and domestic violence)
- **What Does it Mean to be Trauma-Informed?** (A program designed to introduce the community to the effects of trauma on survivors and how to make our offices and services trauma informed)
- **Responding to Disclosure** (Training program centered around empathy and compassionate listening)
- **Responsible Employee training** (in-person training for responsible employees including Resident Assistant and Peer Mentors focusing the College’s Gender-based Misconduct Policy and their reporting obligations)

The College is also committed to educating our community on the importance of being an active bystander. Bystander Intervention is defined as safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes:

- Recognizing situations of potential harm;

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- Understanding institutional structures and cultural conditions that facilitate violence;
- Overcoming barriers to intervening;
- Identifying safe and effective intervention options and;
- Taking action to intervene

Bystander Intervention options for students and community members;

- Training programs that teach recognition for dangerous, unsafe, critical, or crisis situations
- Explore the violence and power wheels and the wave of violence model
- Dissect barriers to intervention by identifying diffusion of responsibility; group think; safety evaluation; ambiguity; conformity; spiral of silence; informational influence; pluralistic influence and; normative influence
- Role play/practice various intervention strategies including but not limited to distract, delegate, and direct
- Provide pipelines for immediate action including various reporting options and supports/resources

Risk Reduction is defined as options designed to:

- Decrease perpetration and bystander inaction;
- Increase empowerment for victims in order to promote safety and;
- Help individuals and communities address conditions that facilitate violence

Risk Reduction options for students and community members;

- Engaging pro-bystander campaign/information at campus events
- Including information on perpetration in trainings and programs
- Participation in the self-defense courses offered by Babson Public Safety; and
- Utilization of escort services and other safety planning services provided by Babson Public Safety and described at in this Document.

In 2015, the college launched an active bystander training program and campaign funded by a grant received by the Avon Foundation for Women. All resident assistants, varsity athletes, and members of fraternity & sorority life received the bystander training, along with other student groups and faculty/staff. Because of our target audience, the campaign was also focused on leadership, appreciating the intersections between advocacy, intervention, prevention, and campus leadership.



Resources

Babson College SAFE hotline
781-239-7233

Babson College Public Safety Department
781-239-5555
Certified female sexual assault investigators available.

Norfolk County Sexual Assault Unit
781-326-1111
Female investigators and counselors are available.

Norfolk County Victim Witness Advocate
781-830-4800

Wellesley Police Department
781-235-1212

Needham Police Department
781-444-1212

Beth Israel Deaconess Medical Center (Preferred Location)
330 Brookline Ave, Boston, MA
617-667-7000

Boston Medical Center
1 Boston Medical Center Pl, Boston, MA
617-638-6800

Brigham & Women's Hospital
75 Francis St, Boston, MA
800-294-9999

Cambridge Hospital
1493 Cambridge St, Cambridge, MA
617-665-1000

Children's Hospital
300 Longwood Ave, Boston, MA
617-355-6000

Massachusetts General Hospital
55 Fruit St, Boston, MA
617-726-2000

Confidential Off-Campus Resources

Boston Area Rape Crisis Center
BARCC offers a 24-hour hotline at 800-841-8371. BARCC also provides information and referrals for rape, sexual assault, dating and domestic violence as well as individual and group counseling, support groups, and accompaniment to local hospitals (such as

Resources

to Beth Israel Deaconess in Boston, where you may meet with a SANE-certified nurse) and police stations.

Jane Doe Inc.

Jane Doe Inc. is the Massachusetts Coalition Against Sexual Assault and Domestic Violence. It offers a 24-hour hotline (1-877-785-2020) as well as a website to connect victims of sexual assault to local resources.

Gay Men's Domestic Violence Project

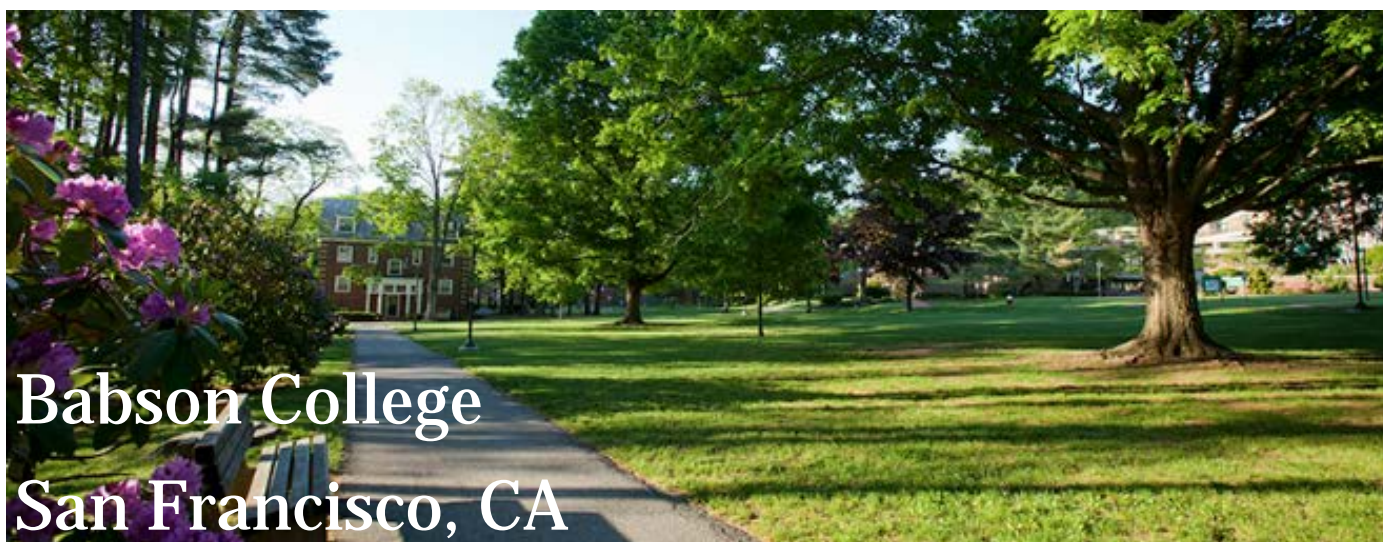
Gay Men's Domestic Violence Project has a 24-hour crisis line: 1-800-832-1901. The GMDVP also offers confidential information and referrals for rape, sexual assault, dating violence, and domestic violence for gay, bisexual, and transgender men in MA.

Fenway Health

Focused on the LGBTQI community, Fenway Health Violence Recovery Program offers a 24-hour hotline: 1-888-242-0900 (Extension 311). In addition, Fenway Health also has confidential individual and group counseling, advocacy, information and referrals for lesbian, gay, bisexual, and transgender men and women.

Additional Off-Campus Resources

- REACH Beyond Domestic Violence – 24-hour Hotline: 1-800-899-4000
 - Victim Rights Law Center (VRLC): 1-617-399-6720
 - Voices Against Violence: 1-800-593-1125
 - Journey to Safety Domestic Abuse Program (JF&CS): 781-693-5558
 - 1in6: A resource for male-identified survivors
 - MaleSurvivor: A community for male-identified survivors
- Beth Israel Deaconess Medical Center for Violence Prevention & Recovery: 617-667-8141
 - Newton Wellesley Hospital: Domestic & Sexual Violence Services – 617-243-6521
 - Casa Myrna Vazquez: 1-800-992-2600
 - SafeLink (Statewide Domestic Violence Hotline Program of Casa Myrna Vazquez Inc.): 1-877-785-2020
 - Child at Risk Hotline: 1-800-792-5200
 - Disabled Persons Protection Commission Hotline: 1-800-426-9009
 - Infolink National Victim Resource Line: 1-800-394-2255
 - Llamanos: 1-800-223-5001
 - National Center for Victims of Crime
 - RAINN (Rape Abuse Incest National Network): 1-800-656-4673



Babson College San Francisco, CA

Babson College San Francisco

Babson San Francisco expands Entrepreneurial Thought and Action® to the West Coast through an innovative MBA program, an undergraduate semester experience, and custom executive education, while connecting Babson students, faculty, and alumni to the broader entrepreneurial ecosystem of the Bay Area. The San Francisco campus offers both undergraduate programs and Blended learning graduate academic programs at the 135 Main St, San Francisco campus and residential agreements at 606 Post St. (Dakota Hotel), 450 Powell St. (Sir Francis Drake Hotel) & 240 O'Farrell St. (Spaulding Hotel). Staff on-site as well as Public Safety work closely with building management to communicate any safety and security protocols and concerns. Those Babson community members on site at this location are provided the same services and resources as the main campus in Wellesley, Massachusetts and have additional established facilities and on-site procedures that are differentiated. Please see the Babson College San Francisco Campus Student/Staff Use

Policy and Utilization Agreement below:

I. Purpose: To provide guidelines for student use of the Babson San Francisco campus suite (hereafter referred to as “suite”) and facilities at 135 Main Street, San Francisco, California. The suite is comprised of classrooms, conference rooms, a kitchenette and a café/common area.

II. General Guidelines:

- A. Office hours: Monday-Friday, 9:00 AM – 5:00 PM.
- B. Babson reserves the right to preempt student usage of the suite when it conflicts with the academic calendar or any scheduled Babson event. Students may be required to relinquish use of the suite without notice if needed for class or other purposes.
- C. The main common room area and conference rooms are available on a first-come, first- served basis. No heat or A/C is available in the suite on weekends except during scheduled class sessions. Use of audio/visual equipment (including

telepresence and classroom podium computers) is prohibited by anyone not employed by Babson College unless prior approval and training has been given. Conference room phone usage is permitted for local calls only.

- D. Babson assumes no responsibility for any loss or damage to personal property used or left in the suite. Students are responsible for safeguarding their personal property at all times. In consideration of the permissions granted, the undersigned agrees that Babson College and its employees are hereby expressly released and discharged from any and all liability for any loss, injury or damage to persons or property which may be sustained by student use of the suite.
- E. Every student agrees that he/she will pay for all damages to any property resulting directly or indirectly from his/her conduct or that of any individual and/or group using the suite at his/her invitation ("guests").
- F. Guests are allowed only with prior permission. A guest list should be provided to staff in advance. The student host is responsible for their guest(s).
- G. Absolutely no alcohol consumption is permitted except during Babson-sponsored events. Smoking is prohibited at all times.
- H. Amenities such as coffee, tea and filtered water are available to you at any time.

- I. The suite must be left in clean, orderly condition. The individual or group using the suite is responsible for all clean-up, including the kitchenette, common areas, conference rooms, and classrooms. White boards should be cleaned after use.

III. Hours of Operation:

- A. Undergraduate Students: Unless otherwise noted on the academic calendar (including holidays and building closures), the suite is open for undergraduate students with key card access Sunday through Thursday, 7:00 AM to 10:00 PM, and Friday and Saturday from 9:00 AM to 5:00 PM.
- B. Graduate Students: Unless otherwise noted on the academic calendar (including holidays and building closures), the suite is open for graduate students with key card access daily, from 7:00 AM to 10:00 PM, except on face-to-face days when the suite will open 45 minutes prior to the start of class.

IV. Special Event Requests:

- A. All student event requests require a Babson sponsor who is a current employee (faculty, staff, or adviser). This sponsor must sign off on the event and also be on site during the event. Bookings must be in alignment with the curricular and co-curricular mission of the student's respective program.
- B. Event requests may be submitted by emailing BabsonSF@babson.edu. Events must be booked four weeks in advance.

Babson College San Francisco

Failure to adhere to these expectations may result in loss of privileges and possible disciplinary sanctions.





Definitions of Reportable Crimes

Crime definitions from the Uniform Crime Reporting Handbook

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.

Criminal Homicide:
Manslaughter by Negligence- The killing of another person through gross negligence.

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

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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. Includes automobiles taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding

Domestic Violence: Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse,

Crime Statistics

by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

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

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to A. Fear for the person's safety or the safety of others or B. Suffer substantial emotional distress.

Weapons Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant

substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Definitions of Sex Offenses from the NIBRS Edition of the Uniform Crime Reporting Program

Sex Offenses A-D: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

A. Rape: 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.

B. Fondling: The touching of the private body parts of another person for the purpose of sexual

Crime Statistics

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 or physical incapacity.

C. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

D. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Definitions of Reportable Geographic Locations for Wellesley, MA Campus

On-Campus Property: Total campus crime on Wellesley, MA campus. (Crimes occurring both on-campus and within on-campus student housing facilities)

On-Campus Student Housing Facilities: Crimes only occurring in student housing facilities on Wellesley, MA campus.

NonCampus Property: Crimes occurring at Boston, MA location. (253 Summer St, 3rd Floor)

Public Property: Crimes occurring on public property immediately adjacent to & accessible from Wellesley, MA campus.

Note: All liquor, drug and weapon law/policy violations are referred to the Office of Community Standards. Per the Clery Act requirements the liquor,

drug and weapon statistics reported in this Security & Fire Report only include Massachusetts law violations that were referred to the Office of Community Standards. They do not include college policy violations alone. For example, possession of an ounce or less of marijuana is no longer Clery reportable due to its decriminalization in the state of Massachusetts. To ensure compliance with continual Clery Act updates, the Public Safety Department has implemented reporting system updates and advanced Clery training for its personnel as well as Campus Security Authorities.

Definitions of Reportable Geographic Locations for San Francisco, CA Campus

On-Campus Property: Total campus crime on San Francisco, CA campus. (Crimes occurring both on-campus and within on-campus student housing facilities)

On-Campus Student Housing Facilities: Crimes only occurring in student housing facilities located within 1 mile of San Francisco, CA 135 Main St campus: Spaulding Hotel 240 O'Farrell St & Sir Francis Drake Hotel 450 Powell St.

NonCampus Property: Crimes occurring at Dakota Hotel, 606 Post St.

Public Property: Crimes occurring on public property immediately adjacent to & accessible from San Francisco, CA 135 Main St campus.

Crime Statistics – Wellesley, MA

CRIMINAL OFFENSES REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Murder/ Non-Negligent Manslaughter	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Rape	2015	7	4	0	0
	2014	7	7	0	0
	2013	7	6	0	0
Fondling	2015	5	4	0	0
	2014	1	1	0	0
	2013	0	0	0	0
Incest	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Statutory Rape	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Robbery	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Aggravated Assault	2015	1	1	0	0
	2014	1	1	0	0
	2013	2	2	0	0
Burglary	2015	2	1	0	0
	2014	7	6	0	0
	2013	8	8	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2014	0	0	1	0
	2013	0	0	0	0
Arson	2015	1	1	0	0
	2014	0	0	0	0
	2013	1	1	0	0

During the 2015, 2014 & 2013 calendar years, no hate crimes were reported for any of the following categories of prejudice: race, gender identity, national origin, religion, ethnicity, disability, or sexual orientation.

Crime Statistics – Wellesley, MA

VAWA OFFENSES REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Domestic Violence	2015	0	0	0	0
	2014	4	2	0	0
	2013	0	0	0	0
Dating Violence	2015	1	0	0	0
	2014	1	0	0	0
	2013	2	1	0	0
Stalking	2015	1	0	0	0
	2014	1	0	0	0
	2013	0	0	0	0

ARRESTS & DISCIPLINARY REFERRALS REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Arrests: Weapons: Carrying, Possessing, etc..	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc..	2015	2	2	0	0
	2014	2	2	0	0
	2013	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	7	6	0	0
	2014	0	0	0	0
	2013	5	4	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	122	102	0	0
	2014	86	72	0	0
	2013	124	112	0	0

Note: The Boston, MA Police Department did not respond to requests for statistics for the 2015 calendar year.

Fire Statistics – Wellesley, MA

Fire Statistics for Calendar Years 2015, 2014 & 2013 Wellesley, MA Campus

Residential Facilities	Total Fires in Each Building	Date of Fire	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Bryant Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Canfield Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Carlos J. Mattos Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Coleman Hall 231 Forest St	1	10/7/2013	Intentional	0	0	\$0-\$99
Forest Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Keith Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Mandell Family Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
McCullough Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Park Manor Central 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Park Manor North 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Park Manor South 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Park Manor West 231 Forest St	1	3/12/2015	Intentional	0	0	\$0-\$99
Pietz Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Putney Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Van Winkle Hall 231 Forest St	0	N/A	N/A	N/A	N/A	N/A

Fire Statistics – Wellesley, MA

Fire Statistics for Calendar Years 2015, 2014 & 2013 continued... Wellesley, MA Campus

Residential Facilities	Total Fires in Each Building	Date of Fire	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Woodland Hill #1 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #2 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #2A 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #3 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #6 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #8 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #9 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodland Hill #10 231 Forest St	0	N/A	N/A	N/A	N/A	N/A
Woodside Graduate Housing 231 Forest St	0	N/A	N/A	N/A	N/A	N/A

Crime Statistics – San Francisco, CA

CRIMINAL OFFENSES REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Murder/ Non-Negligent Manslaughter	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Rape	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Fondling	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Incest	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Statutory Rape	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Robbery	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Aggravated Assault	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Burglary	2015	0	0	0	0
	2014	0	0	2	0
	2013	1	0	0	0
Motor Vehicle Theft	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	1
Arson	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0

During the 2015, 2014 & 2013 calendar years, no hate crimes were reported for any of the following categories of prejudice: race, gender identity, national origin, religion, ethnicity, disability, or sexual orientation.

Crime Statistics – San Francisco, CA

VAWA OFFENSES REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Domestic Violence	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Dating Violence	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Stalking	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0

ARRESTS & DISCIPLINARY REFERRALS REPORTING TABLE					
Offense	Year	Geographic Location			
		On-Campus Property	On-Campus Student Housing Facilities	NonCampus Property	Public Property
Arrests: Weapons: Carrying, Possessing, etc..	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc..	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Arrests: Liquor Law Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0
	2014	0	0	0	0
	2013	0	0	0	0

Note: The San Francisco, CA Police Department did not respond to requests for statistics for the 2015 calendar year

Fire Statistics – San Francisco, CA

Fire Statistics for Calendar Years 2015, 2014 & 2013 San Francisco, CA Campus

Residential Facilities	Total Fires in Each Building	Date of Fire	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Spaulding Hotel 240 O'Farrell St	0	N/A	N/A	N/A	N/A	N/A
Sir Francis Drake Hotel 450 Powell St	0	N/A	N/A	N/A	N/A	N/A

Note: The San Francisco, CA Police Department did not respond to requests for statistics for the 2015 calendar year.

Wellesley, MA Campus Map



BABSON CAMPUS MAP

BUILDINGS

- 21 Babson Hall*
- 33 Babson Executive Conference Center*
- 68 Babson Skating Rink*
- 48 Blank Center*
- 19 Boston Sports Club*
- 39 Bryant Hall*
- 10 Canfield Hall
- 4 Central Services
- 15 Coleman Hall*
- 59 Cruickshank Alumni Hall*
- 2 Forest Hall*
- 3 Forest Hall Annex
- 23 Gerber Hall*
- 27 Glavin Chapel*
- 9 Hollister Building*
- 28 Horn Library*
- 29 Horn Computer Center*
- 11 Keith Hall
- 44 Knight Auditorium*
- 24 Kriebel Hall*
- 47 Luksic Hall*
- 45 Malloy Hall*
- 81 Mandell Family Hall*
- 56 Mattos Hall
- 13 McCullough Hall
- 57 Millea Hall*
- 50 Mustard Hall*
- 60 Nichols Building*

- 46 Olin Hall*
- 53 Park Manor South
- 54 Park Manor Central
- 55 Park Manor North
- 82 Park Manor West*
- 14 Pietz Hall*
- 58 Post Office*
- 6 Public Safety Building
- 12 Putney Hall*
- 25 Reynolds Campus Center*
- 26 Sorenson Center for the Arts*
- 5 Sullivan Building*
- 51 Tomasso Hall*
- 7 Trim Dining Hall
- 18 Van Winkle Hall*
- 30 Webster Center*
- 40 Westgate Hall*
- 70 Woodland Hill 1
- 71 Woodland Hill 2
- 72 Woodland Hill 2A
- 73 Woodland Hill 3
- 74 Woodland Hill 4
- 75 Woodland Hill 5
- 76 Woodland Hill 6
- 77 Woodland Hill 7
- 78 Woodland Hill 8
- 79 Woodland Hill 9
- 80 Woodland Hill 10
- 83 Woodside

PARKING LOTS

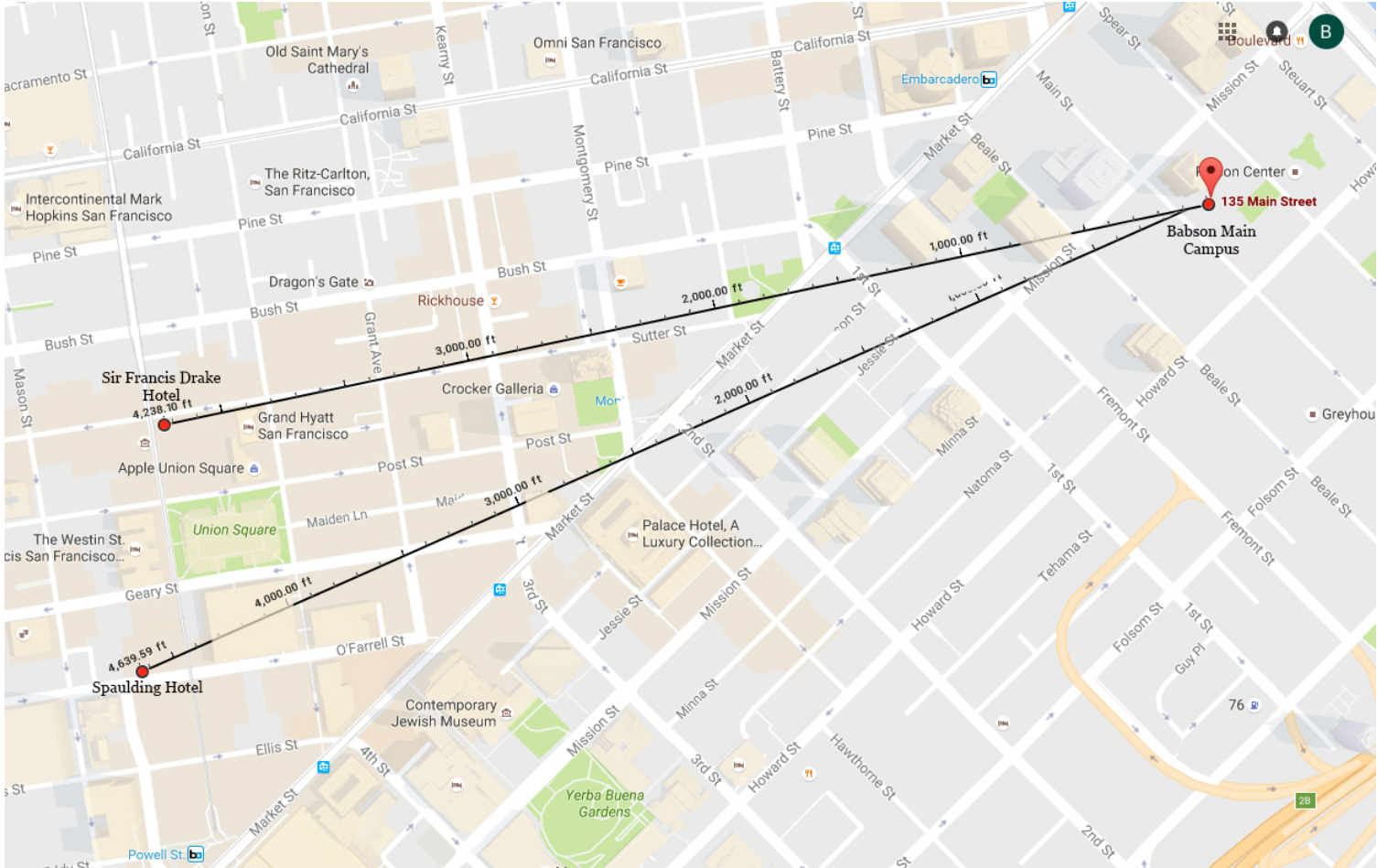
- 8 Parking Lot T - Trim
- 17 Parking Lot C - Coleman
- 32 Parking Deck
- 34 Parking Lot E - BECC
- 43 Parking Lot K - Knight
- 61 Parking Lot N - Nichols
- 62 Parking Lot F - Forest
- 63 Parking Lot H - Hollister
- 64 Parking Lot P - Webster
- 65 Parking Lot S - Sullivan
- 66 Parking Lot W - Woodland Hills
- 67 Parking Lot Y - Bryant
- 69 Parking Lot L - Lunder Admissions

ATHLETIC FIELDS

- A MacDowell Field
- B Isbrandtsen Practice Field
- C Hartwell-Rogers Field
- D Alumni Softball Field
- E Harrington Rugby Pitch
- F Govoni Baseball Field
- G Farwell Tennis Courts
- H Barefoot Park
- I Lorber Park

- 🌟 Entrances (Westgate and Main)
- ♿ * = Handicap Access

San Francisco, CA Campus Map





Public Safety Department | 231 Forest St | Wellesley, MA 02481

781-239-5555

www.babson.edu/ps