



# BOSTON COLLEGE

## Student Sexual Misconduct Policy

*2014-2015*

# BOSTON COLLEGE STUDENT SEXUAL MISCONDUCT POLICY

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## I. INTRODUCTION

Boston College seeks to foster a campus environment that supports its educational mission and is free from exploitation and intimidation, as well as discrimination based upon gender. Sexual misconduct of any kind, including sexual harassment and sexual violence, domestic and dating violence, and stalking, is antithetical to the mission of Boston College and the values it espouses and will be responded to accordingly. In accordance with *Title IX*, the University strives to eliminate sexual violence on campus, prevent its occurrence, and address its effects.

This policy provides information regarding the University's education, prevention, and response efforts related to sexual misconduct by students, including descriptions of prohibited behavior, options to report misconduct (including confidential options), possible remedies and sanctions, and on- and off-campus resources. This policy explains how the University will proceed once it is made aware of possible student sexual misconduct.

The University strongly encourages any student who believes he or she has been harassed or subjected to sexual misconduct to seek prompt assistance from the resources described in this policy.

## II. BUILDING AN EDUCATIONAL ENVIRONMENT FREE FROM SEXUAL MISCONDUCT

All members of the Boston College community play a role in building a safe and just educational environment by:

- Modeling healthy and respectful behavior in personal and professional relationships;
- Increasing personal awareness of what constitutes sexual misconduct;
- Speaking out against behavior that encourages sexual misconduct or discourages reporting;
- Developing the necessary skills to be an effective and supportive ally to survivors of sexual misconduct;
- Intervening in situations that can lead to sexual misconduct and related misbehavior (*see Bystander Intervention Education Program*); and
- Interrupting an incident of sexual misconduct if it is safe to do so.

The University has created and identified resources, both across campus and in the Boston community, to reduce, eliminate, and address the effects of sexual misconduct involving students. Many programs or departments serve to:

- Help ensure a safe campus,
- Provide education about sexual misconduct prevention,
- Assist and advocate for anyone affected by sexual violence; and
- Ensure a fair process for all parties when sexual misconduct is reported.

Learn more about the education, prevention, and response resources by reading the *Campus Sexual Violence Prevention Program* and visiting the *Sexual Assault Policy and Resources* page.

### III. PROHIBITED BEHAVIOR

The University prohibits all forms of sexual misconduct, including but not limited to, sexual harassment, sexual assault, stalking, and relationship violence, whether perpetrated by a stranger or acquaintance, whether occurring on or off campus, and whether directed against a member of the Boston College community or someone outside the University community. Such behavior by a Boston College student is a violation of University policy, and in certain cases, may also be a criminal violation.

Sexual misconduct complaints against faculty or staff will be addressed in accordance with Boston College's *Discriminatory Harassment Policy*.

The University does not limit its ability to respond to inappropriate sexual behavior and forms of sexual misconduct that may not be specifically described in this policy or that does not constitute criminal behavior. None of the definitions below may be read to inhibit the University's ability to address any incident or behavior that it reasonably deems to constitute sexual misconduct or create a discriminatory environment.

#### a. DEFINITIONS

The *Campus Sexual Violence Response and Prevention Program* includes definitions of relevant terms under Massachusetts criminal law. For the purposes of this policy, the following terms have the meanings given to them below. Some of these terms may have different meanings in other contexts, such as criminal statutes, and they are not mutually exclusive of each other.

- i. **SEXUAL MISCONDUCT** is a broad term that encompasses a range of behaviors including all forms of sexual harassment, including sexual assault, as well as other forms of misconduct or violence of a sexual nature, including, without limitation, relationship violence, stalking, and sexual exploitation. Sexual misconduct can occur between individuals who know each other, have an established relationship, have previously engaged in consensual sexual activity, and between individuals who do not know each other. Sexual misconduct can be committed by persons of any gender identity, and it can occur between people of the same or different sex.
- ii. **SEXUAL HARASSMENT** is unwanted or offensive sexual behavior that has the purpose or effect of creating a hostile or stressful living, learning, or working environment, or whenever toleration of such conduct or rejection of it is the basis for a personnel or academic decision affecting an individual. Examples of behavior that may constitute sexual harassment include, but are not limited to, sexual advances, any form of retaliation or threat of retaliation against an individual who rejects such advances, sexual epithets, jokes, or comments, comment or inquiry about an individual's body or sexual experiences, unwelcome leering, whistling, brushing against the body, sexual gestures, and displaying sexually suggestive images.

Sexual harassment includes any conduct or incident that is sufficiently serious that it is likely to limit or deny a student's ability to participate in or benefit from the University's educational programs, which may include a single incident of sexual assault or other serious sexual misconduct.

- iii. **SEXUAL ASSAULT** is any sexual penetration or sexual contact with another individual without consent.
- iv. **CONSENT** is defined as words or actions that clearly indicate voluntary agreement to engage in sexual activity. Consent is always freely informed and actively given. Silence or lack of resistance does not imply consent. Consent must be ongoing, and it may be withdrawn at any time. Consent for one sexual act does not imply consent for any subsequent sexual activity. Consent may never be obtained through use of coercion, intimidation, force, or threats.

Consent cannot be obtained from an individual who is incapable of giving consent because the person:

- Has a mental, intellectual, or physical disability; or
  - Is under the legal age to give consent (16 years of age in Massachusetts); or
  - Is asleep, “blacked out,” unconscious, or physically helpless; or
  - Is incapacitated, including through the consumption of alcohol or drugs.
- v. **INCAPACITATION** is the inability to make informed, rational judgments and decisions. If alcohol or drugs are involved, incapacitation may be measured by evaluating how the substance affects a person’s decision-making capacity, awareness, and ability to make informed judgments. The impact of alcohol and drugs varies from person to person; however, warning signs of possible incapacitation include slurred speech, unsteady gait, impaired coordination, inability to perform personal tasks such as undressing, inability to maintain eye contact, vomiting, and emotional volatility.
- vi. **COERCION** is to force a person to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, emotional intimidation, or the use of physical force.
- vii. **SEXUAL CONTACT** includes intentional contact with the intimate parts of another person, causing another person to touch one’s intimate parts, or disrobing or exposure of another person without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner. Sexual contact also includes attempted sexual intercourse.
- viii. **SEXUAL PENETRATION** includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand, etc.) or object, or oral penetration involving mouth to genital contact.
- ix. **SEXUAL EXPLOITATION** means taking sexual advantage of another person and includes, without limitation: indecent exposure; causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over him or her; causing the prostitution of another person; recording, photographing, or transmitting images of private sexual activity and/or the intimate parts of another person without consent; observing or allowing third parties to observe private sexual acts or otherwise violating a person’s sexual privacy without consent; and knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection.

- x. **RELATIONSHIP VIOLENCE** (also known as *Dating Violence* or *Domestic Violence*) is a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other partner. Relationship violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. Relationship violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, where the existence of such a relationship is determined based on the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Individuals who are victims of domestic abuse in Massachusetts may seek an abuse prevention order, also known as a “restraining order” or “209A order,” in addition to pursuing criminal charges and charges through the student conduct system, if the offender is a Boston College student. For more information on Massachusetts law, see <https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A>.

- xi. **STALKING** is engaging in a course of behavior directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. Generally, stalking involves a course of conduct which is defined as two or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Examples include but are not limited to: following a person; appearing at a person's home, class or work; making frequent phone calls, emails, text messages, etc.; continuing to contact a person after receiving requests not to; leaving written messages, objects or unwanted gifts; vandalizing a person's property; and threatening, intimidating or intrusive behavior.

## IV. RETALIATION

It is a violation of University policy to engage in any form of retaliation or intimidation in connection with complaints of sexual harassment, misconduct, or assault. Any student engaging in any such retaliation or intimidation may be found responsible for a conduct violation. Any such acts of retaliation or intimidation by a Boston College student should be promptly reported to the Office of the Dean of Students. This policy and related processes may also apply to any allegation that a student has attempted to prevent an individual from reporting sexual misconduct or has engaged in any acts of intimidation or reprisal with respect to any reported sexual misconduct.

## V. REPORTING SEXUAL MISCONDUCT

Boston College encourages students who are victims of sexual misconduct to talk to someone about what happened so they can get the support they need, and the University can respond appropriately. The report may be made by:

- A person who experienced sexual misconduct; and/or
- A person who has information that sexual misconduct may have been committed by a Boston College student or a participant in a University sponsored program.

*The Sexual Assault Policy and Resource* website describes the first steps a student should take to ensure his or her own safety, preserve evidence, understand reporting options, and seek support and care, including medical care.

This policy describes the various reporting and disclosure options available to students so they can make informed choices about where to turn should they become a victim of sexual violence. While Boston College employees have differing abilities to maintain a victim's confidentiality, the privacy of student information is respected at all times. Even when a victim's complete confidentiality cannot be maintained, information is only shared among University administrators solely to the extent required to respond appropriately to a report of sexual misconduct and, in those limited situations (discussed below) in which the University concludes that it must investigate and take action against an accused student, with the accused student.

Boston College encourages victims to talk to someone identified below.

### a. CONFIDENTIAL RESOURCES

*SEXUAL ASSAULT NETWORK (SANET)*. The Sexual Assault Network is the University's primary confidential resource for students and other members of the Boston College community to report incidents of sexual violence or misconduct for the purpose of getting information, resources, and support. SANet is a private, anonymous hotline that is available 24 hours a day, 7 days a week for anyone affected by sexual violence.

SANet is an anonymous hotline to the extent that the caller requests anonymity. A person reporting to SANet does not have to give a name, but if they choose to provide a name, the SANet advocate will include the name along with the nature, date, time, and general location of an incident in a report that is sent to the Student Affairs Title IX Coordinator. The Student Affairs Title IX Coordinator will use the information to track patterns, evaluate the scope of the problem, formulate appropriate campus-wide responses, and comply with the University's crime reporting obligations under the Clery Act. The SANet phone number is **617-552-2211**.

### b. PRIVILEGED RESOURCES

***Pastoral and Professional Counselors.*** Pastoral Counselors and Professional Counselors, when acting in their professional capacity as described below, are not required to disclose student reports of sexual misconduct without the student's consent.



A *Professional Counselor* is an employee of the University whose official responsibilities include providing psychological counseling *and* who is functioning within the scope of his or her license or certification. Contact University Counseling Services (UCS): **617-552-3310** during the day and **617-552-3227** on nights and weekends.

A *Pastoral Counselor* is an employee of the University who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling *and* who is functioning within the scope of that recognition as a Pastoral Counselor.

A student reporting to any of the above privileged resources may request complete confidentiality, meaning that the staff in question will not share any reported information with anyone without the student's consent. These counselors will provide support and assistance, but will not investigate the complaint.

**NOTE:** While these professional and non-professional counselors and advocates may maintain a victim's confidentiality with regard to Boston College, they may have reporting or other obligations under state law such as mandatory reporting to the Department of Youth Services in case of minors; threat of imminent harm to self or others; or the requirement to testify if subpoenaed in a criminal case.

### **c. UNIVERSITY SUPPORT AND REPORTING OPTIONS**

*The Assistant Director for Sexual Violence Prevention and Response.* Located in the Women's Center provides support for victims of sexual assault, and can help students navigate all options including follow up medical care, reporting options, counseling, and working with University offices to address remedies as needed. Contact: **Rachel DiBella, 617-552-3489, [rachel.dibella@bc.edu](mailto:rachel.dibella@bc.edu)**.

*Office of the Dean of Students.* The Office of the Dean of Students, working in conjunction with the Student Affairs Title IX Coordinator, can assist students in understanding their options in the conduct system, implement interim measures including stay-away orders or other interim administrative actions, and provide guidance and support regarding remedies including academic and housing concerns. The Office, working with the Title IX Coordinator, also oversees the investigation and adjudication of sexual assault complaints against students. Contact: **617-552-3470** during normal business hours or the Administrator On-Call (outside of normal business hours) through Boston College Police **617-552-4444 (emergency); 617-552-4440 (non-emergency)**.

*Student Affairs Title IX Coordinator.* The Student Affairs Title IX Coordinator oversees the University's efforts related to the prevention, education, and response to incidents of sexual violence and sexual harassment on campus, and can help an individual student in pursuing a complaint. The Student Affairs Title IX Coordinator also tracks and monitors incidents of sexual misconduct on campus. Contact: **Katherine O'Dair, 617-552-3482, [katherine.odair@bc.edu](mailto:katherine.odair@bc.edu)**.



***Boston College Police Department (BCPD).*** BCPD provides assistance to victims including addressing immediate safety concerns, investigating incidents of sexual misconduct, filing a criminal complaint both on-campus and off-campus, and assisting victims with medical attention and care. BCPD will take a report from a student and a specially trained officer will conduct an investigation which involves asking the student to describe the respondent and what happened. An officer may ask questions about the scene of the crime, any witnesses, and what happened before and after. Contact: ***617-552-4444 (emergency); 617-552-4440 (non-emergency).***

### **A Note about the Role and Responsibility of Faculty and Staff**

A student may choose to disclose a sexual assault to a faculty or staff member. Faculty and staff are required to report to the Student Affairs Title IX Coordinator when a student discloses sexual misconduct so that the University can respond appropriately. The report would include any information that the student decides to disclose, including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and location of the alleged incident.

If a victim wants to tell a faculty or staff member what happened but also wishes to maintain confidentiality, a victim should understand that the University will consider the request, but cannot guarantee confidentiality in all cases. In reporting the details of the incident to the Student Affairs Title IX Coordinator, the employee will inform the Coordinator of the victim's request for confidentiality.

While students should expect that faculty and staff will inform the Title IX Coordinator, students who want the University to conduct an investigation or who wish to pursue institutional remedies and/or adjudication are strongly encouraged to contact the Office of the Dean of Students Office and/or the Title IX Coordinator directly to ensure a more immediate response.

### **d. REQUESTING CONFIDENTIALITY: HOW BOSTON COLLEGE WILL WEIGH THE REQUEST AND RESPOND**

The University has designated the Student Affairs Title IX Coordinator to evaluate requests for confidentiality and oversee the University's response to reports of alleged sexual violence or other misconduct involving Boston College students.

If a victim discloses an incident, but requests confidentiality or that no investigation into a particular incident be pursued or no action through the conduct system be taken, the Student Affairs Title IX Coordinator, in consultation with a small number of key University administrators, which may include representatives of the Office of the Dean of Students, the Boston College Police Department, and the Office of the General Counsel, will weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

When weighing a victim's request for confidentiality or that no investigation or conduct process be pursued, the Student Affairs Title IX Coordinator will consider a range of factors, including whether:

- The alleged perpetrator is likely to commit additional acts of sexual or other violence, such as:
  - Whether there have been other sexual violence complaints about the same alleged perpetrator;
  - Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
  - Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
  - Whether the sexual violence was committed by multiple perpetrators;
- The sexual violence was perpetrated with a weapon;
- The victim is a minor;
- Boston College possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- The victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue conduct action against the respondent. If none of these factors are present, the University will likely respect the victim's request.

If Boston College honors a victim's request for confidentiality or decision not to participate in an investigation, the University's ability to meaningfully investigate the incident or pursue conduct action against the alleged perpetrator(s) may be limited.

In some cases, usually rare, the University may not be able to honor a victim's confidentiality request in order to adhere to its obligation to provide a safe, non-discriminatory environment for all students. If the Student Affairs Title IX Coordinator determines that the University cannot maintain a victim's confidentiality, the Title IX Coordinator will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

#### **e. TIMELINESS**

To promote timely and effective review, the University strongly encourages students to report sexual misconduct within 180 calendar days following the last occurrence of the behavior giving rise to the concern. Although the University may pursue a report made after 180 days, the lapse of time may limit the University's ability to investigate and respond.

## **VI. THE UNIVERSITY RESPONSE**

The Office of the Dean of Students, in conjunction with the Student Affairs Title IX Coordinator, will take steps to assist and support a student who reports sexual misconduct. The University focuses on the response and interim remedies needed to help a student. Victims who report sexual misconduct violations in situations where they may also be responsible for Code of Student Conduct violations (e.g. possession of alcohol) will generally not be charged for these ancillary violations.

The Student Affairs Title IX Coordinator coordinates the University's efforts to:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (See resources in Section IX below);
- Provide other security and support, which could include issuing a no-contact or stay away order, helping arrange a for a change in living or working arrangements and for course adjustments and other academic support; and
- Inform the victim of the right to report a crime to campus or local law enforcement, and provide the victim with assistance if the victim wishes to do so.

A report of sexual violence (including non-identifying reports) may also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting policies and practices.

If the Student Affairs Title IX Coordinator determines that the University can respect a victim's request for confidentiality and not pursue conduct against the alleged perpetrator, the University will nonetheless take steps to protect and assist the victim.

#### **a. INSTITUTIONAL REMEDIES & RESPONSES**

- i. INTERIM MEASURES.** Upon a victim's request, the University will provide appropriate interim measures designed to prevent further acts of misconduct, harassment, or retaliation and address the victim's safety concerns, as described below. The Student Affairs Title IX Coordinator, in conjunction with Office of the Dean of Students, will determine the necessity for and scope of any interim measures pending the completion of the University's investigation. In cases in which the University agrees to honor a victim's request for confidentiality, the University will provide such interim measures to the extent it may do so in light of the victim's requests and the University's obligations to its other students, including the responding student.

Even when a complainant or respondent does not specifically request that protective action be taken, the Student Affairs Title IX Coordinator and Office of the Dean of Students may impose interim measures at its discretion to ensure the safety of any individual, the safety of the broader University community, or the integrity of the investigation process.

The range of interim measures includes, but is not limited to:

- **TEMPORARY NO CONTACT ORDERS AND UNIVERSITY STAY AWAY ORDERS**  
In instances where it has been determined by a University administrator that contact between specific persons may pose an immediate threat to an individual or may cause concern for the safety or emotional well-being of an individual, a Temporary No Contact Order or University Stay Away Order may be issued. The order will typically include a directive that the involved parties refrain from having contact with one another, directly or through third parties, whether in person or via electronic means, until further directed.

- **INTERIM ADMINISTRATIVE ACTION**

In situations where the alleged offender is considered a threat to persons or property or has criminal charges pending or filed, the Dean of Students or designee may impose interim measures such as University Suspension, Removal from Housing, and/or other loss of privileges prior to or during an administrative review of the student's alleged conduct.

- **Other Interim Measures may include:**

- Assistance with emergency rape crisis treatment and emergency medical services, including accompanying the individual to the hospital or University Health Services, to the police, or to the Office of the Dean of Students.
- Guidance and support with filing a complaint through the University's student conduct process and/or through the criminal justice process.
- Assistance in addressing academic concerns and making reasonable academic adjustments.
- Assistance in changing living arrangements.
- Assistance in arranging other forms of support as appropriate, including on-campus counseling through University Counseling Services, medical assistance through University Health Services, and pastoral care and support through Campus Ministry.
- Assistance in contacting community resources such as The Boston Area Rape Crisis Center or other support services.
- Assistance in seeking assistance from local law enforcement, including assistance in seeking restraining and/or protective orders.
- Any other remedy which can be tailored to the involved individuals to achieve the goals of this policy.

## **b. INVESTIGATION**

For sexual misconduct complaints reported to the Office of the Dean of Students or when the University otherwise determines a thorough investigation and/or conduct action is appropriate, the University, under the oversight of the Office of the Dean of Students with consultation from the Student Affairs Title IX Coordinator when appropriate, will conduct an investigation of the complaint. The investigation will be conducted through the use of one or more internal and/or external investigators specifically trained in sexual misconduct investigations. The University will endeavor to complete its investigation within sixty (60) calendar days.

The investigation will include one or more interviews with the complainant, the respondent, and any witnesses. The investigation will include the gathering of any physical, documentary, or other relevant and available evidence. As part of the investigation, the University will provide an opportunity for all parties to present written statements, identify witnesses and submit other evidence (pursuant to *Section 5 of the Student Guide*). The Office of the Dean of Students may require student-witnesses to cooperate with the investigation regardless of the parties' selection of witnesses.

### **c. STANDARD OF PROOF**

The investigator's findings as to the responsibility of the respondent will be made using the preponderance of the evidence standard. This standard requires that the information supporting a finding of responsibility be more convincing than the information in opposition to it. Under this standard, determinations of responsibility are based upon what is more likely than not to have occurred.

### **d. INVESTIGATION FINDINGS AND OUTCOME NOTIFICATION**

In most cases, the investigator will prepare a written report at the conclusion of an investigation. Before the report is finalized, the participating complainant and respondent will be given the opportunity to review their own statements and, to the extent appropriate to honor due process and privacy considerations, the participating complainant and respondent may also be provided with a written or oral summary of other information collected during the investigation. A complainant or respondent must submit any comments about their own statement, or on any investigation summary that might be provided, to the investigator within five (5) calendar days after that statement or summary was provided.

Following the receipt of any comments submitted, or after the five (5)-day comment period has lapsed without comment, the investigator will address any identified factual inaccuracies or misunderstandings, as appropriate, and then make a recommendation.

The investigator will present a report, including a summary of the investigation, the investigator's findings with respect to responsibility for conduct violations, and a summary of the investigator's rationale in support of the findings, to the Office of the Dean of Students as well as the Student Affairs Title IX Coordinator.

Upon the approval of the investigation report and findings, the Dean of Students or designee, will determine the appropriate sanction(s) and remedies if there is a finding of responsibility. Both parties will be notified in writing of the resolution of the investigation.

### **e. ADVISERS**

The complainant and respondent are both entitled to bring an adviser of the person's choice to any meeting or interview in connection with an adjudicatory investigation. The University will provide or reference an adviser trained in University conduct procedures if requested. The role of the adviser during any meeting or interview is non-participatory. In keeping with the University's obligation to promptly resolve sexual misconduct complaints, the University reserves the right to proceed with any meeting or interview regardless of the availability of the student's selected adviser.

## VII. SANCTIONS AND REMEDIES

If the respondent is found responsible for sexual misconduct, the University will initiate a sanctioning process (as outlined in [Section 5 of the Student Guide](#)).

### a. SANCTIONING RATIONALE

The sanctions may include, but are not limited to, those set forth in [Section 5 of the Student Guide](#). Sanctions will be designed to eliminate a hostile environment, prevent further misconduct, promote safety, and deter students from similar future behavior. Certain behavior may be so harmful to the University community that it may require serious sanctions, such as removal from University housing, removal from specific courses or activities, suspension from the University, or dismissal from the institution.

### b. REMEDIES

As part of the sanctioning process, the Dean of Students, or designee, may require that existing interim remedies or administrative actions stay in place for a prescribed period of time. Working with the Student Affairs Title IX Coordinator, the Dean of Students, or designee, may also impose new remedies or administrative actions such as stay away orders, housing placement, or academic accommodations based upon the investigation and adjudication of the case.

## VIII. APPEALS

Both the respondent and the complainant may submit an appeal of a finding in a sexual misconduct matter in accordance with the appeal process set forth in [Section 5 of the Student Guide](#). If accepted, an appeal will result in an administrative review of the decision; only in rare circumstances will an appeal result in a new investigation of the case.

Information with regard to the appeals process can be found [HERE](#).

## IX. University and Off-Campus Resources

Boston College is committed to providing support and assistance to all students affected by sexual misconduct or a report of sexual misconduct.

### a. UNIVERSITY ON-CAMPUS RESOURCES

*Sexual Assault Network*  
617-552-2211

The Boston College Sexual Assault Network (SANet) is an Anonymous (meaning the student could speak with advocate without revealing their identity) or Private (if the student chooses to reveal their identity or other information about an incident the report would be kept within a small group of administrators) 24/7 hotline for anyone affected by sexual violence, even if the caller is not a victim himself or herself. The hotline is staffed by trained advocates who can assist callers with information about options available for professional support and counseling, medical evaluation and treatment, evidence collection, and reporting options.

***Assistant Director, Sexual Violence Prevention and Response***

*Rachel DiBella*

*McElroy 118*

*617-552-2735*

*rachel.dibella@bc.edu*

The Assistant Director serves as a primary point of contact and advocate for survivors and anyone in the University community affected by sexual violence.

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***Student Affairs Title IX Coordinator***

*Katherine O'Dair, Associate Vice President of Student Affairs*

*Maloney Hall 412*

*617-552-3482*

*katherine.odair@bc.edu*

The Student Affairs Title IX Coordinator, acting as Deputy to the University Title IX Coordinator (*Richard Jefferson; richard.jefferson@bc.edu*), oversees the University's response to complaints of sexual harassment, sexual misconduct, sexual assault, stalking, and relationship violence in cases where a Boston College student is the complainant. The coordinator or designee is available to meet with students as needed. The coordinator will help ensure that appropriate measures are taken to adequately address complaints and protect the safety and wellbeing of victims. The Title IX coordinator also maintains records of all cases, documents the University's response, and sees that appropriate measures are taken to identify and address any patterns or systemic problems that may contribute to a hostile environment at the University.

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***Boston College Police Department***

*Maloney Hall, 1<sup>st</sup> Floor*

*617-552-4444*

Officers are trained and available 24/7 to respond to victims and to provide assistance with medical treatment and in pursuing complaints both on and off campus. If a student chooses to report the incident to the Boston College Police, a specially trained officer will conduct an investigation, which involves asking the student to describe the respondent and what happened. An officer may ask questions about the scene of the crime, any witnesses, and what happened before and after.

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***Boston College Harassment Counselor***

*Linda Riley*

*129 Lake Street, 340A*

*617-552-0486*

*linda.riley@bc.edu*

The University Harassment Counselor, Linda Riley, is responsible for responding to complaints of harassment brought against faculty and staff, in accordance with the Discriminatory Harassment Policy.

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**Campus Ministry**  
McElroy Hall, 215  
617-552-3475

The staff in the Campus Ministry is available to help students with private (but not confidential) pastoral counseling and spiritual direction. Some members of the staff reside in the residence halls. A resident minister is also available twenty-four hours a day by contacting the Boston College Police at 617-552-4444.

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**University Health Services**

*Cushing Clinic - 617-552-2225 (9-5, M-F)*

*Cushing Primary Care - 617-552-3227 (24 hours a day during the academic year)*

Medical personnel are available on campus 24 hours a day. In addition, the University has developed a relationship with the Beth Israel Hospital and the Brigham and Women's Hospital, both in Boston, for the treatment of sexual assault and rape survivors. The Primary Care Center, in Cushing Hall, is also available 24 hours a day to provide a safe haven or a meeting place for students to access campus support services.

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**University Counseling Services**

*Gasson 001*

*617-552-3310 (during normal business hours)*

University Counseling Services (UCS) is available twenty-four hours a day to assist students affected by sexual harassment, misconduct or assault. UCS is available during normal business hours at 617-552-3310. During nights, weekends and holidays, a University psychologist is available on call by contacting either Boston College Health Services (617-552-2225) or the Boston College Police (617-552-4444).

**b. OFF-CAMPUS RESOURCES**

**Evidence Collection and Medical Treatment**

Sexual Assault Nurse Examiners (SANEs) are specially trained nurses who provide immediate, compassionate, and comprehensive medical-legal evaluation and treatment.

- ***Beth Israel Deaconess Medical Center ER (preferred hospital)***  
617-754-2323
- ***Brigham and Women's Hospital ER***  
617-732-5636

**Counseling and Support**

- ***Boston Area Rape Crisis Center 24-hour hotline***  
800-841-8371  
[www.barcc.org](http://www.barcc.org)
- ***Fenway Community Health Violence Recovery Program***  
617-927-6250  
[www.fenwayhealth.org](http://www.fenwayhealth.org)

**Domestic Violence Support and Advocacy**

- ***Jane Doe, Inc.***  
<http://www.janedoe.org/>

### **Reporting and Legal Support**

- *Greater Boston Legal Services*  
617-371-1234  
<http://gblds.dbdes.info/our-work/family-law>
- *Victim Rights Law Center*  
617-399-6720  
[www.victimrights.org](http://www.victimrights.org)

### **Government Resources**

- Website for the White House Task Force to Protect Students From Sexual Assault:  
[notalone.gov](http://notalone.gov)