

BRYANT & STRATTON COLLEGE Policy & Procedure Statement		
SUBJECT TITLE: Sexual Misconduct Policy	POLICY NO. 10-0001(a)	EFFECTIVE DATE: February 2018
		REVISED: 2018, 4/2019, 4/2020, 8/2020, 8/2021, 9/2021, 11/2021, 12/2021, 8/3/2022, 1/31/23, 2/13/23
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This policy describes the position, policies, and procedures of Bryant & Stratton College (“Bryant & Stratton” or “the College”) regarding incidents of sexual misconduct affecting students and associates attending or employed at the College’s locations including Online Education.

Some of the language used in this document is explicit and may make some people uncomfortable, but it is important that certain terms are defined so that their meaning is clear.

SECTION 1: STATEMENT OF PURPOSE

Bryant & Stratton College is committed to promoting a learning and working environment where all members of the College community feel safe and respected. Acts of sexual misconduct are contrary to the College’s educational mission and values, are harmful to others, and will not be tolerated by Bryant & Stratton. This policy prohibits sexual discrimination in the forms of sexual violence, sexual harassment, retaliation, and other behavior prohibited in this policy. Collectively, these forms of misconduct will be referred to in this policy as **“sexual misconduct.”**

Conduct prohibited by this policy may also violate federal and/or State laws enforced through the criminal justice system. Individuals are free to pursue action under this policy and through the criminal justice system simultaneously. The College takes seriously all reports of sexual misconduct and promises to promptly and fairly respond to all reports of misconduct in a manner intended to eliminate the misconduct, prevent its recurrence, and address its impact on affected individuals and the College community. All College proceedings conducted in regard to alleged violations of this policy will be done so in a timely and equitable manner that provides adequate notice and a meaningful opportunity for all parties to be heard.

SECTION 2: SCOPE OF THIS POLICY

This policy addresses conduct prohibited under federal laws, including Title IX of the Civil Rights Act (“Title IX”), the Clery Act, and the Violence Against Women Act, as well as under State law. This policy applies to all College community members – including students, College “associates” (i.e., faculty, staff, and other employees of the College), and independent contractors – attending, working, or otherwise interacting with the College’s campuses. The College will receive and address reports received from any individual, whether or not he/she is affiliated with Bryant & Stratton College, that a College student or associate has violated this policy. Vendors, contractors, visitors, and others who conduct business with the College or on College property are likewise expected to comply with this policy. The prohibitions and protections in this policy apply regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

The prohibitions and protections in this policy apply to locations, including any building owned or controlled by a student organization that the College officially recognizes, events, and circumstances over which the College exercises substantial control when it also exercises such substantial control over both the accused and the context in which the alleged sexual misconduct occurs. Consequently, this policy applies to on and off-campus activities and electronic and online activities so long as this substantial control test is met. Furthermore, if the alleged conduct did not occur against a person physically in the United States, this policy does not apply.

In the State of New York only, however, this policy will apply based on identity of the reporting individual and/or accused/respondent, not based on the geographic location of the alleged violation. Specifically, in New York the

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provisions of this Policy shall apply regardless of whether the violation occurs on campus or off campus. In the event an incident occurs that would fall under the scope of coverage for New York campuses, but not fall under the “substantial control” scope test stated above, any such violation will be considered under New York State law and the terms of this Policy but will not be considered under Title IX. Students in the Online Division will be considered to be under the scope of New York State law.

College associates and students who carry out behavior prohibited by this policy will be disciplined pursuant to the terms of this policy. This policy describes protections specifically for students and associates who are subjected to sexual misconduct as well as disciplinary procedures specifically relevant to students and associates who carry out such misconduct.

The actions the College is empowered to take against an individual who violates this policy may vary or be limited when that individual is not a member of the College community; however, whenever a member of the College community is subjected to sexual misconduct, regardless of the status of the individual who committed it, the College will continue to provide support, resources, and protection to the affected community member. Bryant & Stratton College will cooperate with and assist in law enforcement investigations as legally appropriate.

SECTION 3: TERMINOLOGY AND DEFINITIONS

Certain definitions within this Section contain very graphic language and may be disturbing to some individuals.

Due to the sensitive and sometimes violent nature of incidents involving sexual misconduct, the following definitions are provided for informational use by students and associates and for guidance in the investigation and processing of alleged violations. It is possible that a particular action may constitute sexual misconduct even if not specifically mentioned in these definitions.

If you have any questions about what these terms mean or whether they apply to certain situations, please feel free to talk to your campus Title IX Coordinator. If you are not sure who your campus Title IX Coordinator is, a list of all campus Title IX Coordinators is provided in this Section below. Any questions about whether a specific incident violates State criminal laws should be addressed to law enforcement or to the local district attorney.

1. Sexual Activity

Sexual activity has the same meaning as “sexual acts” and “sexual contact” as provided in U.S.C. 2246 (2) and U.S.C. 2246 (3). These terms are defined as follows:

- **Sexual act**
 - Contact between the penis and the vulva or between the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
 - Contact between the mouth and the penis, mouth and the vulva, or the mouth and the anus.
 - Penetration, however slight, of the anal or genital opening of another person by a hand, or finger, or by any object, with the intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or

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- Intentional touching, not through clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.
- **Sexual contact**
 - Intentional touching, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, arouse, or gratify the sexual desire of any person.

2. Sexual Misconduct

Sexual misconduct is a broad term that encompasses a range of behaviors constituting sexual discrimination. Sexual misconduct can occur between people who know each other, people who have an established relationship, people who have engaged in consensual sexual activity before, and people who do not know each other. Sexual misconduct can be committed by persons of any gender or gender identity, and it can occur between people of the same sex or different sex. Sexual misconduct includes but is not limited to:

A. Sexual coercion

Using verbal pressure to compel another person to engage in sexual activity that he/she would otherwise not consent to, including but not limited to telling lies, threatening to spread rumors, and engaging in verbal abuse.

B. Sexual exploitation

Engaging intentionally in exploitive behavior including but not limited to:

- Observing another person when that person is nude, in their undergarments, partially clothed, or engaged in sexual activity without the knowledge and consent of the person observed, or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- Making, sharing, posting, streaming, or otherwise distributing any image, photography, video, or audio recording depicting or otherwise recording another person when that person is nude, in their undergarments, partially clothed, or engaged in sexual activity without the knowledge and consent of the person depicted or recorded;
- Exposing one's genitals to another person without the consent of that person;
- Exposing another person to a sexually transmitted infection without the knowledge and consent of the person exposed;
- Causing another person to become incapacitated with the intent of making that person vulnerable to non-consensual sexual activity or sexual exploitation.

C. Gender-based harassment

Unwelcome conduct of a non-sexual nature based upon a person's actual or perceived sex, including conduct based on gender identity, gender expression, and non-conformity with gender stereotypes. This includes, but is not limited to, harassment or unwelcome conduct related to one's pregnancy or pregnancy related condition such as childbirth, false pregnancy, termination of pregnancy or recovery therefrom.

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D. Hate crime

Any crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this policy, the categories of bias include the victim's (actual or perceived): race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability.

E. Sexual harassment

Conduct on the basis of sex that constitutes one or more of the following activities:

i. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a College program or activity.

Conduct that may, under certain circumstances, meet this standard could include, depending on the circumstances, but is not limited to:

- Unwelcome sexual flirtations or propositions for sexual activity
- Unwelcome demands or suggestions of sexual favors, including but not limited to repeated unwelcome requests for dates.
- Sexual exploitation (as defined above)
- Graphic verbal comments about an individual's body or appearance
- Spreading sexual rumors;
- Touching an individual's body or clothing (including one's own) in a sexual way, such as grabbing, brushing against, patting, pinching, bumping, rubbing, kissing, fondling, etc.;
- Displaying or sending sexually suggestive drawings, images, pictures, written materials, cartoons, letters, notes or objects in the work/educational environment, regardless of medium;
- Cornering or blocking of normal movement.

ii. Quid Pro Quo Harassment:

A College associate conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. Examples of *quid pro quo* sexual harassment include:

- Offering employment or educational benefits in exchange for sexual favors;
- Threatening or taking negative action in the event of having sexual advances denied and/or after having sexual advances denied, such as a professor threatening to fail a student unless the student agrees to date the professor.

iii. Sexual assault

Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. This includes:

- **Rape:** The penetration, no matter how slight, of a person's 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.
- **Fondling:** Touching the private body parts of another person for the purpose of sexual gratification, without that person's consent, for the purpose of sexual gratification.

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- **Incest:** Intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape:** Sexual intercourse with a person who is under the legal age of consent.

iv. 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: 1) The length of the relationship; 2) The type of relationship; and 3) The frequency of interaction between the persons involved in the relationship.

v. Domestic Violence

Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a person, 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 or intimate partner, 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.

vi. Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

F. Sex discrimination and/or gender discrimination

Treating an individual unfavorably or adversely based upon that individual's sex/gender (including pregnancy or a pregnancy related condition such as childbirth, false pregnancy, termination of pregnancy or recovery therefrom), gender identity or perceived gender identity in the context of educational or employment activities, programs, or benefits, such as in admissions, hiring, selection for and/or participation in projects, teams, or events, provision of wages or benefits, selection for promotions, etc.

G. Retaliation

Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for violation of this policy or any part of the College's Code of Conduct that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or Formal Complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by this policy constitutes retaliation.

The exercise of any rights protected under the First Amendment does not constitute retaliation. Charging an individual with a violation of this policy or a Code of Conduct violation for making a materially false statement in bad faith in the course of a proceeding under this policy does

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not constitute retaliation. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

3. Affirmative Consent

In assessing whether alleged sexual activity was consensual, Bryant & Stratton College will require that the consent be affirmative to consider it consensual. Affirmative consent is the knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Additional Guidance Regarding Consent:

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether either person involved in the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

4. Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services the College offers victims and the accused as appropriate, as reasonably available, and without fee or charge before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to provide equal access to the College's education program or activity without causing an unreasonable burden, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include informal counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The College will maintain as confidential any supportive measures provided to the victim or accused, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

5. Title IX Coordinator

The Title IX Coordinator is the associate responsible for coordinating the College's prevention of and response to sexual misconduct, as well as for addressing any questions or inquiries regarding how Bryant &

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Stratton College applies federal Title IX law and regulations. In New York, the College’s Title IX Coordinator also coordinates the College’s response to acts of sexual misconduct as required by New York State’s “Enough Is Enough” law (Education Law 129-B). Each location has a Title IX Coordinator

Title IX Coordinators or their designees have many responsibilities as part of his/her job of ensuring the College complies with the law. The Title IX Coordinator has the primary responsibility for:

- Receiving reports and Formal Complaints regarding sexual misconduct;
- Signing a Formal Complaint where the victim is unwilling or unable to do so in cases where a Formal Complaint is necessary to ensure equal access to the College’s program and activities;
- Providing information to students and associates about resources and support services available;
- Directing investigations into incidents of sexual misconduct
- Issuing supportive measures;
- Carrying out restorative remedies to Complainants when directed to do so upon conclusion of a Sexual Misconduct Hearing;
- Overseeing the Sexual Misconduct investigation and hearing process in a neutral and impartial fashion;
- Collecting statistics regarding the prevalence of sexual misconduct on campus;
- Conducting surveys of the campus community regarding sexual misconduct, as required; and
- Overseeing education and training programs relating to sexual misconduct.

The Title IX Coordinator for each location is as follows:

Location	Title IX Coordinator	Other Campus Role	Address	Contact Information
Albany	Jeff Brown	Academic Advisor	1259 Central Ave Albany, NY 12205	Email: jmbrown@bryantstratton.edu Phone: 518-437-1802, ext. 3717
Amherst	Adam Patterson	Dean of Instruction	3650 Millersport Hwy Getzville, NY 14068	Email: arpatterson@bryantstratton.edu Phone: 716-625-6300, ext. 2329
Buffalo	Adam Patterson	Dean of Instruction	3650 Millersport Hwy Getzville, NY 14068	Email: arpatterson@bryantstratton.edu Phone: 716-625-6300, ext. 2329
Greece	Melissa Kamens	Registrar	854 Long Pond Road Rochester, NY 14612	Email: mdkamens@bryantstratton.edu Phone: 585-625-5635
Henrietta	Melissa Kamens	Registrar	1225 Jefferson Road Rochester, NY 14623	Email: mdkamens@bryantstratton.edu Phone: 585-625-5635

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Southtowns / Orchard Park	Adam Patterson	Dean of Instruction	2650 Millersport Hwy Getzville, NY 14068	Email: bctaylor@bryantstratton.edu Phone: 716-677-9500, ext. 2132
Syracuse	Andrea Pallone	Dean of Student Services	953 James Street Syracuse, NY 13203	Email: ampallone@bryantstratton.edu Phone: 315-652-6500, ext. 228
Syracuse North	Andrea Pallone	Dean of Student Services	7805 Oswego Road Liverpool, NY 13090	Email: ampallone@bryantstratton.edu Phone: 315-652-6500, ext. 228
Akron	Linda Jackson	Dean of Instruction	190 Montrose West Ave. Akron, OH 44321	Email: Lajackson@bryantstratton.edu Phone: 330-598-2500
Parma	Linda Jackson	Dean of Instruction	12955 Snow Rd Parma, Ohio 44130	Email: Lajackson@bryantstratton.edu Phone: 216-265-3151
Solon	Frankie Faulkner	Dean of Instruction	33001 Solon Rd Solon, OH 44139	Email: ffaulkner@bryantstratton.edu Phone: 440-510-1118
Hampton	Lisa Sellars	Dean of Student Services	4410 E. Claiborne Sq. Suite 233 Hampton, VA. 23666	Email: srsellers@bryantstratton.edu Phone: 757-499-7900, ext. 2
Richmond Non-Nursing Students	Deborah Merritt	Senior Academic Advisor	8141 Hull Street Rd. North Chesterfield, VA 23235	Email: djmerritt@bryantstratton.edu Phone: 804-745-2444. Ext. 8524
Richmond Nursing Students	Michael Adams	Senior Academic Advisor	8141 Hull Street Rd. North Chesterfield, VA 23235	Email: mtadams@bryantstratton.edu Phone: 804-745-2444, ext. 8524
Virginia Beach	Lisa Sellars	Dean of Student Services	301 Centre Pointe Dr. Virginia Beach, VA 23462	Email: srsellers@bryantstratton.edu Phone: 757-499-7900, ext. 228
Bayshore	Brian Sporleder	Dean of Student Services	500 W. Silver Springs Dr. Suite K340 Glendale, WI 53217	Email: brsporleder@bryantstratton.edu Phone: 414-635-6676
Racine	Brian Sporleder	Dean of Student Services	1320 W. Warwick Way Mount Pleasant, Wi 53406	Email: brsporleder@bryantstratton.edu Phone: 414-635-6676

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Wauwatosa	Brian Sporleder	Dean of Student Services	10950 W. Potter Rd. Wauwatosa, WI 53226	Email: brsporleder@bryantstratton.edu Phone: 414-635-6676
Online Campus	Jennifer Welch	Dean of Student Services	200 Redtail Road Orchard Park, NY 14127	Email: jawelch@bryantstratton.edu Phone: 716-677-8800, ext. 5473
System Office	Laura Shopp	System Director of Curriculum	200 Redtail Road Orchard Park, NY 14127	Email: lashopp@bryantstratton.edu Phone: 716-677-7923

All of the campus Title IX Coordinators are supervised by the Campus Director (or his/her designee) at their local campus.

6. Confidentiality and Confidential Resources]

As mentioned above, the Title IX Coordinator is the person to whom you would report incidences regarding sexual misconduct. You can **privately** report to the Title IX Coordinator incidents of sexual misconduct even if you do not want to file a Formal Complaint, but the Title IX Coordinator cannot offer **confidentiality**. You can also disclose those incidents to other College associates, if you prefer.

- All College associates – except those designated as “**Confidential Resources**” as described in this Section – are required to notify the Title IX Coordinator when a member of the College community discloses an incident of sexual misconduct to them so that the Title IX Coordinator can reach out to the victim to offer help, support, and information about filing a Formal Complaint if the victim desires to do so and in order to protect the safety of other people on campus. Those College associates would only provide the Title IX Coordinator with the necessary information, and the victim’s privacy would be maintained at all times.
- Confidentiality can be offered by a College associate who is not required by law to report known incidents of sexual assault or other crimes to the College’s Title IX Coordinator or any other College associates. College associates, who are designated as “**Confidential Resources**” are not required to notify the Title IX Coordinator when a student discloses an incident of sexual misconduct to them. Each campus has access to at least one Confidential Resource with whom students can report an incident of sexual misconduct confidentially. The Title IX Coordinator will maintain student privacy to the greatest extent possible, but is not a Confidential Resource, given the nature of their duties. While Confidential Resources generally honor requests for confidentiality, it is important that reporting individuals understand that a request for confidentiality may limit the College’s ability to meaningfully investigate the incident and pursue disciplinary action against the accused. Although rare, there are times when the Confidential Resource may not be able to honor requests for confidentiality in order to provide a safe, non-discriminatory environment for all members of the College community. In those circumstances, all information would still be treated with the utmost privacy.

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- The **Confidential Resource** for each campus is as follows:

Location	Confidential Resource	Other Campus Role	Office Address	Contact Information
Albany	Shawn Kampa	Acting Campus Director	1259 Central Ave Albany, NY 12205	Email: stkampa@bryantstratton.edu Phone: 518-576-7687
Amherst	Paul Bahr	Campus Director	3650 Millersport Hwy Getzville,	Email: pcbahr@brayntstratton.edu Phone: 716-677-9500, ext. 3103
Buffalo	Jeff Tredo	Market Director	110 Broadway Buffalo, NY 14203	Email: jptredo@bryantstratton.edu Phone: 716-884-9120, ext. 229
Greece	Michael Mariani	Campus Director	854 Long Pond Road Rochester, NY 14612	Email: mamariani@bryantstratton.edu Phone: 585-720-0660
Henrietta	Michael Mariani	Campus Director	1225 Jefferson Road Rochester,	Email: mamariani@bryantstratton.edu Phone: 585-292-5627
Southtowns	Jeff Tredo	Market Director	180 Redtail Rd. Orchard Park, NY	Email: jptredo@bryantstratton.edu Phone: 716-677-9500, ext. 3103
Syracuse	Sue Cumoletti	Market Director	953 James Street Syracuse, NY 13203	Email: skumoletti@bryantstratton.edu Phone: 315-652-6500, ext. 225
Syracuse North	Sue Cumoletti	Market Director	7805 Oswego Rd. Liverpool,	Email: skumoletti@bryantstratton.edu Phone: 315-652-6500, ext. 225
Akron	Lisa Mason	Campus Director	190 Montrose West Ave. Akron, OH	Email: lmason@bryantstratton.edu Phone: 216-265-3151

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Parma	Lisa Mason	Campus Director	12955 Snow Rd. Parma, OH 44130	Email: lmason@bryantstratton.edu Phone: 216-265-3151
Solon	Paul Wehrum	Market Director	33001 Solon Rd. Solon, OH 44139	Email: phwehrum@bryantstratton.edu Phone: 440-527-6389
Hampton	Jeff Thorud	Campus Director	4410 E. Claiborne Sq. Suite 233	Email: jsthorud@Bryantstratton.edu Phone: 757-498-7900, ext. 240
Richmond	Beth Murphy	Campus Director	8141 Hull Street Rd. North Chesterfield	Email: bmmurphy@bryantstratton.edu Phone: 804-745-2444
Virginia Beach	Jeff Thorud	Campus Director	301 Centre Pointe Dr. Virginia Beach, VA	Email: jsthorud@Bryantstratton.edu Phone: 757-498-7900, ext. 240
Bayshore	Greg Brandner	Market Director	500 W. Silver Springs Dr, Suite K340	Email: gbrandner@bryantstratton.edu Phone: 414-635-6680
Racine	Greg Brandner	Market Director	1320 W. Warwick Way Mount Pleasant,	Email: gbrandner@bryantstratton.edu Phone: 414-635-6680
Wauwatosa	Greg Brandner	Market Director	10950 W. Potter Rd. Wauwatosa, WI 53226	Email: gbrandner@bryantstratton.edu Phone: 414-635-6680
Online Campus	Scott Traylor	Vice president, Online, Marketing and Operations	200 Redtail Road Orchard Park, NY	Email: sotraylor@bryantstratton.edu Phone: 716-677-7810
System Office (Associates only)	Bill Wright	System Director of Academic Operations	200 Redtail Road Orchard	Email: bwright@bryantstratton.edu Phone: 716-250-7500, ext. 1236

- Professionals and off-campus advocates, with no affiliation with the College, may also serve as important resources to members of the College community who seek confidential assistance. Examples of non-College-affiliated individuals who can offer confidentiality include:
 - Medical providers
 - Lawyers providing legal advice
 - Licensed mental health counselors, psychologists, and social workers
 - Pastoral counselors (e.g., priests and other clergy members)

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- Local rape crisis centers and other confidential community resources can be found in the Annual Fire and Security Report at <https://www.bryantstratton.edu/pdf/SecurityPolicies.pdf> or in Section 7.
- In New York, see Section 7 for a list of local community resources near your campus, or call the NYS Sexual Violence Hotline at 1-800-942-6906 (available 24/7/365) to be connected to your local rape crisis center
- While these off-campus counselors and advocates may maintain a victim’s confidentiality by not informing the College, other obligations under State law may limit their ability to provide full confidentiality.
- As noted above, when a victim speaks only to a campus Confidential Resource or an off-campus individual offering confidentiality, the College may be unable to conduct an investigation into the particular incident or pursue disciplinary action against the accused. In those circumstances, confidential counselors and advocates, including the campus Confidential Resource, will still assist the victim in receiving other necessary protections and support, such as victim advocacy services, academic support or campus accommodations, disability services, health or mental health services, and changes to living, working, or course schedules (*i.e.*, “supportive measures”).
- At any time, a victim who initially requests confidentiality may also decide to file a Formal Complaint with the school and/or report the incident to campus security, law enforcement, and/or State Police. In all cases where a victim submits a Formal Complaint to the College, the College will investigate the allegations.
- If the College determines that the accused poses a serious and immediate threat to the College community, law enforcement may be called upon to issue a timely warning to the community. Any warning to the community would not include the victim’s name or any information that identifies the victim.

7. Privacy

Privacy (rather than confidentiality) can be offered by a College associate who is unable to offer confidentiality due to their legal obligation to report known incidents of sexual assault or other crimes to the Title IX Coordinator. College associates and the Title IX Coordinator who cannot guarantee confidentiality will, nevertheless, maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator or designee to investigate and/or seek a resolution.

8. Accused

A person accused of sexual misconduct or another violation of this policy is referred to as the “accused” until a Formal Complaint, if any, is submitted at which time the “accused” is referred to as the “Respondent.”

9. Victim

An individual who is alleged to be the victim of conduct that could constitute sexual misconduct or other activity that would constitute a violation of this policy is referred to as the “victim” until he or she submits a Formal Complaint, if any, at which time the “victim” is referred to as the “Complainant.”

10. Bystander

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Bystander includes any person who witnesses or learns about sexual misconduct or another violation of this policy who is not themselves the victim or person subjected to the sexual misconduct. Bystanders are welcome and encouraged to report incidents of sexual misconduct that they have witnessed or learned about. If your friend is a victim of sexual misconduct, please encourage them to reach out for help.

A list of on-campus and off-campus resources available to victims can be found in Section 7.

11. Complainant

An individual who submits a “Formal Complaint” alleging sexual misconduct or another violation of this policy whether he or she is alleged to be the victim of such alleged activity.

12. Respondent

A person accused in a “Formal Complaint” of sexual misconduct or another violation of this policy. Before such a Complaint is submitted, this individual is referred to as the “accused.”

13. Formal Complaint

A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual misconduct against a Respondent and requesting that the College investigate the allegation(s). At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in an education program or activity of the College including, but not limited to, attending as a student or being employed by the College. A Formal Complaint may be filed with the designated Title IX Coordinator for the College location in person, by mail, or by electronic mail, by using the contact information listed in this policy. As used in this paragraph, the phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided by the College in this policy below) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party under this policy.

In instances where there exist allegations of sexual misconduct or another violation of this policy against more than one Respondent or by more than one Complainant against one or more Respondents, or by one party against the other party, the Title IX Coordinator may consolidate Formal Complaints if the allegations of sexual misconduct or other violation arise out of the same facts or circumstances.

SECTION 4: TRAINING

Title Coordinators and their designees, Sexual Misconduct Hearing Committee members, any investigators other than the Title IX Coordinator, members of Appeal panels, and any person who facilitates an informal resolution process will receive training on the following:

- The definition of “sexual harassment” specifically and “sexual misconduct” more generally as defined in this Policy;

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- The scope of the College’s education or activity, *i.e.*, the locations, events, and circumstances over which the College exercises substantial control and any buildings owned or controlled by any student organizations that the College officially recognizes;
- How to properly conduct an investigation of sexual violence including how to interview victims of sexual assault, the effects of trauma, and the rights of the Respondent, including the right to a presumption that the Respondent is “not responsible”;
- How to conduct a Sexual Misconduct hearing including appeals, and the informal resolution process. This also includes training on how to serve in their capacities impartially and avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- Technology used at live hearings; and
- How to assess relevance of questions and evidence, including when questions about the Complainant’s sexual predisposition or prior sexual behavior are not relevant.

Title IX Coordinators specifically and anyone designated to investigate allegations of misconduct will receive training on issues of relevance when creating an investigative report that fairly summarizes relevant evidence. The materials used to train Title IX Coordinators and their designees, any investigators, Sexual Misconduct Committee members, and any person who facilitates an informal resolution process will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of Sexual Misconduct.

SECTION 5: PROHIBITED BEHAVIOR

Bryant & Stratton College is a place of academic learning, and its community members are expected to behave accordingly. The following behaviors are considered specific and serious violations of this policy. Within the scope of this policy, as stated in Section 2, violations of this policy can occur both on-campus and off-campus.

Prohibited Behavior:

- Sexual misconduct as defined in this policy
- Attempting to commit sexual misconduct
- Aiding another person in committing sexual misconduct
- Knowingly violating an interim measure or sanction imposed by the College pursuant to this policy, such as a “no contact” order, suspension, or other measures and/or sanctions deemed appropriate under the circumstances
- Knowingly filing a false report of any prohibited behavior
- Retaliation as defined in this Policy.

The above forms of sexual misconduct are defined in **Terminology and Definitions** in **Section 3** of this policy.

SECTION 6: HOW TO REPORT INCIDENTS OF SEXUAL MISCONDUCT

A victim has the right to report any instance of sexual misconduct to the College’s Title IX Coordinator, to campus security, to local law enforcement, to the State police, to any combination of these authorities, or to not report the incident at all. (College associates, other than confidential resources defined above, are obligated to report all instances of sexual misconduct. See Section 6.2 below.)

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To report an instance of sexual misconduct to the College specifically, any person (whether or not the person reporting is the person alleged to be the victim of the alleged conduct) may report sexual misconduct, including sexual harassment, in person, by mail, by telephone, or by electronic mail, using the contact information listed above for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed above for the Title IX Coordinator.

1. Reporting Versus Filing a Formal Complaint

Sometimes a victim wishes to tell someone about an incident of sexual misconduct but is not yet sure whether they wish to see official action taken against the individual who committed it. Victims have the option to **report** (tell someone about) an incident without being obligated to file a **Formal Complaint**. The Formal Complaint form can be accessed at: www.bryantstratton.edu/utilities/enoughisenough.

Whether a victim chooses to report or chooses to file a Formal Complaint about an incident, the victim has the right to be protected by the College from retaliation and the right to receive assistance and Supportive Measures from the College.

It should be emphasized here that anyone can report sexual misconduct, even third parties. Reports are not required to be in writing. However, if the victim is not identified, the College will not be able to provide Supportive Measures. The College will maintain confidential:

- the identity of any individual who has made a report or Formal Complaint;
- any individual who has been reported to be the perpetrator of sexual misconduct (an “accused”);
- any Respondent; and
- any witness.

However, this confidentiality may be limited as may be permitted by FERPA, or as required by law, or to carry out the purposes of the Title IX of the Civil Rights Act regulations, including the conduct of any investigation, hearing, or judicial proceeding arising under those regulations.

When the Title IX Coordinator becomes aware of an incident of sexual misconduct, the Coordinator will promptly contact the victim, if he or she is known, or other reporting individual to discuss the availability of Supportive Measures, consider the victim’s wishes with respect to Supportive Measures, provide information of the availability of Supportive Measures with or without the filing of a Formal Complaint, and explain the process for filing a Formal Complaint.

The Title IX Coordinator is the person with whom a victim would file a Formal Complaint regarding sexual misconduct, if the victim wishes to do so. The Coordinator will ensure that at the time of filing the Formal Complaint the victim is participating or attempting to participate in the College’s education program or activity in the capacity as a student or as an associate. Upon receiving a Formal Complaint, the Title IX Coordinator will investigate the incident to determine whether the alleged conduct, if proven to be true, would constitute “sexual misconduct.” If the Title IX Coordinator determines that the alleged conduct, if proven, does not constitute “sexual misconduct,” as defined in this policy, then the Coordinator will dismiss the Complaint. If, however, the alleged conduct constitutes “sexual misconduct,” the Coordinator will investigate and commence the Sexual Misconduct hearing process against the accused, if that individual is a student or associate. The College reserves the right to have someone other than the Title IX Coordinator conduct the investigation, The Title IX Coordinator will also offer the victim Supportive Measures as defined in this policy.

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Victims can also report sexual misconduct to the Title IX Coordinator even if they do not want an investigation to occur. Such a report can be submitted anonymously or not anonymously. However, if the victim reports anonymously, the College will not be able to provide the victim Supportive Measures. If the victim reports without anonymity, the Title IX Coordinator will nevertheless maintain the confidentiality of any Supportive Measures provided to the victim (and the accused if such measures are provided to him or her) to the extent maintaining such confidentiality will not impair the ability of the College to provide such measures.

All victims who report sexual misconduct will be offered Supportive Measures and instructions on how to file a Formal Complaint should he or she decide to do so. Although the Title IX Coordinator is not a Confidential Resource, reporting an incident to the Title IX Coordinator while expressing one’s wish for no investigation to occur is known as a “confidential report” to the Title IX Coordinator. In these cases, the Title IX Coordinator will first ask the victim’s permission before beginning an investigation and commencing the appropriate disciplinary process.

If the victim declines to give permission to the Title IX Coordinator to investigate the matter, the Title IX Coordinator will honor the victim’s decision and will not investigate the report, except in circumstances where failing to investigate would prevent the College from providing a safe and non-discriminatory environment for all members of the College community. In those cases, the Title IX Coordinator could file a Formal Complaint and commence an investigation and, if appropriate, a Sexual Misconduct disciplinary process, as well., In these situations, the victim would not be obligated to participate in the investigation or the disciplinary process. In cases where the Title IX Coordinator, rather than the victim, files a Formal Complaint, the Coordinator will nevertheless treat the victim as a party to the process. Whatever the victim decides, the Title IX Coordinator will still offer the student Supportive Measures. More information about how to make this type of “confidential report” is provided below in this Section.

2. Reporting Sexual Misconduct to Someone Other than the Title IX Coordinator

Incidents can also be disclosed to College associates other than the Title IX Coordinator, if the victim prefers to do so. College associates who are not designated as “Confidential Resources” are required to notify the Title IX Coordinator when an incident of sexual misconduct is disclosed to them, in order to protect the safety of other people on campus and so that the Title IX Coordinator can reach out to the victim to offer help, support, and information about filing a Formal Complaint if the victim desires.

If the victim reports the incident to the College associate anonymously, the College will not be able to provide the victim Supportive Measures. If the victim reports the incident to the College associate without anonymity, the Title IX Coordinator will nevertheless maintain the confidentiality of any Supportive Measures provided to the victim (and the accused if such measures are provided to him or her) to the extent maintaining such confidentiality will not impair the ability of the College to provide such measures. The information disclosed will be limited to only the information needed to conduct an investigation (if the victim permits) and to ensure victim safety. More information about privacy is provided in Section 3 (“Terminology and Definitions”).

Certain College associates are not required to notify the Title IX Coordinator when an individual discloses an incident of sexual misconduct to them. These College associates are known as “Confidential Resources”. Each College location has one Confidential Resource with whom victims may speak with confidentiality. Confidential Resources can help victims obtain assistance and resources without sharing a victim’s

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confidential information with anyone else. Speaking to a Confidential Resource will not result in a Formal Complaint being made. More information about confidentiality and a list of the Confidential Resources for each campus is provided in Section 3.

Victims can also disclose incidents to non-College officials, such as a local rape crisis center or a mental health counselor. A list of some local rape crisis centers and other community resources is provided in Section 7 and in the Annual Fire and Security Report found on the College's website at <https://www.bryantstratton.edu/pdf/SecurityPolicies.pdf> and in the Dean's office of each College location. You can also find local rape crisis centers and other community resources by dialing 2-1-1 or, in New York, by calling the New York State Domestic & Sexual Violence Hotline (1-800-942-6906). These types of non-College officials provide confidentiality and can offer support and referrals to helpful services and resources. These persons are not affiliated with the College and have no obligation to notify the Title IX Coordinator about the incident. Consequently, if the College is not informed of the incident, victims should not expect the College to investigate the matter. However, the College will investigate allegations contained in a Formal Complaint with the College.

3. **Submitting a Report or Formal Complaint to a Title IX Coordinator Confidentially and/or Anonymously**

In addition to the options described above with regard to privately or confidentially submitting a report of an incident of sexual misconduct, victims also have several options for making a Formal Complaint. If the victim chooses to do so, the student may file a Formal Complaint with the Title IX Coordinator. Formal Complaints can be made to the Title IX Coordinator by submitting to the Title IX Coordinator in-person, via email, or via the online incident report form as described in Section 3. The Title IX Coordinator's contact information is listed in Section 3. The Formal Complaint form can be accessed at: www.bryantstratton.edu/utilities/enoughisenough.

- **Reports:** Those reporting instances of sexual misconduct – whether they are the victim, an associate, a friend, or a witness/bystander – can also make confidential and/or anonymous reports if they prefer to do so.
- **Confidential Reports** can be made by telling the Title IX Coordinator that you do not want an investigation to occur, or, if submitting the report online, by checking the boxed on the online incident report form labeled "I do not want an investigation to occur."
 - While this reporting method is known as a "confidential report", due to the nature of their responsibilities, the Title IX Coordinator is not a "Confidential Resource." As noted above, all information provided will be handled with the utmost "privacy" as defined in Section 3.
 - When a reporting individual reports an incident of sexual misconduct but expresses that he/she does not wish for the College to conduct an investigation, the College will typically honor that request. However, sometimes the College will be obligated to weigh such a request against the College's duty to ensure the safety of others on campus. Some of the factors the College may consider in weighing a request to not investigate may include: whether the accused has a history of violent behavior or is a repeat offender; whether the incident represents escalation in unlawful conduct by the accused; the increased risk that the accused individual will commit additional acts of violence; whether the accused used a weapon and/or force; whether the victim is a minor; whether the institution possesses other means to obtain evidence (e.g., security footage); and

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whether available information reveals a pattern of perpetration at a given location or by a particular group. If the Title IX Coordinator determines that a victim's confidentiality cannot be maintained and that an investigation is necessary, the victim will be notified in writing, prior to the start of an investigation and will, to the extent possible, only share information with the people responsible for handling the College's response. The Title IX Coordinator will remain ever mindful of the victim's well-being and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College associates, will not be tolerated. In these cases, should the Title IX Coordinator decide to commence a Sexual Misconduct disciplinary proceeding against the accused, the Coordinator will nevertheless treat the victim as a party to the process and offer the victim supportive measures.

- **Anonymous Reports** can be made by not including your name or email address when submitting the online incident report form.
 - Individuals who wish to anonymously report an incident should be aware that their anonymity may inhibit the College's ability to conduct a full investigation of the incident, provide Supportive Measures, and/or update the victim regarding actions taken.

Regardless of how a victim chooses to disclose the alleged misconduct, the College will not require a victim to participate in any investigation or disciplinary proceeding.

In the event that sexual misconduct has been committed by a non-member of the College community (including an unknown person or stranger), victims may still report the incident to the College and receive Supportive Measures and protection. For a list of on-campus and off-campus resources and support services near your campus, see **Resources, Support Services, and Protection for Victims in Section 7.**

4. Reporting to Local Law Enforcement

Victims also have the option to make a report to law enforcement, either in addition to or as an alternative to making a report to the College. In addition to calling 911, you may make a report to law enforcement by contacting the following resources in your State or local area.

Locations	Local Law Enforcement
NY - Albany	New York State Police, Troop G, 518-783-3207 City of Albany Police Department, 518-462-8015 Albany County Sheriff, 518-765-2352 City of Schenectady Police Department, 518-382-5201 Schenectady County Sheriff, 518-388-4300 City of Troy Police Department, 518-270-4446 Rensselaer County Sheriff, 518-462-7451
NY - Buffalo	New York State Police, Troop A, 716-297-8730 City of Buffalo Police Department, 716-851-4471 Erie County Sheriff, 716-858-7608

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Locations	Local Law Enforcement
NY - Amherst	New York State Police, Troop A, 716-297-8730 Town of Amherst Police Department, 716-689-1351 Erie County Sheriff, 716-858-7608
NY - Greece	New York State Police, Troop E, 585-398-4107 City of Rochester Police Department, 585-428-6720 Town of Greece Police Department, 585-865-9200 Monroe County Sheriff, 585-753-4177
NY - Henrietta	New York State Police, Troop E, 585-398-4107 City of Rochester Police Department, 585-428-6720 Monroe County Sheriff, 585-753-4177
NY - Southtowns	New York State Police, Troop A, 716-297-8730 Town of Orchard Park Police Department, 716-662-6444 Erie County Sheriff, 716-858-7608
NY - Syracuse	New York State Police, Troop D, 315-366-6004 City of Syracuse Police Department, 315-442-5250 Onondaga County Sheriff, 315-435-3044
NY - Syracuse North	New York State Police, Troop D, 315-366-6004 City of Syracuse Police Department, 315-442-5250 Village of Liverpool Police Department, 315-457-0722 Village of North Syracuse Police Department, 315-458-9870 Onondaga County Sheriff, 315-435-3044
OH Locations	Cuyahoga Sheriff's Department, Cleveland Area Rape Center; http://www.cuyahoga.oh.us/sherifflaw/sou/sou.htm. For Eastlake only: http://www.sheriffdunlap.org. For Akron only: http://www.co.summit.co.us/index.aspx?NID=463
VA Locations	Virginia State Police Department: 804-674-4655; http://www.vsp.state.va.us.
WI Locations	Milwaukee County Criminal Division: 414-278-4538

5. Amnesty Policy for Student Alcohol and/or Drug Use

Students should not be afraid to report an incident of sexual misconduct merely because they were drinking alcohol or using drugs at the time of the incident, whether they were a victim, witness, or bystander. Bryant & Stratton College has adopted an amnesty policy for alcohol and/or drug use in regard to incidents of sexual misconduct. The health and safety of every member of the College community is of utmost importance. Bryant & Stratton College recognizes that students who have been drinking and/or using drugs (whether such

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use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Bryant & Stratton College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to the Title IX Coordinator or College associates. A student-bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to the College or law enforcement will not be subject to the College's Student Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual misconduct.

6. Disclosures During Advocacy Events

Individuals occasionally disclose information regarding sexual misconduct during a public awareness and/or advocacy event, such as candlelight vigils, protests, survivor speak-outs, Clothesline Project events, Take Back the Night events, Day of Unity events, and other similar public events. These events typically serve the purpose of empowering survivors and raising awareness about issues related to sexual violence, as opposed to serving as a forum in which an allegation of sexual misconduct is reported. Accordingly, the College may not investigate allegations disclosed at these events. However individuals always remains free to report such conduct with the College and the College will investigate all allegations in a Formal Complaint. The College may use information provided at such events to inform its efforts for additional education and prevention efforts regarding sexual misconduct.

7. Campus Alerts

When certain crimes occur in certain areas on and/or near campus that represent a serious or continuing threat to the campus community, the College is obligated under federal law to issue a timely warning, in order to protect the safety of others. Crimes triggering a timely warning might include, for example, a rapist who is still present on campus. When a timely warning is issued, the warning will never identify any victims or reporting individuals. See the Bryant & Stratton College Annual Fire and Security Report for more information on the Campus Emergency Notification System. This report can be found on the Bryant & Stratton College website at: <https://www.bryantstratton.edu/pdf/SecurityPolicies.pdf>.

8. Campus Crime Data

When the Title IX Coordinator receives reports of sexual misconduct and certain other crimes that occur in certain locations on and/or near campus, federal and State laws require the Title IX Coordinator to count the number of those reports for inclusion in the College's Jeanne Clery Campus and Security Survey and inclusion in the College's Annual Fire and Security Report. This is merely an anonymous tally – neither the identity of the reporting individual nor the specifics of the crime are included in these reports.

SECTION 7: RESOURCES, SUPPORTIVE MEASURES, AND PROTECTION FOR VICTIMS

"Supportive Measures," as defined in Section 3, are non-disciplinary, non-punitive individualized services the College offers victims and the accused as appropriate, as reasonably available, and without fee or charge before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Bryant & Stratton College is committed to supporting victims and survivors of sexual misconduct, regardless of when, where, or who committed the acts in question. In this Section as well as Section 3, the College has collected information and resources that may be helpful. If there are other resources that you or a friend might need, the College encourages you to reach out to your

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campus Title IX Coordinator, who can help obtain those resources. A list of all campus Title IX Coordinators is provided in Section 3 of this policy. If you are in immediate danger at any point, call 911.

1. Obtaining Immediate Medical Attention

If you have been the victim of rape, sexual assault, domestic violence, or dating violence and are in need of immediate medical attention, please call 911 and/or consider visiting a hospital, urgent care center, or medical provider. Below is a list of emergency medical facilities and other medical providers near each campus. Some State law requires that all hospitals in the State offer forensic rape examinations (sometimes also called ‘forensic sexual assault examinations or simply ‘rape kits’). Some states require hospitals to notify the victim that they can choose to have the forensic rape exam and its related charges billed to the Victim Services at no cost to the victim. After the exam, you might receive other medical services or counseling services for which the hospital might charge you or bill your health insurance; if your insurance plan is through someone else (such as your parent), you are encouraged to tell hospital staff if you do not want your insurance policyholder to be notified about your access to these services.

Especially in incidents of rape or sexual assault, it may be important to receive a forensic examination as soon as possible in order to preserve evidence and/or to receive protection from sexually transmitted infections and pregnancy. To best preserve evidence, you should avoid showering, washing, changing clothes, discarding clothes, combing hair, or otherwise altering your physical appearance until the exam is complete, and you should seek an exam as soon as possible. Even if you don’t want evidence to be collected, it is still recommended that you get examined by a doctor in order to address physical injuries, potential pregnancy, and possible exposure to sexually transmitted infections.

All Locations: For more information about what to do after an assault, visit the National Sexual Violence Resource Center website at www.nsvrc.org or the local resources listed in Section 7.

New York: In New York, please call the NYS Sexual Violence Hotline at 1-800-942-6906 (available 24/7/365) to be connected to your local rape crisis center.

Medical facilities in New York are listed below:

Location	Medical Facility
Albany	St. Peter’s Hospital , 315 S. Manning Blvd., Albany, NY 12208 Albany Memorial Hospital , 600 Northern Boulevard, Albany, NY 12208 Albany Medical Center Hospital , 43 New Scotland Avenue, Albany, NY 12208 Ellis Health Center , 600 McClellan Street, Schenectady, NY 12304 Ellis Hospital , 1101 Nott Street, Schenectady, NY 12308 St. Mary’s Hospital , 1300 Massachusetts Avenue, Troy, NY 12180 Samaritan Hospital , 2215 Burdett Avenue, Troy, NY 12180

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Location	Medical Facility
Buffalo	Buffalo General Hospital , 100 High Street, Buffalo, NY 14203 John R. Oishei Children’s Hospital , 818 Ellicott St. , Buffalo, NY 14203 Mercy Hospital of Buffalo , 565 Abbott Road, Buffalo, NY 14220 Sisters of Charity Hospital , 2157 Main Street, Buffalo, NY 14214 Erie County Medical Center , 462 Grider Street, Buffalo, NY 14215

Amherst	Millard Fillmore Suburban Hospital , 1540 Maple Road, Williamsville, NY 14221 DeGraff Memorial Hospital , 445 Tremont Street, North Tonawanda, NY 14120 Kenmore Mercy Hospital , 2950 Elmwood Avenue, Kenmore, NY 14217 St. Joseph Hospital , 2605 Harlem Road, Cheektowaga, NY 14225 Erie County Medical Center , 462 Grider Street, Buffalo, NY 14215
Greece	Unity Hospital , 1555 Long Pond Road, Rochester, NY 14626 Rochester General Hospital , 1425 Portland Avenue, Rochester, NY 14621 Highland Hospital , 1000 South Avenue, Rochester, NY 14620 Strong Memorial Hospital , 601 Elmwood Avenue, Rochester, NY 14620
Henrietta	Strong Memorial Hospital , 601 Elmwood Avenue, Rochester, NY 14620 Highland Hospital , 1000 South Avenue, Rochester, NY 14620 Rochester General Hospital , 1425 Portland Avenue, Rochester, NY 14621 Unity Hospital , 1555 Long Pond Road, Rochester, NY 14626
Southtowns / Orchard Park	Mercy Ambulatory Care Center , 3669 Southwestern Blvd., Orchard Park, NY 14127 Mercy Hospital of Buffalo , 565 Abbott Road, Buffalo, NY 14220 St. Joseph Hospital , 2605 Harlem Road, Cheektowaga, NY 14225 Buffalo General Hospital , 100 High Street, Buffalo, NY 14203 Women & Children’s Hospital of Buffalo , 219 Bryant Street, Buffalo, NY 14222 Erie County Medical Center , 462 Grider Street, Buffalo, NY 14215
Syracuse	St. Joseph’s Hospital , 301 Prospect Avenue, Syracuse, NY 13203 Upstate Medical Center , 750 E. Adams Street, Syracuse, NY 13210 Crouse Hospital , 736 Irving Avenue, Syracuse, NY 13210 Upstate Hospital Community Campus , 4900 Broad Road, Syracuse, NY 13215
Syracuse North	St. Joseph’s Hospital , 301 Prospect Avenue, Syracuse, NY 13203 Upstate Medical Center , 750 E. Adams Street, Syracuse, NY 13210 Crouse Hospital , 736 Irving Avenue, Syracuse, NY 13210 Upstate Hospital Community Campus , 4900 Broad Road, Syracuse, NY 13215
Akron	Cleveland Clinic Akron General Hospital , 1 Akron General Avenue, Akron, OH Summa Health System , 1 Park West Boulevard, Akron, OH 44320, Summa Health System - St. Thomas Campus , 444 N. Main Street, Akron, OH 44310 Western Reserve Hospital , 1900 23rd Street, Cuyahoga Falls, OH 44223

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Parma	MetroHealth Parma Medical Center , 12301 Snow Road, Parma, OH 44130 University Hospitals Parma Medical Center , 7007 Powers Boulevard, Parma, OH 44129 Cleveland Clinic ; 9500 Euclid Avenue, Cleveland, OH 44195 Louis Stokes VA Hospital , 10701 East Boulevard, Cleveland, OH 44106
Solon	St. Vincent Charity Medical Center , 33001 Solon Rd., Solon, Ohio 44139 University Hospital , 34055 Solon Rd., Solon, Ohio 44139
Virginia Beach	Sentara Princess Anne 2025 Glenn Mitchell Drive, Virginia Beach, VA 23456, Sentara Leigh Hospital ; 830 Kempsville Road, Norfolk, VA 23502
Richmond	Chippenham Hospital 7101 Jahnke RD Richmond, VA 23235 Johnston Willis Hospital 1401 Johnston Willis Dr. Richmond, VA 23235 Bon Secours St. Mary's Hospital 5801 Bremo Rd Richmond, VA 23236
Hampton	Sentara Careplex Hospital , 3000 Coliseum Drive, Hampton, VA 2366
Wauwatosa and Bayshore	Froedtert Hospital , 900 N 92n Street, Milwaukee 53226 Sexual Assault Treatment Center in Milwaukee , 414-219-5555
Racine	Ascension All Saints Hospital 3801 Sprint Street, Racine WI 53405 262-687-401

More information regarding forensic examinations and sexually transmitted infections, as well as other resources are available through your campus Title IX Coordinator. In New York, you may also contact the New York State Office of Victim Services, which is available through your campus Title IX Coordinator or by contacting the New York State Office of Victim Services directly: 1-800-247-8035 or <https://ovs.ny.gov/contact-us>.

2. On-Campus and Off-Campus Resources and Support Services

Individuals who have been subjected to sexual misconduct also often need other types of support. Even if you think you are okay and that you don't need help, the College encourages you to reach out to someone. The College's on-campus resource is the Title IX Coordinator. In addition, there are various off-campus resources that you can use if you prefer not to seek help from on-campus resources. Below is a list of on-campus and off-campus resources for each Bryant & Stratton College location, including counselors,

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advocates, and community resources. If you have any questions or aren't sure where to go, your campus Title IX Coordinator can help point you in the right direction.

Location	On-Campus Resources	Off-Campus Resources
Albany	Title IX Coordinator/Academic Advisor: Jeff Brown Email: jmbrown@bryantstratton.edu Phone: 518-437-1802, ext. 3717	<p>Albany County Crime Victim & Sexual Violence Center 112 State Street, Room 1118, Albany, NY 12207 518-447-7100 (office) 518-447-7716 (24 hour hotline) <i>Provides free and confidential services for Albany County residents of all genders and ages who have been affected by a crime, including resources for victims of sexual assault and domestic violence and resources for LGBTQ persons</i></p> <p>Equinox Domestic Violence Services 95 Central Avenue, Albany, NY 12206 518-432-7865 www.equinoxinc.org <i>Provides free domestic violence services, including safe shelters and transitional housing, counseling, support groups, and legal services, to victims and their children</i></p> <p>The Legal Project's Campus Violence Legal Connection 24 Aviation Road, Suite 101, Albany, NY 12205 518-435-1770 www.legalproject.org Or contact Program Coordinator, Brittni Galotti directly: bgulotty@legalproject.org <i>Provides free legal consultation and pro bono (free) legal representation in family court matters</i></p> <p>In Our Own Voices 245 Lark Street, Albany NY, 12210 518-432-4341 www.inourownvoices.org <i>Offers a variety of free programs designed to serve the LGBTQ community, including domestic violence and crime victim services, health services and HIV education, support groups, and legal services</i></p> <p>YWCA of Northeastern New York 44 Washington Avenue, Schenectady, NY 12305 518-374-3394 www.ywca-northeasternny.org <i>Provides domestic violence services, including</i></p>
Albany		

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Location	On-Campus Resources	Off-Campus Resources
		<p><i>counseling, support groups, and safe housing options</i></p> <p align="center">Unity House 2431 Sixth Avenue, Troy, NY 12180 518-274-2607 (office) 518-272-2370 (24 hour anonymous hotline) www.unityhousesny.org <i>Provides services regarding domestic violence and stalking, including counseling, support groups, emergency shelter and safe housing, and legal assistance, to victims and their children</i></p>
Buffalo	Title IX Coordinator/Dean of Instruction: Adam Patterson Email: aspatterson@bryantstratton.edu Phone: 716-625-6300, ext. 2329	<p>Haven House Child & Family Services 330 Delaware Avenue, Buffalo, NY 14202 716-842-2750 (office) 716-884-6000 (24-hour hotline) www.cfsbny.org <i>Providing a crisis hotline, safe housing, supportive counseling and support groups, and advocacy for victims of domestic violence</i></p>
Amherst	Title IX Coordinator/Dean of Instruction: Adam Patterson Email: arpatterson@bryantstratton.edu Phone: 716-625-6300, ext. 2329	<p>Crisis Services 100 River Rock Dr., Suite 300, Buffalo, NY 14207 716-834-2310 (phone) 716-834-3131 (24 hour hotline) <i>Providing confidential services to survivors of rape, sexual assault, and domestic violence, including counseling and access to forensic examinations, as well as emergency and intervention services to persons in emotional distress or mental health crisis</i></p>
Southtowns	Title IX Coordinator/Dean of Student Services: Adam Patterson Email: arpatterson@bryantstratton.edu Phone: 716-625-6300, ext. 2329 Laura Shopp System Director of Curriculum Email: lashopp@bryantstratton.edu Phone: 716-677-7923	<p>Erie County Bar Association Volunteer Lawyers Project 438 Main Street, 7th Floor, Buffalo, NY 14202 716-847-0662 www.ecbavlp.com <i>Providing free legal services on family law issues, including child support, divorce, custody, and guardianship</i></p>
System Office- Orchard Park		
Greece	Title IX Coordinator/Registrar: Melissa Kamens Email: mdkamens@bryantstratton.edu Phone: 585-625-5635	<p>Planned Parenthood of Central & Western NY 114 University Avenue, Rochester, NY 14605 585-546-2595 www.plannedparenthood.org <i>Providing sexual health services and information, including HIV testing, emergency</i></p>

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Location	On-Campus Resources	Off-Campus Resources
Henrietta Greece/ Henrietta	Title IX Coordinator/Registrar: Melissa Kamens Email: mdkamens@bryantstratton.edu Phone: 585-625-5635	<i>contraception, abortion services, birth control, pregnancy testing, and STD testing & treatment regardless of whether you have health insurance</i> Restore Sexual Assault Services & Rape Crisis Center 1 Mount Hope Avenue, Rochester, NY 14605 585-546-2777 (24 hour hotline) www.restoreas.org Providing free and confidential intervention & support services, including campus advocates and access to counselors and legal resources, for survivors of sexual assault and domestic violence and their families Willow Domestic Violence Center Rochester, NY 585-222-7233 (24 hour hotline) www.willowcenterny.org <i>Providing free and confidential services for victims of domestic violence and their families, including emergency shelter, safe affordable housing, safety planning, court companions, counseling and support groups, children's services, and pet shelters</i>
Syracuse Syracuse North	Title IX Coordinator/Registrar Andrea Pallone Email: ampallone@bryantstratton.edu Phone: 315-652-6500, ext. 228 Title IX Coordinator/Dean of Student Services: Andrea Pallone Email: ampallone@bryantstratton.edu Phone: 315-652-6500, ext. 228	Vera House 723 James Street, Syracuse, NY 13203 315-425-0818 (office) 315-468-3260 (24 hour hotline) www.verahouse.org <i>Providing comprehensive services for survivors of sexual violence and domestic violence, including emergency shelter, forensic exams, counseling, group therapy, LGBTQ services, youth and teen services, services for persons with disabilities, pet foster care, and advocacy on legal, medical, and social services issues</i> Cayuga-Seneca Community Action Agency 89 York Street, Suite 1, Auburn, NY 13021 315-255-6221 (24 hour confidential hotline) www.cscaa.com <i>Providing confidential assistance for survivors of domestic violence, including intervention services, emergency shelter, safety planning services, counseling and support groups, transportation, referrals to community resources, child care, relocation assistance,</i>

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Location	On-Campus Resources	Off-Campus Resources
		<p><i>emergency food and clothing, and advocacy on legal, medical, and financial issues</i></p> <p>Help Restore Hope Center 218 Liberty Street, Oneida, NY 13421 1-855-966-9723 (24 hour confidential hotline) www.helprestorehopecenter.org <i>Providing survivors of domestic violence and rape/sexual assault with free confidential services including emergency housing, crisis intervention, counseling, support groups, and assistance with and companions for medical exams and legal proceedings</i></p>
Akron	<p>Linda Jackson Title IX Coordinator/Dean of Instruction Email: Lajackson@bryantstratton.edu Phone: 330-598-2500</p>	<p>Battered Women's Shelter of Medina and Summit County, 120 West Washington Street, Suite 3E1, Medina, OH 44256, 877-906-7273</p> <p>Rape Crisis Center (Sexual Assault Hotlines and Counseling) 974 East Market Street, Akron, OH 44305, 330-434-7273</p> <p>Rape, Abuse, and Incest National Network (National Sexual Assault Hotline) 1220 L Street Northwest, Suite 505, Washington, DC20005, 800-656-4673</p>
Parma	<p>Linda Jackson Title IX Coordinator/Dean of Instruction Email: Lajackson@bryantstratton.edu Phone: 330-598-2500</p>	<p>Cleveland Rape Crisis Center, 1228 Euclid Avenue, #200, Cleveland, OH 44115, 216-619-6194</p> <p>Westlake Rape Crisis Center, 27887 Clemens Road, Westlake, OH 44145</p> <p>Rape, Abuse, and Incest National Network (National Sexual Assault Hotline), 1220 L Street Northwest, Suite 505, Washington, DC20005, 800-656-4673</p>
Solon	<p>Frankie Faulkner Title IX Coordinator/Dean of Instruction Email: ffaulkner@bryantstratton.edu Phone: 440-510-1118</p>	<p>Rape Crisis Center, 8334 Mentor Ave #100, Mentor Ohio 44060, 1-440-354-7364</p>
Hampton	<p>Lisa Sellars Title IX Coordinator/Dean of Student Services Email: rsellers@bryantstratton.edu Phone: 757-499-7900, ext. 228</p>	<p>Rape Crisis Center: The Center for Sexual Assault Survivors 718 J Clyde Morris Blvd, Newport News, VA 23601</p>

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Location	On-Campus Resources	Off-Campus Resources
		<p>Phone: 757-599-9844 24 hour phone number: 757-236-5260 https://visitthecenter.org/</p> <p>YWCA South Hampton Roads: 500 East Plume Street, Suite 700, Norfolk, VA 23510 Phone: (757) 625-4248 24 hour phone number: 757.251.0144 https://www.ywca-shr.org/</p> <p>Response Sexual Assault Support Services Hotline: 757-622-4300;</p> <p>Samaritan House's Safe Harbor Hotline: 757-430-2120;</p> <p>Spousal Abuse Friend & Educator Program (S.A.F.E.): 757-664-7647;</p> <p>Family Services/Sexual Trauma Team: 757-664-7079 or 757-664-7000; Counseling Services: 757-467-7707;</p> <p>Families United-Human Potentials: 757-624-3837; Center for Child and Family Service, Inc.: 757-838-1960 or Toll Free: 1-800-311-2927; Clinical Counseling, VB: 757-622-7017</p>
Virginia Beach	<p align="center">Lisa Sellars Title IX Coordinator/ Dean of Student Services Email: rsellers@bryantstratton.edu Phone: 757-499-7900, ext. 228</p>	<p>Rape Crisis Center:, Samaritan House: 2620 Southern Blvd., Virginia Beach, VA 23452 Office: 757-631-0710. 24 hour phone number: 757-430-2120 https://samaritanhouseva.org/resources/</p> <p>Response Sexual Assault Support Services Hotline: 757-622-4300;</p> <p>Spousal Abuse Friend & Educator Program (S.A.F.E.): 757-664-7647;</p> <p>Family Services/Sexual Trauma Team: 757-664-7079 or 757-664-7000; Counseling Services: 757-467-7707;</p>

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Location	On-Campus Resources	Off-Campus Resources
		Families United-Human Potentials: 757-624-3837; Center for Child and Family Service, Inc.: 757-838-1960 or Toll Free: 1-800-311-2927; Clinical Counseling, VB: 757-622-7017
Richmond	Non-Nursing Students Deborah Merritt Title IX Coordinator/Senior Academic Advisor Email: djmerritt@bryantstratton.edu Phone: 804-745-2444, ext. 8524 Nursing Students Michael Adams Title IX Coordinator/Senior Academic Advisor Email: mtadams@bryantstratton.edu Phone: 804-745-2444, ext. 8524	Rape Hotline: 804-643-0888; Crisis Services/Domestic Violence: 1-800-799-723; VA Family Violence & Sexual Assault Hotline: 1-800-838-8238; Domestic and Sexual Violence: YWCA Office: Richmond 804-643-0888 or Chesterfield 804-796-3066
Wauwatosa	Brian Sporleder Title IX Coordinator/Dean of Student Services Email: brsporleder@bryantstratton.edu Phone: 414-635-6676	Sexual Assault and Treatment Center: 414-219-5555
Bayshore	Brian Sporleder Title IX Coordinator/Dean of Student Services Email: brsporleder@bryantstratton.edu Phone: 414-635-6676	Sexual Assault and Treatment Center: 414-219-5555
Racine	Brian Sporleder Title IX Coordinator/Dean of Student Services Email: brsporleder@bryantstratton.edu Phone: 414-635-6676	Sexual Assault and Treatment Center: 414-219-5555

A list of additional local resources is available from the Title XI Coordinator at your campus location.

Bryant & Stratton College also maintains a brochure entitled “Sexual Assault: Knowledge and Prevention” which is available upon request. It includes information on the nature of sexual assaults, prevention of sexual assaults, and other relevant information. Additional information is available in each location’s Academic or Student Services Offices or in the Student Counselor’s office at locations that have such a counselor.

The above is only a brief listing of the resources available to you. You can find many more resources by dialing 2-1-1 for free, confidential help finding an extensive list of resources, including law enforcement & public safety assistance, legal services, hospitals that conduct sexual assault forensic exams, confidential counseling services, and more. 2-1-1 is available 24/7, and many of the resources to which they can refer you also are available 24/7, are confidential, and are low-cost or free of charge.

3. Provision of Supportive Measures

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In addition to the above on-campus and off-campus resources, the College is prepared to offer all victims of sexual misconduct, whether reported with or without a Formal Complaint, certain protections and reasonable campus accommodations, known as “supportive measures,” as defined in Section 3 of this policy. The accused and Respondents may also seek and receive supportive measures.

Of course, in cases where a victim chooses to report anonymously, the College will not be able to provide supportive measures.

Below is a list of supportive measures that may be available, if appropriate. To request any of the below protections and/or campus accommodations, please contact your campus Title IX Coordinator. Your Title IX Coordinator will then make the necessary arrangements, including coordinating with other campus offices as needed, in order to maintain your privacy. (If you aren’t sure who your campus Title IX Coordinator is, a list of all campus Title IX Coordinators is provided in Section 3).

- **No Contact Orders**
 - Having the College issue a one-way “no contact” order against the accused or a mutual no-contact order against both the accused and the victim. A no-contact order can be formulated appropriately as the circumstances warrant. The no-contact can range from prohibited communication to prohibiting physical contact.
 - A one-way “no contact” order requires a fact-specific inquiry to determine whether imposition of such an order would be punitive, disciplinary, or unreasonably burdensome to the other party. In cases where a one-way no-contact order would help enforce a restraining order, preliminary injunction, or other court-mandated protective order or if such an order would not unreasonably burden the other party, a one-way no-contact order may be appropriate.
 - When a one-way no-contact order is issued, if the accused, victim, or reporting individual observes each other in a public place, it will be the responsibility of the accused to avoid contact with the accused leave the area immediately and without directly contacting the reporting individual and/or victim. If necessary, the College may establish a schedule for the accused and the victim to access College buildings and property at separate times. Violating the “no contact” order could subject the accused to additional consequences and/or the involvement of law enforcement.
 - Both the accused and the victim will, upon request and consistent with these policies, be afforded a prompt review, reasonable under the circumstances of the need for and terms of the ‘no contact’ order, including potential modification and will be allowed to submit evidence in support of their his or her request.
- **Assistance from College associates in obtaining an order of protection or restraining order from law enforcement against the accused individual.**
 - Orders of protection and restraining orders are similar to “no contact” orders, except that they are imposed by a court, not by the College. If an accused individual violates an order or protection or restraining order, they could be arrested. The College reserves the right to impose consequences on accused individuals who violate orders of protection and restraining orders, such as imposing additional conduct charges and/or subjecting the accused to interim suspension.

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- **Assistance from College campus security in calling on and assisting law enforcement in effecting an arrest when the accused individual violates an order of protection.**
 - College campus security is available to assist victims and Complainants in instances where an accused or Respondent fails to comply with an order of protection.

- **Interim Suspension**
 - When the accused individual or victim is a student determined to present a continuing threat to the health and safety of the community, to subject the accused or victim to interim suspension pending the outcome of the Sexual Misconduct disciplinary process consistent with the law and the College's policies and procedures. After carrying out an individualized safety and risk analysis, in cases where the College determines that an accused or Respondent student presents an immediate threat to the physical health or safety of any student or other individual arising from the allegations of violation of this Policy, the College may find that removal of a student is justified. If the accused or Respondent is a College associate, the College may place the associate on administrative leave if it deems such action necessary.
 - Both the accused or victim and the reporting individual shall, upon request and consistent with the College's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of an interim suspension or administrative leave, including potential mediation, and shall be allowed to submit evidence in support of his or her request.
 - Determinations of whether an accused poses a continuing threat to the health and safety of the College community are made by Title IX Coordinators at each campus. In making such determinations, these Coordinators act in good faith and takes into consideration,
 - Whether the accused individual has a history of violent behavior or is a repeat offender;
 - Whether the victim or Complainant is a minor;
 - The nature of the allegation in question;
 - Subsequent behavior occurring after the allegation;
 - The potential risk of harm or disruption to the campus community and the victim or Complainant;
 - Other relevant factors, such as whether the alleged behavior represents an escalation in behavior from past incidents, the possession and/or use of a weapon and/or force, whether the College possesses other means to obtain evidence (e.g. security footage), whether available information reveals a pattern of perpetration at a given location or by a particular group and whether alternatives to interim suspension or administrative leave are available;
 - And/or use of a weapon, and whether alternatives to interim suspension are available.
 - When the threat posed implicates mental health issues, the victim will be required to provide the College with documentation from an appropriate healthcare provider in order to return to campus. Additional safety precautions may also be taken where the College deems it necessary.
 - When certain crimes occur in certain areas on and/or near campus that represent a serious or continuing threat to the campus community, the College is obligated under federal law to issue a timely warning, in order to protect the safety of others. Crimes triggering a timely warning might include, for example, a rapist who is still present on campus. When a timely warning is issued, the warning will never identify any victims, reporting individuals, or Complainants.

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- **Obtaining reasonable and available interim measures and accommodations for changes in the individual’s academics, housing, employment, transportation, or other applicable arrangements in order to help ensure safety, prevent retaliation, and avoid a hostile environment consistent with the College’s policies and procedures. Other protections, services, and accommodations that may be appropriate including, for example, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus.**
- While a matter is being investigated or during the pendency of a hearing, a victim, Complainant, accused, or Respondent may seek interim measures.

SECTION 8: SEXUAL MISCONDUCT DISCIPLINARY PROCESS

1. Presumption of Not Responsible

In cases where this Policy is applicable as set forth in Section 2 above, when an accused commits or is believed to have committed sexual misconduct or other conduct prohibited by this policy – whether committed against another student or associate, other member of the campus community, or non-member of the campus community – the accused may face conduct charges and be subjected to the College’s Sexual Misconduct disciplinary process. All accused who are subjected to the disciplinary process are entitled to a presumption of “not responsible” (not guilty) conduct until a determination regarding responsibility is made at the conclusion of the disciplinary process. All processes will be conducted in a fair, impartial, thorough, and timely manner. However, there may be circumstances where prior to the conclusion of the disciplinary proceedings, the College deems it necessary to carry out interim measures, such as interim suspension of a student or placing an associate on administrative leave.

2. Burden of Proof

At all times, the burden of proof and the burden of gathering evidence is on the College to establish that the alleged violation of this policy was committed by the Respondent. The standard of evidence required in both the Sexual Misconduct Hearing and in the Appeal Hearing, if one is sought, is a preponderance of evidence. “Preponderance of evidence” means that the relevant Sexual Misconduct Hearing Committee must decide in favor of the party that, as a whole, has the stronger evidence that the violation was or was not committed, however slight the edge over the other party’s evidence may be. “Preponderance of evidence” is sometimes described as “more likely than not” or “51% probability.” The evidence should be sufficient to incline a fair and impartial mind to one side of the issue over the other, but it is not necessary for that mind to be completely free from all reasonable doubt. “Preponderance of evidence” is a different and lesser standard of evidence than that used in criminal proceedings; rather, it is the standard of evidence often used in civil court proceedings. This standard will be used for Formal Complaints against both students and associates, including faculty.

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3. Informal Resolution Process

At any time prior to a Sexual Misconduct Committee reaching a determination, a Complainant may, but is not required to, seek informal resolution of his or her Formal Complaint. This informal process is not available when the accused is a College associate and both parties must voluntarily consent in writing to the informal resolution process or such a process will not be permitted. An informal resolution avoids a full investigation and Committee hearing and allows the parties to mediate a resolution. The informal resolution process is not available unless a Formal Complaint has been submitted. If a Complainant seeks an informal resolution, both the Respondent and the Complainant will be sent a written notice disclosing:

- That if the parties reach a mutually acceptable resolution to which they agree in writing, the Complainant will be prevented from resuming a Formal Complaint arising from the same allegations;
- Any party who has not agreed in writing to a mutually acceptable resolution has a right to withdraw from the informal resolution process and resume the Formal Complaint process.
- Should a party withdraw from the informal resolution process, all records resulting from the informal resolution process that could have been maintained by the College or shared with the College or the other party will be shared or maintained in the Formal Complaint process.

4. Sexual Misconduct Investigation and Hearing Process

Reporting without Submission of a Formal Complaint

In cases where a Formal Complaint has not been submitted by a Complainant, victims who have reported an incident of sexual misconduct – whether done so privately, confidentially, or anonymously – have the option of requesting that the College not conduct an investigation; however, under certain circumstances, the College may determine that an investigation is necessary to protect the health and safety of other students and/or the College community. When the College determines that an investigation is necessary, the victim will be treated as a party in any Sexual Misconduct proceeding. Victims who have anonymously submitted a report regarding an incident of sexual misconduct should be aware that their anonymity may inhibit the College's ability to conduct a full investigation of the incident and/or communicate with the victim regarding actions taken. In addition, such anonymity will inhibit the ability of the College to provide the victim supportive measures.

Formal Complaint Process

- Reports of potential and actual violations of this policy, as listed and described in **Prohibited Behavior** in **Section 5** above, will be processed as follows. All written notifications referenced below will be provided by the College to the parties in a manner that requires the parties to acknowledge receipt, such as certified mail or email, return receipt requested or hand delivery with a signed receipt.
- All sexual misconduct incident reports will be reviewed by the Title IX Coordinator.

The Title IX Coordinator may not have a conflict of interest or bias for or against the Complainant or the Respondent specifically or for or against Complainants or Respondents generally. A designee for the Title IX Coordinator will be appointed if a conflict exists.

In all cases where a Formal Complaint is submitted by a Complainant or signed by a Title IX Coordinator, the Title IX Coordinator (or his/her designee) will conduct an investigation into the incident reported.

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Upon the submission of a Formal Complaint, the victim will be referred to as the “Complainant” and the accused will be referred to as the “Respondent.”

- When a Formal Complaint is submitted, within 10 days, the Title IX Coordinator will provide a written notice to both the Complainant (if known) and the Respondent containing:
 - A description of the Sexual Misconduct Hearing process, including the informal resolution process;
 - The allegations of sexual misconduct with sufficient details known at the time the notice is drafted including the description of the allegations include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual misconduct as defined in this policy, and the date and location of the alleged incident, if known.
 - A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the Sexual Misconduct Hearing.
 - A statement that the parties may have an advisor of their choice, who may be, but is not required to be an attorney. In addition, a statement that if the party has no advisor at their hearing, the College will provide one of the College’s choice who is not required to be an attorney. The notice will further state that the College’s obligation to provide a party an advisor is limited to the initial hearing only and not any appeal hearing.
 - Notice that the parties may inspect and review evidence.
 - The College’s prohibition of knowingly making false statements or knowingly submitting false information during the Sexual Misconduct disciplinary process.
- During the course of any investigation, if investigation is pursued about allegations of either a Complainant or a Respondent that were not included in this notice, the College will provide notice of those allegations to the parties whose identities are known.
- Any investigation conducted will be done so in a fair, impartial, thorough, and timely manner and a good faith effort will be made to complete the investigation within 45 days. If the investigation requires additional time, the parties will be notified with an estimate of the additional time required to complete the investigation. The burden of gathering the evidence will be on the College and not on the parties. However, the College may not access, consider, or otherwise use a party’s records that are: 1) made or maintained by a physician, psychiatrist, or other recognized professional or paraprofessional acting in their professional’s or paraprofessional’s capacity, or assisting in that capacity, and 2) which are made and maintained in connection with the provision of treatment to the party. However, the College may access, consider, and use these records if the College obtains that party’s (or the party’s parent’s, if necessary) voluntary, written consent to do so for a Sexual Misconduct Hearing.
- The parties will be provided equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations in the Formal Complaint, including evidence that the College does not intend to rely upon in reaching a determination regarding responsibility. This includes such evidence that is inculpatory (evidence indicating culpability) or exculpatory (evidence indicating lack of culpability whether it was obtained from a party or another source. Such access will be provided to ensure that the parties are able to meaningfully respond to the evidence at the conclusion of the investigation.

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- To this end, before the investigative report is completed, the College will send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will be provided 10 days from receipt of the evidence to submit a written response. Any such responses will be considered prior to completion of the investigative report. At any hearing that follows, this evidence will be made available to the parties and both parties will have equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
- Should investigative interviews or meetings be necessary or should an individual’s participation at the hearing be requested, written notice will be provided to the individual with the date, time, location, participants, and the purpose of the interview, meeting, or hearing (as applicable). Such notice will be provided with at least 5 days prior notice or as soon as possible but with sufficient time for the participant to prepare for the interview, meeting, or interview.
- Upon completion of the investigation, an investigative report will be prepared which fairly summarizes the relevant evidence. If it is decided that the Respondent should be subject to proceedings under the Sexual Misconduct hearing process, each party and any advisor will be provided a copy of the report in an electronic format or a hard copy at least 10 days before any hearing (if a hearing is required or other time of determination regarding responsibility. Both parties will be given an opportunity to submit a written response to the report which will be due no later than 3 business days before the hearing.
- Upon completion of the investigation, if the Title IX Coordinator determines: 1) that the conduct alleged in the Formal Complaint would not constitute “sexual harassment” as defined in this Policy even if proved; 2) that the alleged conduct does not fall within the scope of this policy as set forth in Section 2; or 3) that the alleged conduct did not occur against a person when that person (the victim) was physically located in the United States, the Coordinator will dismiss the Formal Complaint with respect to a claim of violation of Title IX, but may continue the proceeding if the Coordinator believes there is other conduct that, if proven, would violate another provision of this policy. The Coordinator may also dismiss the Formal Complaint if at any time during the investigation or the hearing: 1) the Complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the Formal Complaint or any allegations in it; 2) Respondent is no longer enrolled or employed by the College; or 3) specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations in it. If the Formal Complaint is dismissed, the College will send written notice of the dismissal within 10 days of the determination that dismissal is necessary and the reasons for the dismissal simultaneously to all of the parties.

Charges and Notice of Hearing

- If upon the completion of the investigation, it is determined that there is sufficient evidence to proceed to a hearing, at least 10 days before the date of the hearing, written notice will be provided to the Respondent, Complainant, and any other party whose participation is invited or expected. Such notice will include:
 - The facts of the allegations made against the Respondent;
 - The specific College policy violation allegedly committed by the Respondent;
 - The time and date on which the violation allegedly occurred;

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- Possible consequences and/or sanctions against the Respondent for such violation;
- Information regarding how the Respondent can dispute the violation alleged (including the date, time, and location of a Sexual Misconduct Hearing at which the Respondent will be entitled to present evidence);
- What (if any) temporary measures will be imposed upon the Respondent while the Sexual Misconduct Hearing is in progress (e.g., interim suspension or administrative leave); and
- The right of both parties to be accompanied at the Sexual Misconduct Hearing by an advisor of his/her choice.
- The date, time, location, participants, and the purpose of the hearing. The date selected by the Title IX Coordinator will be timely in that it will provide the Respondent a reasonable amount of time to prepare for the Hearing while also not constituting an unreasonable delay in resolving the charges.
- When an alleged violation involves more than one victim or more than one Complainant, or when more than one violation is alleged to have been committed by the Respondent, the Title IX Coordinator may determine, in his/her discretion, to schedule separate Hearings.

Misconduct Hearing

- The Sexual Misconduct Hearing will be conducted in a fair, impartial, and thorough manner and presided over by a Sexual Misconduct Hearing Committee, which will be composed of impartial individuals selected by the Title IX Coordinator. The Title IX Coordinator may not serve on the Committee. Committee members may not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent specifically.
- The Committee will hear all evidence presented on the alleged violation. During the Sexual Misconduct Hearing, the parties will have the opportunity to present evidence and to inspect and review evidence.
- Both parties will have the right to be accompanied by an advisor of his/her choice. The College will be responsible for providing without fee an advisor to the parties only at the Sexual Misconduct hearing if necessary. Such advisors may be, but is not required to be, an attorney. In proceedings and meetings other than the initial hearing, the parties have the right to an advisor, but the not right for the College to provide such an advisor. Such advisor may accompany the party not only at the hearing but also at any interview or meeting. However, the Title IX Coordinator, when acting as the investigator and the Committee may establish restrictions on the extent to which the advisor may participate in the hearing, interview, or meeting. Such restrictions will apply equally to both parties.
- During the hearing, the Committee will objectively evaluate all of the relevant evidence—including both inculpatory and exculpatory evidence. The Committee will not make credibility determinations based on a person's status as a Complainant, Respondent, or witness.
- The Sexual Misconduct Hearing will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- During the course of the Sexual Misconduct Hearing, the College will not restrict the ability of either party to discuss the allegations under investigation or to gather and then present relevant evidence. The

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parties will be given an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

- The Sexual Misconduct Hearing will be live (in-person) with the following procedural rights and restrictions:
 - The Sexual Misconduct Committee will decide on the location of the hearing. If either party so requests, the hearing will be carried out with the parties located in separate rooms with technology, such as video conferencing, which enables the Code of Conduct Committee and the parties to simultaneously see and hear the party or witness answering questions. In addition, depending on the circumstances, the Committee may, on its own, decide to hold the hearing with all parties physically present in the same geographic location or it may decide to have any or all parties, witnesses, and other participants to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. An audio or audiovisual recording, or transcript, of any live hearing will be made available to the parties for inspection and review. This record will be maintained for seven years.
 - The Sexual Misconduct Committee will permit each party's advisor to cross-examine the other party and any witnesses relevant questions and follow-up questions, including those that challenge credibility.
 - If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party;
 - All cross-examination will be conducted directly, orally, and in real time by the party's advisor and never by the party personally. Only relevant cross-examination and other questions may be asked of a party or witness. The party or individual being examined by the other party's advisor will await a relevancy determination from the Committee Chair before answering each question. Should the Committee Chair exclude the question, the Chair will explain the reason for the exclusion;
 - If a party or witness does not submit to cross-examination at the live hearing, the Sexual Misconduct Committee may nonetheless rely on any prior statement of that party or witness in reaching a determination regarding responsibility. For example, the Committee may consider statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties leading up to the alleged sexual harassment, and statements about the alleged sexual harassment that are relevant, regardless of whether the parties or witnesses submit to cross-examination at the live hearing. The Committee may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing. However, the Committee will not draw an adverse inference from a complainant's or respondent's decision not to participate or remain silent during the process. An investigator or the Committee, in the investigation or the hearing respectively, will reach findings and conclusions based on the information available.
 - Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are

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not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

After all evidence has been presented in the Sexual Misconduct Hearing, the Committee will render a decision as to whether the Respondent is “responsible” (guilty) or “not responsible” (not guilty) for the violation and will impose consequences and/or sanctions on the Respondent if found “responsible”, if appropriate. If the Respondent fails to or declines to attend the Sexual Misconduct Hearing, the hearing will be held without the Respondent present and the Committee may reach a decision of “responsible” and impose consequences and/or sanctions even in the Respondent’s absence. However, the Committee will not make a determination based solely on the absence of the Respondent.

Upon conclusion of the Sexual Misconduct Hearing, the Committee will privately deliberate and will issue a written determination applying the preponderance of the evidence standard.

- The written determination will be simultaneously sent to both parties within 5 business days of the conclusion of the Sexual Misconduct Hearing and will include:
 - A summary of the allegations including which provisions of this Policy were alleged to be violated;
 - A summary of the procedural steps the College carried out from receipt of the Formal Complaint through the determination, including notifications to the parties, any interviews with parties and/or witnesses, any site visits, other methods used to gather evidence, and hearings held.
 - Findings of fact supporting the determination;
 - Conclusions regarding the application of this Policy to the facts;
 - With respect to each allegation, a statement of the determination of responsibility, any disciplinary sanctions imposed, and whether any restorative remedies will be provided to the Complainant; and
 - A description of the process and permissible bases for either the Complainant or the Respondent to appeal. Committee will not make a determination based solely on the absence of the Respondent.
- Either the Respondent “responsible” or the Complainant may commence his/her appeal by following the procedures described in the paragraphs titled “Appeals Process” below. In the event an appeal is requested, the Sexual Misconduct Hearing Committee’s decision will be protected from public release by the College until the Appeals Process is complete and final, unless the law requires otherwise. However, the parties involved may choose whether or not to discuss or disclose the outcome of the Code of Conduct Hearing.
- If a party does not commence an appeal within at least 10 days from receiving written notification of the Sexual Misconduct t Hearing Committee’s decision, then the Committee’s decision will be final.

Appeals Process

Any Respondent found “responsible” by a Sexual Misconduct Hearing Committee and any Complainant following a dismissal or finding of “not responsible” may appeal the Committee’s decisions, including its determination of responsibility and/or the consequences/sanctions imposed.

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Any party seeking an appeal of the Committee’s decision(s) (“Appellant”) must submit a written request for an appeal to the Title IX Coordinator within 10 days of receiving written notification of the Committee’s decision. The written request for appeal must include a brief statement of the basis of the appeal. Permissible bases for appeal are:

- A procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the Committee made the determination regarding responsibility or dismissal, which could affect the outcome of the matter;
- The Title IX Coordinator, investigator (if different than the Title IX Coordinator), or a member of the Sexual Misconduct Committee had a conflict of interest or bias for or against complainants or respondents, in general, or the individual Complainant or Respondent specifically that affected the outcome of the matter.
- The burden of proof was met or was not met but the Committee concluded otherwise.
- The Appellant objects to the Sexual Misconduct Hearing Committee’s determination of responsibility, the imposed consequences/sanctions, or both.

Upon receiving the Appellant’s written request for appeal, the Title IX Coordinator will schedule the date for an Appeal Hearing at a campus location or virtually within 10 days of receipt of the appeal, to be held no later than 30 days from the date of receipt of the request for appeal. Upon scheduling the Appeal Hearing, the Title IX Coordinator will provide written notification of the location, date, and time to both the Appellant and the other party.

The Appeal Hearing will be conducted in a fair, impartial, and thorough manner. The Appeal Hearing will be presided over by a panel of impartial individuals selected by the Title IX Coordinator. The Title IX Coordinator, any individual who served on the Sexual Misconduct Hearing or the investigator (if different than the Title IX Coordinator) may not serve on the Appeal Hearing panel. In addition, no member of the Appeal Hearing panel may have a conflict of interest or bias for or against Complainants or Respondents, in general, or the Complainant or Respondent specifically. When such an appeal is submitted, the non-appealing party will be notified in writing of the appeal and these procedures will be applied equally to both parties. Both parties will be given the opportunity to submit a written statement in support of or challenging the outcome of the Committee’s determination before the Appeal Hearing. Such written statements must be submitted no later than 10 days before the Appeal Hearing.

The Appeal Hearing panel will hear all arguments presented in regard to whether the Sexual Misconduct Hearing Committee’s decisions were appropriate. After all arguments have been presented, the Appeal Hearing panel will render a written decision on the appealed issues and, if appropriate, impose revised consequences/sanctions on a party. Within 10 days of the Appeal Hearing, the parties will simultaneously be sent written notification of the Appeal Hearing panel’s decision and the rationale for such decision. The Appeal Hearing panel’s decisions are final and are not subject to further appeal.

Timeframes

Any of the deadlines in this policy may be extended upon the showing of good cause. When considering whether to grant an extension, the absence of a party, a party’s advisor, or a witness, concurrent law enforcement activity, or the need for language assistance, or accommodation of disabilities will be

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considered. Where extensions are granted, the Complainant and Respondent will be provided written notice of the extension or delay and the reasons for the action.

Possible Sanctions

The following possible sanctions may be imposed as a result of a Sexual Misconduct Hearing and/or an Appeal Hearing. In addition, if at any point (whether during or prior to any such hearing) the presence of a student or College associate on campus creates a threat to the health, safety, and/or well-being of other students or other members of the College community, the College reserves the right to immediately remove that individual from campus until the time of the Sexual Misconduct Hearing and/or Appeal Hearing as discussed in Section 7 above.

The following list of the range of possible consequences/sanctions is not exhaustive, and these consequences/sanctions may be imposed singularly or in any combination. Different and/or additional consequences or sanctions may be imposed by a Sexual Misconduct Hearing Committee and/or Appeal Hearing panel as deemed appropriate. Pursuant to individual State law, all parties involved – both the Complainant and the Respondent – will receive written notice of any imposed consequences/sanctions and the rationale in support of such consequences/sanctions.

- No Consequences/Sanctions: Where the Sexual Misconduct Hearing Committee (and/or the Appeal Hearing panel, in the event an appeal is sought) determines that a Respondent is “not responsible”, the Sexual Misconduct charges against the Respondent will be dismissed and the Respondent’s name will be cleared.
- Written Warning: A notice in writing that the Respondent is violating or has violated institutional regulations.
- Probation: A written reprimand for violation of specified regulations which places the Respondent in a probationary status for a designated period of time. Violation of any College rules or policies during a probationary period may result in the imposition of additional and/or more severe disciplinary sanctions.
- Discretionary Sanctions: Work assignments, essays, or other discretionary assignments.
- Loss of Privileges: Denial of specified privileges for a designated period of time.
- Restitution: Financial reimbursement for damages to property.
- Community Service: A stated number of hours, set in writing, of donated service.
- Permanent “No Contact” Order.” A permanent “no contact” order (effective for the duration of the student’s enrollment at the College or the College associate’s employment) requiring the Respondent found “responsible” to stay away from the Complainant against whom he/she has committed misconduct. This may be imposed in addition to any interim “no contact” order already issued.
- Residence Hall Suspension: Separation of a Respondent student from the residence halls for a defined period of time, after which the Respondent student is eligible to return. Conditions for readmission may be specified.
- Residence Hall Expulsion: Permanent separation of the Respondent student from the residence halls.
- College Suspension: Separation of the Respondent student from the College for a defined period of time, after which the student is eligible to return. Conditions for readmission may be specified. This sanction automatically results in a Transcript Notation sanction.

**BRYANT & STRATTON COLLEGE
Policy & Procedure Statement**

SUBJECT TITLE: Sexual Misconduct Policy	POLICY NO. 10-0001(a)	EFFECTIVE DATE: February 2018 REVISED: 2018, 4/2019, 4/2020, 8/2020, 8/2021, 9/2021, 11/2021, 12/2021, 8/3/2022, 1/31/23, 2/13/23
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- Disciplinary Dismissal or Expulsion from the College: Permanent termination of status as a student or associate of the College. This sanction, if imposed on a student, automatically results in a Transcript Notation sanction.
- Transcript Notation: For crimes of violence carried out by a Respondent student, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act established in 20 U.S. C. 1092(f)(1)(i)(I) –(viii), Bryant & Stratton will make a notation on the transcript of students found responsible after a disciplinary hearing that they were “Suspended after a finding of responsibility for a Code of Conduct violation” or “Expelled after a finding of responsibility for a Code of Conduct violation,” as appropriate. For a Respondent who withdraws from the College while such charges are pending, and declines to complete the disciplinary process, Bryant & Stratton will make a notation stating, “Withdrew with conduct charges pending.” Transcript notations regarding expulsion, suspension and withdrawal shall be permanent. Suspended Respondent students may appeal such notation and seek its removal after one year after conclusion of the suspension. A Respondent student subjected to suspension or expulsion, and by extension subjected to an automatic transcript notation, may appeal this sanction by commencing the appeals process within the required timeframe (see paragraphs entitled “Appeals Process” above). If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed.
- Other consequences and/or sanctions as deemed appropriate by the Sexual Misconduct Hearing Committee and/or Appeal Hearing panel.

SECTION 9: STUDENT RIGHTS

The following rights are guaranteed to all Bryant & Stratton College students. Please read them carefully. If you have any questions, you can always ask your campus Title IX Coordinator. If you aren’t sure who your campus Title IX Coordinator is, a list of all campus Title IX Coordinators is provided in Section 3. The rights listed in the Student Bill of Rights will also be discussed with you and/or provided to you when you disclose or report an incident of sexual misconduct to any College associate, whether they are a Confidential Resource or an associate who cannot assure confidentiality but can assure privacy.

Student Bill of Rights

All students have the right to:

1. Make a report to local law enforcement and/or the State Police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the Sexual Misconduct process and/or criminal justice process free from pressure by the College;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the victim or Complainant is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few College associates as practicable and not be required to unnecessarily repeat a description of the incident;

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8. Be protected from retaliation by the College, any student, the accused and/or their friends, family, and acquaintances within the jurisdiction of the College;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, or accused individual, throughout the Sexual Misconduct process, including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or student conduct process of the College.

Additional Rights

All reporting individuals are further advised of their right to:

- Notify College campus security, local law enforcement, and/or State Police;
- Have emergency access to a Title IX Coordinator or other College associates trained in interviewing victims of sexual assault who will be available upon the first instance of disclosure by the reporting individual to provide information regarding options to proceed and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible; to explain that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violates State criminal laws should be addressed to law enforcement or to the local district attorney; and to explain whether he/she is able to offer the reporting individual confidentiality or privacy and to inform the reporting individual of other reporting options;
- Disclose confidentially the incident to College associate, who may offer privacy and/or confidentiality in accordance with applicable laws, as appropriate, and who can assist in obtaining services and resources for reporting individuals;
- Disclose confidentially the incident and obtain services from the State or local government;
- File a report of sexual assault, domestic violence, dating violence, and/or stalking; have the right to consult the Title IX Coordinator and other appropriate College associate for information and assistance; and have the right to have reports investigated in accordance with College policy, including the right that the reporting individual's identity will remain private at all times if the reporting individuals wishes to maintain privacy;
- Disclose, if the accused is a College associate, the incident to the College's Head of Human Resources and/or have the right to request that a College associate assist in reporting the incident to the Head of Human Resources;
- Receive assistance from College associates in initiating legal proceedings in family court or civil court;
- Withdraw a complaint or withdraw from involvement in the College student conduct process at any time.
- The right to request that Sexual Misconduct charges be filed against the accused in proceedings governed by the Sexual Misconduct procedures established by the College in this policy;

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SECTION 10: RECORDKEEPING

The College will maintain records of the following for seven years:

- Each investigation of alleged violations of this Policy including any determination regarding responsibility and any audio or audiovisual recording or transcript of a Sexual Misconduct Hearing;
- Disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant to restore or preserve equal access to the College’s programs and activities;
- Any appeal and the results of that appeal;
- Any informal resolution and the results of that informal resolution;
- All materials used to train Title IX Coordinators, investigators, Sexual Misconduct Hearing Committee members or members of Appeal Panels, and individuals who facilitate an informal resolution process. These training materials will be made available on the College’s website;
- Supportive measures taken in response to a report or Formal Complaint alleging violation of this policy and the basis for the College’s conclusion that its response was not deliberately indifferent and how such measures were designed to restore or preserve equal access to the College’s program and activities;
- The reasons why supportive measures for a Complainant were not provided in cases where they were not provided and why the lack of such measures was not clearly unreasonable in light of the known circumstances.

Date	Initials and Title	Brief, Bulleted Description of Changes
8/2020	A. Polino (Sys Dir FA)	Overall compliance policy update – official merging of previous Policies 10-0001(a) and 10-0001(b).
8/2021	A. Polino (Sys Dir FA)	Update re cross-examination in hearing.
9/2021	A. Polino (Sys Dir FA)	Update re cross-examination in hearing.
11/4/2021	A. Polino (Sys Dir FA)	Updated Title IX Coordinator for Richmond Nursing Students.
12/1/2021	A. Polino (Sys Dir FA)	Updates to Title IX Coordinators and Confidential Resources, and misc.
3/2/2022	A Polino (Sys Dir FA)	Updates to formatting, Title IX Coordinators and Confidential Resources, remove Cleveland and Saratoga Campuses, and misc.
8/3/2022	A Polino (Sys Dir FA)	Updates to Title IX Coordinator information
1/31/23	S. Elliott (Director Legal)	Updates to Title IX Coordinator and Confidential Resources pulled from Jan 23 catalog edits of A. Polino
2/13/23	S. Elliott (Legal Director)	Added PRC-related language.