RESPONDING TO TITLE IX ALLEGATIONS

This document serves as a resource for students, faculty, and staff responding to Title IX allegations. A student, faculty, or staff member who participates in a formal or informal resolution process under Title IX will be referred to as a “responding party.”

Bentley’s Title IX and Gender-Based Discrimination Policy protects against several forms of prohibited conduct, including:

- Sexual Assault
- Sexual Exploitation
- Sexual Harassment
- Harassment based on Sexual Orientation, Gender, or Gender Identity
- Hostile environment
- Stalking
- Relationship Abuse
- Retaliation
- Complicity

Please note that Bentley has a duty to respond to these incidents regardless of the presence of alcohol or other drugs.

If a student has alleged that you violated any of the aforementioned forms of conduct, this guide will provide you with some resources and options for preparing for the upcoming procedures.

1 CAMPUS RESOURCES

Participating in a Title IX resolution process can be a difficult experience. Bentley has a variety of resources available to support you through this process. We especially encourage you to utilize services from confidential employees during this process and beyond. Staff who serve as confidential employees under Title IX are not required to report any information about an incident without the responding party’s permission. The following offices offer confidential services for students:

- The Counseling Center is a confidential, non-judgmental space available for students who are responding to allegations of sexual misconduct. Their office is available to help you process your experience and help you develop the best course of action going forward. Please call to make an appointment at 781.891.2274 or visit their office on the second floor of the Callahan Building if you wish to speak with one of our providers.

- The Health Center provides immediate confidential, non-judgmental medical care and support during office hours for students responding to allegations of sexual misconduct. Their office provides emotional support and can facilitate smooth referrals to counseling services on and off campus, and to the Title IX Coordinators if desired by the student. They can be reached during office hours in Rhodes Hall or at 781-891-2222.

- The Spiritual Life Center provides compassionate and confidential pastoral care for students who are responding to allegations of sexual misconduct. While students do not need a connection to a religious tradition to receive counsel from a Chaplain, faith-based care is provided as desired. Please call to make an appointment with one of the Chaplains at 781.891.2418.

In addition to the confidential resources listed above, there are a variety of offices and staff members on campus who can offer support but who have a legal duty to report incidents to the Title IX staff. Some of these offices include the Multicultural Center, the Center for International Students and Scholars, the Athletics Department, the Residential Center, Student Programs & Engagement, and the Office of the Dean of Student Affairs.

Finally, the CARE Team is a group of professionals from various departments across campus who are available to provide support, guidance, or feedback to students responding to allegations of sexual misconduct. They can help connect students to appropriate resources, both on and off campus, when mental, emotional, academic, or physical well-being is impacted. If you are interested in utilizing the support of the CARE Team, please visit www.bentley.edu/bentley-cares to submit a CARE report or call the CARE Team case manager at 781.216.7115.
ACCOMMODATIONS
for Students with Disabilities:
By federal law, a person with a disability is any person who:
1) has a physical or mental impairment;
2) has a record of such impairment; or
3) is regarded as having such an impairment,
which substantially limits one or more major life activities such as self-care, walking, seeing, hearing, speaking, breathing, or learning.
A student requesting an accommodation in regard to a Title IX investigation/adjudication process must follow the appropriate process for requesting an accommodation through the Office of Disability Services (located in Jennison Hall).

Additionally, the Office of Disability Services can provide students with a comprehensive list of off campus resources. The Office of Disability Services will make a determination regarding the request and notify the appropriate parties. Reasonable accommodations depend upon the nature and degree of severity of the documented disability. While the Americans with Disabilities Act of 1990 requires that priority consideration be given to the specific methods requested by the student, it does not imply that a particular accommodation must be granted if it is deemed not reasonable and other suitable techniques are available.

GENERAL RIGHTS UNDER TITLE IX
As a member of the Bentley community, you are entitled to the following rights under Title IX:

- Bentley is required to undertake a prompt and thorough investigation of all reports of gender- and sex-based misconduct. This investigation is designed to be impartial, and the University utilizes independent, external investigators to help reduce any bias in the process.
- The Title IX staff can offer interim support and reasonable protective measures to help you continue to live and learn at Bentley for the duration of the investigation.
- The University has strict and specific language that protects against retaliation. You should be able to participate in the Title IX investigation without facing any form of retaliation.

PREPARING FOR A TITLE IX INVESTIGATION
There are several areas for consideration as you prepare for the Title IX investigation. This section highlights some of those topics and offers some suggestions for preparation.

Document your account of the incident. This can be a stressful experience, and there may be a great deal of information you’d like the independent investigator to consider in the process. It is often helpful to record your understanding and recollections of the situation to the greatest detail possible prior to meeting with the investigator. Among the various details in the documentation, consider including previous communication (e.g., text messages, social media exchanges) and a list of potential witnesses.

You are entitled to a support person throughout the process. A support person can be any person you feel comfortable confiding in, and they do not need to be affiliated with the University. A support person may accompany you to any part of the adjudication process, including any meetings with the Title IX Coordinators, the Title IX Panel, and meetings with the independent investigator. The support person does not participate in the process and cannot serve as a witness to the allegations in the report.

Some individuals chose to utilize an attorney as a support person; you are encouraged to decide whether that option makes sense for you. You will never be required to have an attorney in the Title IX process.

There are two accompanying policies for all Title IX investigations: confidentiality and non-retaliation agreements. It is important to understand both of these agreements and to adhere to them throughout the Title IX process.

- Confidentiality agreement: The involved parties should not disclose or discuss anything relating to the Title IX investigation with anyone other than those authorized to see/hear such information under the process.
- Non-retaliation agreement: The involved parties must refrain from any retaliatory conduct against one another or any witnesses in the matter. For the full description of the retaliation policy, please refer to page 11 of Bentley University’s Title IX and Gender-Based Discrimination Policy.

BENTLEYCARES