

BOSTON UNIVERSITY POLICE
SAFETY ON CAMPUS

Annual Safety Report

October 2016

Los Angeles

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Boston University's Annual Security and Fire Safety Report: Study Abroad Los Angeles

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MESSAGE FROM THE ACTING CHIEF OF POLICE AND EXECUTIVE DIRECTOR OF PUBLIC SAFETY

Boston University is committed to ensuring the safety of students, faculty, staff, and guests to enhance their experience within our community. This commitment to safety extends beyond the borders of our main campus in Boston, Massachusetts. More than ever, Boston University students are engaged in academic pursuits around the country and around the world. It is with our more distant community members in mind that this report is compiled to address issues of crime prevention and personal safety.

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") requires that colleges and universities publish annually a report to address campus safety-related policies and procedures as well as campus crime and, when there are on-campus student residences, fire safety and fire statistics. This annual security report focuses on the policies, procedures and statistics applicable to Boston University Study Abroad Los Angeles.

I urge you to read the information presented in this report and to take a moment to think about your personal safety.

- Know how to contact the local police at your BU site and store that information in your mobile device.
- Sign up for and pay attention to any emergency alert service that may be offered at your BU site.
- Report any crime or safety concerns you may have to local police and administrators at your site.
- Finally, look out for your fellow students' welfare and remember that we all share a responsibility for creating and maintaining a safe and secure environment for every member of our community.

Acting Chief Scott Paré
Boston University Police Department

1. BRIEF OVERVIEW OF PROGRAM, ENROLLMENT AND FACILITIES

The Boston University Study Abroad Los Angeles programs offer students the opportunity to study and intern in the heart of the world's media and entertainment industries. Programs range from a short-term summer program to a semester-long program combining academic coursework and internships in film, television, and talent management, to post-graduate certificate programs in acting and screenwriting, to a graduate program in Media Ventures. Typical enrollment in the program varies, depending on the time of year, from approximately 30 students to a maximum of 100. The majority of students are Boston University undergraduates, although approximately 10% of the students in Los Angeles are drawn from other American colleges and universities and registered as visiting Boston University students.

The program employs a full-time professional staff along with several adjunct faculty members, and maintains a classroom/office facility and student apartments in west-central Los Angeles, near the Los Angeles County Museum complex and the Farmer's Market. Its central location facilitates travel for students on internships as part of their program.

Classroom/Offices:
Boston University Study Abroad Los Angeles
5700 Wilshire Blvd., Suite 675
Los Angeles, CA 90036
Tel: 323-571-4535
www.bu.edu/losangeles

Student Residences: Park La Brea
6200 W 3rd Street
Los Angeles, CA 90036
Tel: 877-787-3154

All participants in Boston University Study Abroad programs are required to understand and abide by the Boston University Code of Student Responsibilities, as well as the special conditions and expectations of the programs themselves, as conditions of participation. Students who violate the Code are subject to disciplinary action as described here:

<http://www.bu.edu/dos/policies/student-responsibilities>.

2. BOSTON UNIVERSITY POLICE DEPARTMENT

The Boston University Police Department is a full-time, professional law enforcement agency that provides a wide variety of services on the University's campuses in Boston, Massachusetts.

The Boston University Police Department also assists students, faculty and staff who study and work at locations around the world in matters concerning safety, law enforcement, and crime reporting. Although members of the University community who are not located in Boston are encouraged to call local law enforcement to report a crime, the Boston University Police Department welcomes all calls for assistance or inquiries from any member of the BU community, regardless of their location.

Boston University Police Department
32 Harry Agganis Way
Boston, Massachusetts 02215
617-353-2121 (emergencies)
617-353-2110 (all other calls)
www.bu.edu/police

The Boston University Annual Security and Fire Safety Report can be found at:
<http://www.bu.edu/safety>

3. LOCAL LAW ENFORCEMENT/PRIVATE SECURITY

Boston University Study Abroad Los Angeles works closely with both the private security department of Park La Brea (Universal Protection) and the Los Angeles Police Department to provide a safe living and learning environment for students in this program. In the event of an emergency or to report any crime, members of the BU Study Abroad Los Angeles community should call 911. The Los Angeles Police and Fire Departments will always be the first responders in any emergency situation.

Los Angeles Police Department
4849 Venice Blvd
Los Angeles, CA 90019
(213) 473-0277
Divisional Webpage: lapdwilshire.com
Smartphone App: [lapdwilshire](#)
Twitter Account: [lapdwilshire](#)
24-Hour Anonymous Tip Line: 877-527-3247

Los Angeles Police Department – West Bureau Community Station – Wilshire Area
4861 West Venice Blvd.
Los Angeles, CA 90019
213-473-0476

Park La Brea/Universal Protection Service team members staff entrances to the student residence complex and patrol the grounds. They work together with the LAPD, as appropriate, to investigate incidents involving residents in the complex.

Universal Protection Service
3000 S. Robertson Blvd., Suite 150
Los Angeles, CA 90034
310-287-3101

Universal Protection Service
6200 West Third Street
Los Angeles, CA 90036
323-549-5508

Universal Protection Service provides security services at the program's classroom and office spaces located at 5700 Wilshire Boulevard. UPS guards are located at the reception desk and patrol the building.

Universal Protection Service
5750 Wilshire Blvd., Suite 151
Los Angeles, CA 90036
323-692-2445

Universal Protection Service security personnel are empowered to check identification and limit access to the buildings. They have no arrest authority and have no written agreement in place with the Los Angeles Police Department, although as noted above Universal Protection Service will assist the LAPD in investigations.

Students should also report any criminal incident to the program administrators, identified below, who can provide assistance with filing a police report or other support.

4. SAFETY AND SUPPORT NETWORK

The Director and other on-site staff provide 24-hour academic and student life support to all students participating in the Los Angeles programs and serve as a bridge to other community-based resources, including emergency services, medical services, and local law enforcement. They are backed up in Boston by the staff of BU Study Abroad and Global Support. Students can reach on-site staff in Los Angeles 24/7 by calling 323-240-0664.

Emergency Contacts

On arrival each student receives a sticker for their ID card containing emergency contact protocols. In addition to the 24/7 emergency number above, the following staff 24/7 numbers are listed on the sticker.

Los Angeles

Program Office: 323-571-4535

Michael Ouellette, Program Assistant Director: 323-395-6883, mikeo@bu.edu

Erika Ljungdahl, Program Manager: 323-684-8746, eljungda@bu.edu

Thomas Potts, Program Specialist: 616-446-7247, pottstd@bu.edu

Los Angeles students are provided with an ID card listing program contact information and the contact information for other emergency resources. Students are also encouraged to enter an ICE (In Case of Emergency) phone contact number in their personal phone contact lists, since emergency workers are trained to look for identification and such ICE numbers if they find someone unable to communicate for himself or herself.

Boston

BU Study Abroad staff may be reached during emergencies at any time by calling one of the following numbers:

617-353-6350 (Monday-Friday, 9am-5pm ET)

617-594-3215 (after hours and weekends)

A dedicated staff member in Boston University Global Support also serves an important function for emergency planning and response:

Joseph Finkhouse, Associate Director, Health, Safety and Security

617-353-5401 (office)

617-777-3122 (mobile)

All Boston-based campus resources are available to students as well. These include:

- Boston University Police: 617-353-2121; bupolice@bu.edu (a licensed psychiatric social worker is on 24-hour on-call through the BU Police)
- Student Health Services: 617-353-3575; www.bu.edu/shs
- Sexual Assault Response & Prevention Center: 617-353-7277; <http://www.bu.edu/sarp/>; sarp@bu.edu
- Dean of Students Office: 617-353-4126; dos@bu.edu
- Disability Services: 617-353-3658; access@bu.edu

The Boston University Global Support Safety Management Team meets as necessary to coordinate response to emergencies off-campus and respond to the community's needs. This team is chaired by the Vice President/Associate Provost for Global Support or his designee.

In addition, students enjoy access to the resources of Boston University's on-campus Safety and Support Network (<http://www.bu.edu/safety/network/>) and service to support students' health and well-being (<http://www.bu.edu/safety/health-and-well-being/>).

On-site Directors of Boston University Study Abroad programs are trained annually in the breadth of support offices and functions in Boston, so that they and their students may take full advantage of them.

Confidential Resources

Boston University Study Abroad Los Angeles does not currently employ anyone on-site who is authorized to keep reported incidents confidential. If a student wishes to disclose information confidentially, it is important to make it clear that the student should contact one of the following Boston University offices.

Sexual Assault Response & Prevention Center (SARP)

24-hour hotline: 617-353-SARP (7277)

Email: sarp@bu.edu

www.bu.edu/sarp

The Sexual Assault Response & Prevention Center provides rapid, confidential, compassionate, supportive, and free-of-charge advocacy and assistance to BU students who have experienced a traumatic incident, including but not limited to sexual assault, physical assault, interpersonal violence, and other crimes

Student Health Services/Behavioral Medicine

617-353-3575

617-353-3569 (for urgent mental health-related needs)

www.bu.edu/shs

Student Health Services is designed to help meet BU students' health care needs while at Boston University. SHS provides primary care, sports medicine, and counseling services by appointment and on an emergency basis. SHS also provides wellness and prevention services that address alcohol, drugs, sexual health, and healthy relationships. SHS provides resources for faculty, staff, and students to help students who may be in distress at www.bu.edu/shs/behavioral/helpinfo.

Marsh Chapel

617-353-3560

www.bu.edu/chapel

University chaplains from a variety of religious traditions are available to all students, regardless of religious affiliation. Appointments can be scheduled, or students can visit the chapel office on weekdays between 9 a.m. and 10 p.m. University chaplains provide confidential assistance to BU students.

Office of the Ombuds

617-358-5890 (Charles River Campus)

617-638-7645 (Medical Campus)

<http://www.bu.edu/ombuds>

Although the above are confidential resources, the University encourages pastoral counselors and professional counselors to inform the individuals they counsel of the procedures to report crimes to law enforcement on a voluntary confidential basis for inclusion in the annual crime statistics.

Non-Confidential Resources

In addition to the confidential resources listed above, there are a number of other non-confidential resources.

Dean of Students

George Sherman Union
775 Commonwealth Avenue, Third Floor
617-353-4126; dos@bu.edu
www.bu.edu/dos

The Dean of Students office is a service-oriented department operating on behalf of students. If you are a student and have any concern that you think should be addressed, contact this office. The Dean of Students is vested with principal responsibility for implementing and administering the Code of Student Responsibilities (www.bu.edu/dos/policies/student-responsibilities) and for overseeing student judicial proceedings. The Dean of Students also sponsors a safety program, "Be Safe @ BU." For additional information, including valuable safety tips, visit the website at www.bu.edu/dos/resources/be-safe.

The Albert & Jessie Danielsen Institute

185 Bay State Road
617-353-3047
www.bu.edu/danielsen

The mission of the Danielsen Institute is to alleviate suffering and to promote healing, growth, and change in the persons, communities, and institutions that we serve. The institute seeks to accomplish this mission through service, training, teaching, and research that emphasizes depth psychotherapy and is informed by spiritual, religious, and existential perspectives.

The Center for Anxiety & Related Disorders

648 Beacon Street, Sixth Floor
617-353-9610
www.bu.edu/card

The Center for Anxiety & Related Disorders (CARD) is an internationally known clinical and research center dedicated to advancing knowledge and providing care for anxiety, mood, eating, sleep, and related disorders.

Psychological Services Center at Boston University

648 Beacon Street, Fifth Floor
617-358-4290
www.bu.edu/psc

The Psychological Services Center is a mental health center with a dual mission of providing a wide range of psychological services to students, faculty, and staff of Boston University and training opportunities to the students of Boston University's clinical psychology program.

University Service Center

881 Commonwealth Avenue, Lower Level

617-358-1818; usc@bu.edu
www.bu.edu/usc

The University Service Center is charged with the resolution of problems that are complex, highly sensitive, or that cross administrative and academic lines—including matters of safety and security. Staff members have broad discretion in identifying issues and resolving problems for students, families, and employees.

5. REPORTING CRIMES

All Boston University students, faculty and staff are urged to report all crimes, allegations of crimes, and emergency situations, wherever they may occur, as promptly as possible. Emergency response, including response to crimes, is best handled by local law enforcement or other emergency responders who are reached by calling 911. All crimes and other emergencies should also be reported to any of the following members of the Boston University Study Abroad Los Angeles staff:

Bill Linsman, Director, linsman@bu.edu
Michael Ouellette, Program Assistant Director, mikeo@bu.edu
Erika Ljungdahl, Program Manager, eljungda@bu.edu
Thomas Potts, Program Specialist, pottstd@bu.edu

Crimes and emergencies in the Student Residences should also be reported to Park La Brea at 877-787-3154.

The University has designated certain administrators as campus security authorities (CSAs) who are individuals who have significant responsibility for student and campus activities including, but not limited to, student housing, student discipline and campus judicial proceedings. CSAs are mandated to report crimes to BUPD. The University regularly identifies those individuals who fit the definition of CSA and provides training to assist them in fulfilling this important role. All Los Angeles staff members dealing directly with students, including RAs, are CSAs. Crimes may be reported to any of them.

All such incidents should then be reported to Boston University Study Abroad and Global Support using the standard Incident Report Form. The Global Support Associate Director, Health, Safety and Security will then report qualifying criminal acts to the Boston University Police for inclusion in BU's annual crime statistics report. Sites should report all crimes and emergencies that occur in connection with the Boston University Los Angeles program, including related travel outside of Los Angeles, to Boston University Study Abroad.

Boston University encourages all members of the community to report all crimes, including when the victim of the crime elects or is unable to report the crime directly.

As there are no off-campus housing or other facilities utilized by Boston University Study Abroad Los Angeles, the program does not engage in any monitoring or recording of criminal activity through local police agencies at specific off-campus locations. Boston University Study Abroad Los Angeles works closely with the Los Angeles Police Department to provide a safe living and learning environment for students in this program.

6. FACILITIES AND ACCESS

5700 Wilshire Boulevard is an upscale, modern, six-story office building. Boston University's suite includes classrooms as well as offices for program staff. All visitors pass by a 24-hour guarded entrance; from 7 pm to 7 am visitors must be admitted to the building by a security guard. Guards

also patrol the building around the clock. There are numerous security cameras throughout and outside the building and parking areas. Between 7 pm and 7 am, key cards are necessary in order to operate the elevators. Faculty members have keys to the general suite classroom; only administrators have keys to the offices.

Park La Brea is a 168-acre apartment complex located approximately two blocks from 5700 Wilshire Boulevard. The surrounding neighborhood is home to the large Grove shopping center and the Farmer's Market, as well as the LA County Museum and the La Brea Tar Pits. Park La Brea is a gated community, with guards at all three entry points and patrolling the grounds. Visitors should be registered with Sky Security by a resident, and will be given a visitor or parking pass at the entrance. All students are housed in 13-story towers within the Park La Brea complex. Apartments are secured with locks and deadbolts. The selection of Park La Brea is based on several factors, including the location, which is close to heavily trafficked areas such as the Wilshire Boulevard "Miracle Mile" and the upscale Grove shopping center; the security, provided by Park La Brea management and their private security contractor; and the responsiveness of Park La Brea management and Los Angeles Police and Fire Departments.

7. SAFETY PROCEDURES, CRIME PREVENTION PROGRAMS AND WELLNESS PROGRAMS

Pre-departure meetings are held on the Boston University campus to discuss administrative and academic aspects of the program, including conditions on site, staff and local resources, situational awareness and other basic health and safety precautions. In addition, a program handbook is updated annually and sent electronically to all students, regardless of their attendance at these sessions.

Students attend an on-site orientation session during the first days of the program itself, where program staff discuss health, safety, security, emergency procedures, emergency contact information and reporting procedures. All students are supplied with the program's 24-hour emergency contact numbers and are encouraged to enter these numbers into their mobile devices.

Because of the unusual risk of earthquakes in Southern California, as well as associated problems including fire and the loss of utilities and other public services, Boston University Study Abroad Los Angeles emphasizes earthquake preparedness and response. Measures include:

- Providing each student apartment with an emergency supply kit and food and water for 3 to 5 days.
- Providing each student a portable emergency kit to keep in their cars.
- Verbal orientation/tours of the classroom/office facility and student apartment safety features and modes of egress, as well as a group tour of the program's designated assembly areas.
- A classroom/office building safety presentation, including a fire drill, conducted by building security personnel.

Another risk unusual to the Los Angeles programs is road and vehicle safety. Because of the paucity of reliable public transportation in Los Angeles, the majority of students reach their internship locations in private cars. The program has secured a favorable rate for long-term vehicle leases for students in the program. Students in the program are provided with detailed information relating to laws regarding the leasing and operation of vehicles in California, insurance requirements, and basic tips for driving in the city.

In addition, many of Boston University's prevention and wellness programs are available by phone and online and are fully accessible to students. These include:

Sexual Assault Response & Prevention Center (SARP)
617-353-SARP (7277)
Email: sarp@bu.edu
www.bu.edu/sarp

Student Health Services/Behavioral Medicine
617-353-3575
617-353-3569 (for urgent mental health-related needs; 24-hour hotline)
www.bu.edu/shs

Marsh Chapel
617-353-3560
Email: chapel@bu.edu
www.bu.edu/chapel/staff/chaplains

University Service Center
617-358-1818
www.bu.edu/usc

Attached at Appendix A is a list of programs related to domestic violence, dating violence, sexual assault and stalking, including but not limited to primary prevention and awareness programs, bystander intervention programs and ongoing prevention and awareness campaigns. If you are interested in participating in or learning more about any of these programs, please contact the Program Director, Bill Linsman, who will seek to make arrangements for online or other remote access, to the extent that it is not practicable for you to participate in the programming on Boston University's campus in Boston, Massachusetts.

8. TIMELY WARNINGS AND EMERGENCY NOTIFICATION

Timely Warnings

A timely warning will be issued when a Clery crime that has occurred within the Clery geography is considered to represent an ongoing or continuing threat to the campus community.

Timely warnings are intended to alert our community about reported crimes that have happened on the Boston University Los Angeles Campus or that have happened nearby and which are considered to represent a continuing threat to our student and employees. If such an incident is reported to Boston University Los Angeles, the Site Director, Bill Linsman, or his designee will decide if a timely warning message will be sent and then issue said warning communication via text message and/or email as soon as information is available. The purpose of issuing a timely warning message is to inform members of the community about criminal activity and help prevent them from becoming a victim of a continuing crime on or near our campus.

Emergency Notification

Emergency notifications are intended to alert our community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. The purpose of issuing an Emergency Notification message is to inform members of the community of immediately dangerous situations and help them make informed decisions about their safety.

Process for Issuing Emergency Communications

All staff members are responsible for communicating news of dangerous or emergency situations to Site Director Bill Linsman or his designee. It is the responsibility of Director Linsman or his designee to confirm that an actual emergency exists. This may be done by coordinating or relying on information from sources such as local law enforcement, news sources, weather alert services, the U.S. State Department, or other reliable sources. Director Linsman or his designee will determine the content of the message and the segment of the population to receive the message. He or his designee will be responsible for sending the message via text message as soon as information is available. In the interest of safety for the members of our community, Boston University Study Abroad Los Angeles will initiate the Emergency Notification message without delay unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Emergency notifications and timely warnings will withhold as confidential the names and other identifying information of victims.

9. EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Boston University Study Abroad Los Angeles maintains a detailed emergency response plan, including an emergency communication protocol and an evacuation plan, in accordance with Boston University Study Abroad policy. Portions of the plan relating to students, faculty and staff are provided during orientation at the beginning of the semester. The entire plan is maintained in the program office.

All emergency plans and procedures, including contact information for local health, safety and security resources, advice on how to avoid becoming a victim of a crime, and instructions on how to report crimes, threats, and other incidents, are provided to students during the on-site orientation. A segment of the orientation is devoted to local health, safety and security issues. As noted previously, Boston University encourages all students, staff and faculty to report all crimes to onsite staff as well as local law enforcement.

Emergencies are responded to on-site according to a set protocol that will include staff, faculty, facilities managers, LAPD and the buildings' private security, and BU. In Boston, Study Abroad, Global Support, and the BUPD will work with on-site staff to coordinate an institutional response when necessary.

Notification of students, faculty and staff upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff will be executed as described above in "Timely Warnings and Emergency Notification."

Site Director Bill Linsman or his designee shall be responsible for dissemination of information to the larger Boston University Study Abroad Los Angeles community (students, faculty, and staff in the program).

Director Linsman or his designee is responsible for the maintenance, review, and revision of Boston University Study Abroad Los Angeles' emergency response and evacuation plans and will coordinate regular tests of the emergency response and evacuation procedures on at least an annual basis. These tests will be documented with a description of the exercise, the date and time, and whether the test was announced or unannounced. Director Linsman or his designee will also publicize the University's emergency response and evacuation procedures in conjunction with at least one test per calendar year. Following every declared emergency or following a campus-wide drill, a written critique will be prepared by Director Linsman or his designee as a means of assessing and evaluating emergency plans and capabilities.

10. FIRE SAFETY

The Higher Education Opportunity Act, enacted in 2008, requires that the University produce an annual fire safety report describing fire safety procedures and providing fire-related statistics for on-campus housing facilities.

Boston University Study Abroad Los Angeles maintains student on-campus residences in the Park La Brea Apartments as described above in Section 6 (Facilities and Access).

Fire Safety Policies: Fire safety is taken very seriously at all Boston University locations, including residence halls, instructional facilities, and offices. All students, faculty and staff are expected to cooperate in keeping facilities as safe as possible. For this reason, the following activities are forbidden in Park La Brea apartments, and those engaging in them should expect serious consequences:

- Setting fires of any kind for any reason.
- Tampering with any fire safety equipment, including fire extinguishers, fire alarm boxes, smoke detectors, and sprinkler heads (such as hanging objects from sprinkler heads and so forth).
- Malicious activation of a fire alarm.
- Propping open fire doors for any purpose other than emergency evacuation.
- Use of roofs and fire escapes for any purpose other than for escape from a fire or threat of a fire.
- Accidental activation of a smoke detector or fire alarm resulting from hall sports, water fights, and so on.
- Lighting open flames, and the possession of candles or incense in the residences.
- Using space heaters or other types of portable heaters.
- Careless use of approved items/appliances that creates a fire hazard.

Fire Safety Training: All students attend on-site orientation where fire safety systems and emergency procedures are discussed. During this session students are shown a video of a fire quickly taking hold, in order to heighten awareness of the speed of smoke spreading and killing. All students participate in a fire drill under emergency conditions (i.e., with emergency lighting only) to learn their escape routes and assembly points, and must successfully complete the drill within a period of time set for each building. This is explained to students in detail. All students participate in another fire drill when they attend their first class so that they are fully aware of how to evacuate the classroom building. Drills are conducted each semester in each residence building. During this initial orientation students go through a fire drill of the main classroom/office facility at 5700 Wilshire Blvd. All drills are logged.

In addition, each apartment in the Park La Brea apartment complex contains a binder of information including apartment layouts and evaluation routes.

Evacuation Procedures: In the event of fire, students must call 911, test doors for heat, and evacuate via staircases. Evacuation takes priority over the use of the fire extinguisher. Students must not attempt to remove any belongings from their apartments. They should alert other residents as far as they are able. Students must then contact the Director or other program staff at any time of day or night. Students should then assemble at the designated point, specifically the main Park La Brea parking lot at Tower 44, 410 Hauser Blvd. Students may not return to their apartments until the Park La Brea staff and the fire department have given an all-clear.

If the evacuation is from classrooms, faculty will have the attendance register for each class and will check students against this register and make a report to staff/fire department if anyone appears not to have left the building.

As previously noted, the risk of earthquakes in Southern California also elevates the risk of fire. Because of the risk of wildfires, students are also asked to be wary when out in the city or hiking in nearby areas, and to have their mobile devices with them at all times.

Student Housing Fire Safety Systems—LA Campus

Interior Fire Alarm/Central Station Monitored	Sprinklered Full/Partial	Fire Extinguishers	Smoke Detectors	Fire/Evacuation Plans Posted	Fire/Evacuation Drills Annually
AD = Auto Dial to Fire Department FA = Fire Alarm Central Monitored	AS = Automatic Sprinklered PS = Partial Sprinklered NS = Not Sprinklered				
FA	AS	Present	Present	Yes	0

Fire Statistics

Boston University Study Abroad Los Angeles maintains a fire log from which the following statistics are derived.

Incident Date	Address	Cause/Description of Fire	Estimated Cost of Damage	Number of Injuries	Number of Deaths
2013	Park La Brea Student Apartments	None	0	0	0
2014	Park La Brea Student Apartments	None	0	0	0
2015	Park La Brea Student Apartments	None	0	0	0

11. ALCOHOL AND DRUG POLICIES

Boston University's campuses and activities are not sanctuaries from federal, state, and local laws. Boston University prohibits the unlawful use, possession, sale, distribution, or manufacture of controlled substances or alcohol on University property or as part of University activities. Boston University neither permits nor condones the possession, use, or sale of illegal drugs and narcotics. Violators are subject to University disciplinary procedures, as well as to criminal prosecution under state and federal laws. Dealing in narcotics or illegal drugs anywhere on campus will result in expulsion from the residence system and further disciplinary action by the University. Conviction for drug-related offenses in any jurisdiction may affect a student's eligibility for federal, state, or University financial aid. For additional information, visit the Financial Assistance website at www.bu.edu/finaid/eligibility/convictions/.

All participants in Boston University programs are required to understand and abide by the Code of Student Responsibilities, as well as the special conditions and expectations, and conditions of participation in the University's Study Abroad programs. Students who violate the Code are subject to disciplinary action as described in the Code: <http://www.bu.edu/dos/policies/student-responsibilities>.

BU Statement on Drug- and Alcohol-Related Medical Emergencies and Judicial Sanctions:

The illegal use or abuse of alcohol or drugs can be hazardous to students' health and safety as well as an impediment to academic and personal success. The University is, above all else, concerned for the safety and well-being of all members of our community; therefore, the University addresses all reported violations of the University's alcohol and drug policies, including notifying the parents of undergraduate students of alcohol- and drug-related incidents, if necessary.

At Boston University, student health and safety are paramount. The University recognizes that alcohol or drug consumption may create medical or safety emergencies in which the potential for University disciplinary action may deter students from seeking assistance for themselves or others. In these situations, we strongly encourage students to act with their own and others' health and safety as the primary concern.

When the University learns of a student's illegal possession or use of alcohol or drugs as a result of that student's seeking medical assistance for him or herself, or another person, that student ordinarily will not be subject to University disciplinary sanctions for possession or use of that substance so long as the student completes all education and counseling programs recommended by the University. We are committed to the use of education and treatment approaches because, in our experience, education and/or treatment for individuals who receive emergency medical attention may reduce the likelihood of future occurrences.

When there is a question of sexual abuse or assault in a situation involving alcohol or drugs, the student who was sexually abused or assaulted is not subject to discipline under the University's alcohol and drug policies.

The University offers a variety of programs to address alcohol and drug use, including several that are available online at <http://www.bu.edu/shs/wellness/aod>.

The following resources are available at Boston University to address alcohol- and drug-related issues: Wellness & Prevention Services (a department of Student Health Services) offers drug and alcohol groups and interactive education classes; substance abuse assessments, including BASICS (Brief Alcohol Screening and Intervention for College Students); consultation services; and online intervention programs, including 'AlcoholEdu for College' and 'e-Checkup to Go' for both alcohol and marijuana.

For more information about these programs, visit the SHS website (www.bu.edu/shs/wellness/aod) or call 617-353-4085. The SHS website also provides information about additional resources at www.bu.edu/shs/wellness/aod/alcohol.

Faculty and staff may contact the Faculty & Staff Assistance Office (www.bu.edu/fsao; 617-353-5381) for referrals.

Boston University "Alcohol and Drug Policies and Disclosures" outlined in the main Boston University Annual Security and Fire Safety Report (<http://www.bu.edu/safety/alcohol-drugs>) apply to all separate campuses and non-campus locations as well.

Local Laws

California law prohibits the purchase, possession, and/or transportation of alcoholic beverages by individuals under the age of 21. California law also prohibits persons from possessing, transporting, and/or distributing illegal drugs.

Federal Drug Laws

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

A. Denial of Federal Benefits

21 U.S.C. 862

A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.

Federal Drug Possession Penalties

B. Forfeiture of Personal Property and Real Estate

21 U.S.C. 853

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.

C. Federal Drug Trafficking Penalties

21 U.S.C. 841

Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe.

If death or serious bodily injury results from the use of a controlled substance that has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$8 million.

Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

D. Federal Drug Possession Penalties

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

Federal Trafficking Penalties for Schedules I, II, III, IV, and V (except Marijuana)				
Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	First Offense: Not less than 5 yrs. and not more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. Second Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	Cocaine 5 kilograms or more mixture	First Offense: Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. Second Offense: Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. 2 or More Prior Offenses: Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 grams or more mixture	
I	Fentanyl Analogue 10-99 grams mixture		Fentanyl Analogue 100 grams or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 grams mixture		LSD 10 grams or more mixture	
II	Methamphetamine 5-49 grams pure or 50-499 grams mixture		Methamphetamine 50 grams or more pure or 500 grams or more mixture	
II	PCP 10-99 grams pure or 100-999 grams mixture		PCP 100 grams or more pure or 1 kilogram or more mixture	
Substance/Quantity		Penalty		
Any Amount Of Other Schedule I & II Substances		First Offense: Not more that 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Any Drug Product Containing Gamma Hydroxybutyric Acid				
Flunitrazepam (Schedule IV) 1 Gram				
Any Amount Of Other Schedule III Drugs		First Offense: Not more than 10 yrs. If death or serious bodily injury, not more that 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
Any Amount Of All Other Schedule IV Drugs (other than one gram or more of Flunitrazepam)				
Any Amount Of All Schedule V Drugs		First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances	
Marijuana 1,000 kilograms or more marijuana mixture or 1,000 or more marijuana plants	<p>First Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</p> <p>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.</p>
Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants	<p>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.</p> <p>Second Offense: Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50million if other than an individual.</p>
Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants	<p>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</p> <p>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</p>
Hashish More than 10 kilograms	
Hashish Oil More than 1 kilogram	
Marijuana less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants	<p>First Offense: Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.</p> <p>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.</p>
Hashish 10 kilograms or less	
Hashish Oil 1 kilogram or less	

Description of Health Risks

Serious health and personal risks are associated with the use of illegal drugs and abuse of alcohol. They may include temporary or permanent physical or mental impairment, injury, or death. Use and abuse of such substances may also give rise to conduct which causes injury, death, or damage to the user/abuser or to the person or property of others, resulting in criminal or civil prosecution and liability. Use and abuse of such substances may also lead to unsafe and/or nonconsensual sex, unwanted pregnancy, and may cause defects, injury, or death in unborn children. Consequences also include temporary or permanent loss of educational or employment opportunities.

Drugs and the Body

Narcotics (Heroin):

- Initial euphoria followed by drowsiness and nausea
- Constricted pupils, watery eyes, dazed look
- Overdose may produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death

Depressants (Barbiturates, Tranquilizers):

- Relaxed muscles, calmness, drowsiness
- Confusion, disorientation, slurred speech
- Overdose may produce shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death

Stimulants (Cocaine, Methamphetamine):

- Increased heart and respiratory rate, elevated blood pressure, decreased appetite
- Blurred vision, dizziness, insomnia, anxiety
- High doses can cause physical collapse, irregular heartbeat, stroke, and possible death

Hallucinogens (LSD, PCP, Mushrooms):

- Illusions and hallucinations
- Confusion, panic, anxiety, depression, and poor perception of time and distance
- Respiratory failure, death due to careless behavior

Cannabis (Marijuana, Hashish):

- Increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite
- Interferes with memory, speech, coordination, and perception of time
- Increases risk of lung cancer, weakened immune system, and affects reproductive system

Alcohol and the Body

- Impairment of brain function, judgment, alertness, coordination, and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking, such as driving recklessly
- Alcohol taken with other drugs can intensify the effects of the drug, alter the desired effect of the drug, cause nausea, sweating, severe headaches, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Health problems such as cirrhosis of the liver
- If used during pregnancy, birth defects and mental retardation in users' unborn children may occur

12. MISSING STUDENT NOTIFICATION PROCESS

Boston University provides students living in University housing on campus, including BU Study Abroad Los Angeles, with the opportunity to provide confidential contact information to the University. Students may identify their confidential contact by visiting the Student Link (www.bu.edu/studentlink) and clicking on the "Personal" tab and updating the "Address & Phone" information to identify a "Missing Person" contact. Students may identify someone other than their emergency contact to be notified in the event the student is reported to be missing and, if students designate someone other than an emergency contact, that individual and his or her contact information will be confidential. This person will be notified in the event the student is officially reported as missing.

If a student for whom a missing person report has been filed has been missing for more than 24 hours, then within the next 24 hours the Site Director Bill Linsman, or his designee will do all of the following:

- Begin search procedures
- Notify the Los Angeles Police Department
- Notify the individual identified by the student to be contacted in such circumstances
- If the student is under 18 years old and not emancipated, notify a parent or guardian

Students, employees, or other individuals who believe that a student living in on-campus housing has been missing for 24 hours should report it immediately to Director Linsman, to any staff or faculty member, or directly to Boston University Study Abroad.

13. SEXUAL MISCONDUCT

Boston University is committed to fostering an environment that is free from all forms of sexual misconduct, including sexual assault and sexual harassment. In support of that commitment, BU takes steps to increase awareness of such misconduct, eliminate its occurrence on campus, provide support for survivors, diligently investigate all reports of sexual misconduct, and deal fairly and firmly with offenders. Creating a safe campus environment and a culture of respect is the shared responsibility of all members of the BU community, individually and collectively.

The University complies with all state and federal discrimination laws, including Title IX of the Education Amendments of 1972, the federal law that prohibits discrimination on the basis of sex in education programs and activities. The Boston University Sexual Misconduct/Title IX Policy ("Policy") is intended to ensure a safe and non-discriminatory educational and work environment.

The University has included below its comprehensive Sexual Misconduct Policy, which includes information regarding what to do if you have experienced a sexual assault, information regarding resources, as well as the procedures available to file a complaint. In addition, the University has provided information specific to the resources available in the Los Angeles area.

Local Medical and Support Resources

The Rape Treatment Center at UCLA Medical Center

The RTC provides comprehensive, free treatment for sexual assault victims. Services include 24-hour emergency medical care and forensic services, counseling and psychotherapy, advocacy and accompaniment services.

<http://www.911rape.org/about-us/who-we-are>

Sojourn Battered Women's Shelter

The Sojourn Battered Women's Shelter provides a 24-hour hotline through which it provides information and referrals to callers; crisis intervention; a crisis shelter offering 4-6 weeks of housing, support and case management; a children's program; community education and prevention programs; court advocacy and legal assistance; support groups; classes for domestic violence survivors.

1250 16th St, Santa Monica, CA 90404

24-Hour Hotline: 310.264.6644

<https://www.opcc.net/sojourn?nd=sojourn>

Los Angeles County Department of Mental Health

The Department of Mental Health provides mental health services including assessments, case management, crisis intervention, medication support, and peer support. The Department also provides counseling to victims of natural or manmade disasters.

550 S Vermont Ave, Los Angeles, CA 90020

Tel: (800) 690-6639

24-Hour ACCESS hotline: (800) 854-7771

<http://dmh.lacounty.gov/wps/portal/dmh>

Crisis Intervention Network (Counseling & Mental Health)

LA-area counseling services.

260 S. Beverly Drive, Beverly Hills, CA 90210

(310) 823-0006

www.crisisinterventionla.com

Southern California Counseling Center

SCCC is a nonprofit counseling center and training facility where pre-licensed therapists provide counseling while under supervised training. Fees for services are determined on a sliding scale. The Center's services include individual counseling, group session therapy, family counseling, trauma and resilience treatment for trauma survivors, and limited psychiatric care services.

5615 W Pico Blvd, Los Angeles, CA 90019

(323) 937-1344

www.sccc-la.org

Doni Whitsett, Ph.D., LCSW (Lives at Park La Brea Apartments. Does not take insurance)

(323) 907-2500

Whitsett@usc.edu

Students may report to local law enforcement:

Los Angeles Police Department

4849 Venice Blvd

Los Angeles, CA 90019

(213) 473-0277

Divisional Webpage: lapdwilshire.com Smartphone App: [lapdwilshire](#)

Twitter Account: [lapdwilshire](#)

24-Hour Anonymous Tip Line: 877-527-3247

Los Angeles Police Department – West Bureau Community Station – Wilshire Area

4861 West Venice Blvd. Los Angeles, CA 90019 (213) 473-0476

Boston University Study Abroad Los Angeles

Sexual misconduct of any kind can be reported to the BU Study Abroad Los Angeles student life staff, listed below, as well as to the Los Angeles Police Department.

Bill Linsman, Director, linsman@bu.edu

Michael Ouellette, Program Assistant Director, mikeo@bu.edu

Erika Ljungdahl, Program Manager, eljungda@bu.edu

Thomas Potts, Program Specialist, pottstd@bu.edu

BU Study Abroad Los Angeles staff members work together with BU Judicial Affairs, Behavioral Medicine, and the Sexual Assault Response & Prevention Center (SARP). BU Study Abroad Los Angeles Site Directors receive annual in-person training regarding sexual misconduct. In addition, Program Directors attend annual meetings and receive annual trainings and updates in these areas.

Additional Definitions

Attached at Appendix B is information regarding the definitions of, as applicable, domestic violence, dating violence, stalking, sexual assault and consent.

Boston University Sexual Misconduct/Title IX Policy

Effective January 1, 2015

Table of Contents

[I. Introduction](#)

[II. Prohibited Conduct: Definitions and Examples](#)

[III. Other Important Concepts and Definitions](#)

[IV. Campus and Community Resources](#)

[V. Reporting Sexual Misconduct](#)

[VI. Other Information Related to Reporting Sexual Misconduct](#)

[VII. Title IX Review](#)

[VIII. Prevention and Education](#)

[IX. Training](#)

[X. Resources and Support](#)

[XI. Confidentiality Protections and Reporting Obligations](#)

I. INTRODUCTION.

A. Statement of University Values.

Boston University is committed to fostering an environment that is free from all forms of sexual misconduct, including sexual assault and sexual harassment. In support of that commitment, BU takes steps to increase awareness of such misconduct, eliminate its occurrence on campus, provide support for survivors, diligently investigate all reports of sexual misconduct, and deal fairly and firmly with offenders. Creating a safe campus environment and a culture of respect is the shared responsibility of all members of the BU community, individually and collectively.

The University complies with all state and federal discrimination laws, including Title IX of the Higher Education Amendments of 1972, the federal law that prohibits discrimination on the basis of sex in education programs and activities. The Boston University Sexual Misconduct/Title IX Policy ("Policy") is intended to ensure a safe and non-discriminatory educational and work environment.

As described in more detail below, in this Policy "sexual misconduct" is intended to refer to a broad range of conduct focused on sex and/or gender that may or may not be sexual in nature. Sexual harassment, sexual assault, sexual exploitation, stalking, and relationship violence are all forms of sexual misconduct prohibited by law and this Policy.

This Policy sets forth the University's definition of and approach to addressing sexual misconduct. [Section II](#) defines prohibited conduct and includes scenarios illustrating sexual misconduct. [Section II](#) provides additional definitions of important concepts such as consent, incapacitation, and force. [Section IV](#) identifies on and off-campus resources for all members of the BU community, including information about where to access resources in a confidential manner, [Section VII](#) explains the role of the Title IX Coordinator and Deputy Title IX Coordinators. Sections [VIII](#) and [IX](#) outline the University's prevention, education, and training efforts. Finally,

[Section X](#) provides the contact information for campus and community resources and [Section XI](#) describes the reporting obligations of various University offices.

B. Scope of the Policy and Procedures.

This Policy is intended to provide the Boston University community with a clearly articulated set of behavioral standards, and definitions of prohibited conduct and key concepts. The Policy applies to all community members, including students, faculty, staff, affiliates, visitors, applicants for admission or employment, and independent contractors. Vendors and others who conduct business with the University or on BU property are also expected to comply with this Policy. The Policy applies regardless of a person's gender, gender identity, gender expression, sexual orientation, age, race, nationality, class status, religion, or other protected status.

This Policy applies both to on-campus and off-campus conduct if (i) the conduct was in connection with a University or University-recognized program or activity, or (ii) the conduct may have the effect of creating a hostile environment for a member of the BU community. [Section XI](#) includes a list of on-campus resources available to those affected by sexual misconduct and the extent to which such resources have reporting obligations or may maintain the confidentiality of a report of sexual misconduct. The accompanying [Procedures for the Resolution of Sexual Misconduct Complaints against Students](#) ("Student Procedures"), describe the investigation and disciplinary process that applies when a current undergraduate, graduate, or professional student at Boston University (including a student on leave) is accused of sexual misconduct. If a Boston University faculty or staff member, or other person doing business with BU is accused of sexual misconduct, the investigation and disciplinary processes described in Boston University's [Procedures for the Resolution of Sexual Misconduct Complaints against Faculty, Staff, Affiliates, and Non-Affiliates](#) ("Faculty and Staff Procedures") apply.

Boston University recognizes that sexual assault, harassment, discrimination and other forms of sexual misconduct can have a profound impact on a person's personal, academic, and work life. The University encourages anyone coping with such a situation to seek help and support. Students who are uncertain of their options or simply need help should call the **Sexual Assault Response & Prevention Center ("SARP") at (617) 353-7277**. Faculty and staff may contact the **Faculty & Staff Assistance Office ("FSAO") at (617) 353-5381** for assistance.

Nothing in this Policy or any of the University's procedures for the resolution of sexual misconduct complaints shall be construed to abridge academic freedom, principles of free speech, or Boston University's educational mission.

C. Notice of Non-Discrimination.

Boston University is committed to establishing and maintaining an environment free of all forms of discrimination and harassment for all members of the University community. The University prohibits discrimination against any person on the basis of race, color, religion, sex, age, national origin, physical or mental disability, sexual orientation, gender identity or expression, genetic information, military service, or because of marital, parental, veteran status, or any other protected class.

The University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs, or in the context of employment. Sexual misconduct, including sexual harassment as defined in this Policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

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

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

D. Coordination with Boston University's Non-Discrimination Policy.

Boston University recognizes that discrimination and harassment related to a person's sex can occur in connection with misconduct related to a person's sexual orientation, gender identity, or gender expression, race, color, ethnicity, national origin, religion, age, disability, or other protected class. Targeting a person on the basis of these characteristics is also a violation of state and federal law and University policy. Under these circumstances, the University will endeavor to coordinate the investigation and resolution efforts of sexual misconduct complaints with the investigation and resolution of complaints of discrimination or harassment based on other protected classes.

II. PROHIBITED CONDUCT: DEFINITIONS & EXAMPLES.

"Sexual misconduct" is a broad, non-legal term that encompasses a wide range of behaviors, including but not limited to, sexual harassment, sex/gender discrimination, sexual assault, rape, acquaintance rape, stalking, and relationship violence (including dating and domestic violence). It is a violation of University policy as well as applicable law to commit or to attempt to commit these acts.

Sexual misconduct can occur between strangers or acquaintances, or people who know each other well, including between people who are or have been involved in an intimate or sexual relationship. It can be committed by anyone, regardless of gender or gender identity, and can occur between people of the same or different sex or gender. This Policy prohibits all forms of sexual misconduct.

A. Sexual Assault (including Rape).

Sexual assault is actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to:

- Intentional touching of another person's intimate parts without that person's consent; or
- Other intentional sexual contact with another person without that person's consent; or
- Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or
- Rape, which is penetration, no matter how slight, of (1) the vagina or anus of a person by any body part of another person or by an object, or (2) the mouth of a person by a sex organ of another person, without that person's consent.

See [Section III](#) for the definitions of consent, incapacitation, and force.

B. Sexual Harassment.

1. Definition of Sexual Harassment

Sexual Harassment is unwelcome conduct of a sexual nature that has the effect of creating a hostile or stressful living, learning, or working environment, or whenever toleration of such

conduct or rejection of it is the basis for an academic or employment decision affecting an individual. Conduct is considered “unwelcome” if the person did not request or invite it and considered the conduct to be undesirable or offensive.

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

2. Forms of Prohibited Sexual Harassment.

Sexual harassment can take many forms, and can:

- Occur between equals, such as student to student, faculty member to faculty member, staff to staff, or visitor/contracted employee to staff.
- Occur between persons of unequal power status, such as supervisor to subordinate, faculty member to student, coach to student-athlete, student leader to first-year student. Although sexual harassment often occurs in the context of an exploitation of power by the person with the greater power, a person who appears to have less power in a relationship can also commit sexual harassment (such as a student harassing a faculty member).
- Be committed by an acquaintance, a stranger, or someone with whom the complainant has or had a personal, intimate, or sexual relationship.
- Occur by or against a person of any sex, gender identity or expression, or sexual orientation. The following non-exhaustive list includes examples of behavior that could be considered sexual harassment:
 - Unwelcome sexual innuendo, propositions, sexual attention, or suggestive comments and gestures.
 - Unwelcome physical contact of a sexual nature, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted or unwelcome by the other person.
 - Humor and jokes about sex or gender-specific traits; sexual slurs or derogatory language directed at another person’s sexuality or gender.
 - Insults and threats based on sex or gender; and other oral, written, or electronic communications of a sexual nature that a person communicates and that are unwelcome.
 - Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of emails or websites of a sexual nature. (For more information on misconduct using the University’s computing facilities, please see the Conditions of Use and Policy on Computing Ethics.)
 - Non-academic display or circulation of written materials or pictures degrading to a person(s) or gender group.
 - Unwelcome attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.
 - Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex, gender identity or expression, or sexual orientation.
 - Use of a position of power or authority to: (i) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (ii) promise rewards in return for sexual favors.
 - Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.

C. Sexual Exploitation.

Sexual exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent.

Examples of behavior that could rise to the level of sexual exploitation include:

- Prostituting another person;
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
- Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or gratifying sexual desire.

D. Stalking.

1. Definition of Stalking.

Stalking is a course of conduct involving more than one instance of inappropriate and unwanted attention, harassment, threatening or intimidating physical or verbal contact, or any other course of conduct directed at a person that could be reasonably regarded as likely to alarm or place that person in fear of harm or injury, including physical, emotional, or psychological harm. This includes the use of technology to pursue, harass, threaten, intimidate, or otherwise make unwelcome contact with another person. Stalking may involve people who are known to one another or have an intimate or sexual relationship, or may involve people not known to one another.

Stalking is prohibited by Massachusetts law. Stalking can also constitute a violation of this Policy when the conduct involves a Boston University student or employee and is gender-based.

2. Examples of Stalking.

The following persistent, unwanted, and repeated harassing conduct may constitute stalking:

- Every time Natalie went to class, Ben, another student, would sit next to her. Ben kept trying to talk to Natalie even though she told him she was not interested in him. Ben then started showing up everywhere that Natalie went — in the lobby of her residence hall, in the George Sherman Union, and at her work-study job. Ben was persistent and threatened to “make” Natalie go out with him. If Ben continues to pursue this conduct, his action may constitute stalking in violation of this Policy.
- David dated Ellen, a graduate student, a couple of times but eventually stopped seeing her. Then Ellen began sending David several emails a day, messaging him on Instagram, and sending text messages to his cell phone. David changed his email address and cell phone number, but somehow Ellen discovered his new address and cell phone number and began sending even more emails and texts. David really wants Ellen to stop contacting him, but he is not sure what to do. Ellen's conduct toward David may constitute stalking in violation of this Policy.

E. Relationship (Dating and Domestic) Violence.

1. Definition of Relationship Violence.

Relationship violence is abuse, violence, or intentionally controlling behavior between partners or former partners involving one or more of the following elements: (i) battering that causes bodily injury; (ii) purposely or knowingly causing reasonable apprehension of bodily injury; (iii) emotional abuse creating apprehension of bodily injury or property damage; (iv) repeated telephonic, electronic, or other forms of communication — anonymously or directly — made with the intent to intimidate, terrify, harass, or threaten. Relationship violence can occur in all type of relationships (e.g., heterosexual, same sex, or any other type of relationship). Relationship violence may constitute a violation of this Policy when it involves a Boston University student, faculty or staff member, and the conduct is gender-based.

2. Examples of Relationship Violence.

Examples of relationship violence include the following:

- Tracey's boyfriend Mark yelled at her today because she was late meeting him for lunch. Mark grabbed Tracey's arm and pulled her out of the dining hall. Tracey was embarrassed. Later Mark said he was so sorry for humiliating her. Tracey says things are okay now, but she wonders when it will happen again.
- Zach and James have been dating for a month. Zach, a student, has always been jealous, but now he becomes angry when he does not know where James is. He tells James that he will kill him if he ever cheats on him. Zach also told James that he would kill himself if James ever left him. The other day, Zach slapped James when he was mad at him. James is becoming more and more afraid of Zach, but he feels trapped and does not know what to do.

F. Retaliation.

1. Definition of Retaliation.

Retaliation is an adverse action or attempt to seek retribution against the complainant, or any person or group of persons involved in the investigation and/or resolution of a sexual misconduct complaint. Retaliation can be committed by any person or group of persons, not just a respondent. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

It is a violation of Massachusetts and federal law and a violation of this Policy to retaliate against a person for filing a complaint of sexual misconduct or for cooperating in a sexual misconduct investigation. Any person who retaliates against a person who has reported sexual misconduct, filed a sexual misconduct complaint, or participated in a sexual misconduct investigation is subject to disciplinary action up to and including expulsion or termination by the University.

2. Examples of Retaliation.

- Katie reported to the Dean of Students that she felt her ex-boyfriend, Nate, was harassing her on the basis of her sex. The Office of Judicial Affairs (OJA) conducted an investigation and held Nate responsible for the behavior reported. Nate was suspended for one semester. A week after the disciplinary decision was issued, Nate's friends excluded Katie from the invitation list of a unique educational conference because she had "ratted out" Nate to the Dean.

- Rachel accused Danielle of stalking. Rachel told Judicial Affairs that she had four witnesses, including Katrina who was Danielle's roommate. Danielle found out that Katrina was a witness in the investigation and had provided information supportive of Rachel. Danielle confronted Katrina in the GSU and told her that because Katrina didn't support Danielle during the investigation, they were no longer friends and Danielle would no longer lend Katrina her car.

III. OTHER IMPORTANT CONCEPTS AND DEFINITIONS.

A. Consent.

Consent must be informed and voluntary, and can be withdrawn at any time. Consent can be given by words or actions as long as those words or actions create mutually understandable permission regarding the scope of sexual activity. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.

Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

If a person is mentally or physically incapacitated or impaired so that he or she cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious.

Effect of drugs and alcohol on consent:

Individuals should be aware of, and carefully consider, the potential consequences of the use of alcohol or drugs. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. If there is a question about whether someone consented to sexual activity after consuming drugs or alcohol, the University will examine the issue from the perspective of a reasonable person. Specifically, the University will consider whether the respondent reasonably should have known about the impact of alcohol and other drugs on the complainant's ability to give consent.

B. Incapacitation.

Incapacitation is the inability, temporarily or permanently, to give consent, because the person is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the person is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. Some signs of incapacitation may include, but are not limited to, lack of control over physical movements (e.g., stumbling, falling down), lack of awareness of circumstances or surroundings, the inability to speak or communicate orally, or the inability to communicate for any reason.

It is a violation of this Policy and Massachusetts law to engage in sexual activity with a person who is incapacitated, regardless of whether the person appeared to be a willing participant. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication.

C. Force.

The use of force to cause someone to engage in sexual activity is, by definition, non-consensual contact, and is prohibited. Force may include words, conduct, or appearance. Force includes causing another's intoxication or impairment through the use of drugs or alcohol. Under this Policy, force includes the use of any of the following:

1. Physical Force, Violence, or a Weapon.

Example: Steve and Melissa return to his room after a party. They consensually begin kissing and touching each other. Steve wants to have sex, but Melissa tells him that she does not want to go that far. When Melissa tries to get off the bed and leave the room, Steve holds her down and they have sex. Steve's use of force renders the sexual intercourse non-consensual and violates this Policy.

2. Threats.

Example: Josh and Lucas meet at a party. Josh confides in Lucas that he has recently "come out" to a few close friends, but most people do not know he is gay. Josh worries how people will react if they knew. As the evening progresses, Lucas and Josh start kissing. Lucas wants to have sex, but Josh tells him he is not ready for that. Lucas threatens to "out" Josh on Instagram and Twitter if he does not have sex with him. Out of fear for his reputation, Josh submits to Lucas even though he really does not want to. Any sexual activity that then occurs is forced sexual contact and violates this Policy.

3. Intimidation and Implied Threats.

Example: Dylan is a popular senior and the captain of a sports team on campus. He has brought Grace, who is a first year female athlete at school, to a fraternity party. Grace would not have been able to get into the party if it was not for Dylan's influence. Later in the evening, Grace wants to leave, but Dylan blocks her way with his body. He is significantly bigger than she is and she cannot get around him. Dylan starts to kiss and touch Grace, but she tells him to stop. Dylan tells Grace he can make sure she gets into all the big parties on campus this year which would help her relationship with her new teammates (implying he could turn the team against her). Grace does not want to be with Dylan, but she is worried about the impact he could have on her social and athletic life if she refuses. If Grace submits to Dylan out of his implied threats and abuse of his status, it may constitute forced sexual contact in violation of this Policy.

4. Coercion.

Coercion is to force one to act based on fear of harm to self or others. Means of coercion may include, but are not limited to, pressure, threats, or emotional intimidation.

Example: Hannah's parents both died recently and she has been having a hard time focusing this semester. Owen, a friend of Hannah's, comes to her room to watch a movie with her. When Hannah starts crying and becomes upset, Owen hugs and comforts her. Eventually Hannah and Owen start kissing and touching one another. Hannah wants to stop, but Owen tells her "you've made me so hot, how can you stop now?" When Hannah tells Owen she wants to be alone, Owen tells Hannah that it isn't cool to leave him like this, especially when he came over to help her. Hannah is confused and emotionally vulnerable. Owen implies that Hannah "owes him sex" after all he has done to support her. Owen continues to pressure Hannah until she eventually submits to his advances. Owen's conduct constitutes coercion in that he pressured Hannah into additional sexual contact that was not freely chosen, in violation of this Policy.

D. Hostile Environment.

A hostile environment exists when sexual or sex-based harassment is sufficiently serious to deny or limit a student's ability to participate in or benefit from the University's programs or activities or has the effect of unreasonably interfering with an employee's work performance or altering the terms and conditions of the employee's employment. A hostile environment can be created by anyone involved in a University program or activity (e.g., administrators, faculty members, students, and campus visitors).

In determining whether sex-based harassment has created a hostile environment, the University considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed. But the University will also need to find that a reasonable person in the student's position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To determine whether a hostile environment exists for a student or employee, the University will consider a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and, (5) the degree to which the conduct affected the student's education or the employee's employment.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

E. Miscellaneous Definitions.

- Complainant: The person making the allegations of sexual misconduct.
- Respondent: The person against whom a complaint of sexual misconduct has been made.

IV. CAMPUS AND COMMUNITY RESOURCES.

As outlined here and in the "Resources and Support" section at the end of this Policy, a variety of support and counseling resources are available to members of the Boston University community affected by sexual misconduct. Contact information for the resources described here is available in [Section X](#).

A. Emergency/Immediate Assistance.

The University encourages all community members affected by sexual misconduct to seek immediate assistance. Doing so promptly may be important to ensure the person's physical safety or to obtain medical care or other support. It may be helpful to preserve evidence, which can assist the University and/or law enforcement in proving that the alleged criminal offense occurred or may be helpful in obtaining a protective order. Assistance for students is available 24 hours a day, 7 days a week (by phone at (617) 353-SARP or email at sarp@bu.edu).

B. Privacy & Confidentiality.

Boston University values the privacy of its students, faculty, staff, and other community members. BU wants all community members to seek the assistance they need without fear that the information they provide will be shared more broadly than they would like. Federal and state laws, however, impose reporting obligations on certain University employees that require them to disclose information from a report of sexual misconduct with those University employees responsible for responding to such a report. However, there are individuals at Boston University who are not subject to these reporting requirements, with whom students, faculty, and staff can speak in complete confidence. The table in [Section XI](#) summarizes the confidentiality protections and reporting obligations of various BU employees and offices.

Even when University employees have an obligation to report to others, which means their office is described as “non-confidential” under this Policy, they will protect and respect an individual’s privacy to the greatest extent possible and share information only on a need-to-know basis. Any of the staff listed as Resources will be able to explain their respective reporting obligations in more detail.

C. Confidential Campus Resources and Support.

The University encourages all members of the BU community to report any incident of sexual misconduct. The University recognizes, however, that not every person will choose to make a formal report with the University or with local law enforcement. For those who are not prepared to make a report or pursue a complaint, the University provides confidential advocacy, crisis and pastoral counseling, and medical services on campus. Conversations with these individuals are confidential (except as described in [Section XI](#)). They can explain options for obtaining additional support from the University and off-campus resources. They can also arrange for medical care and accompany complainants, or arrange for someone to accompany complainants, to seek such care. Complainants may use these resources to talk to someone about an incident of sexual misconduct in a confidential manner whether or not they decide to make an official report or to participate in the University complaint resolution process or the criminal justice system. Conferring with these resources will not trigger an investigation by the University or law enforcement. However, these offices are familiar with the University’s complaint resolution processes, can explain what to expect, and can provide support while University or criminal processes are pending.

D. Non-Confidential Campus Resources.

In addition to the confidential resources discussed above, all members of the BU community have access to a variety of individuals who are trained to support those affected by sexual misconduct and to coordinate with the Title IX Coordinator consistent with the University’s commitment to a safe and healthy campus environment. While not bound by confidentiality, these resources will nevertheless maintain the privacy of a person’s information within the limited circle of those involved in the Title IX investigation and resolution process.

1. Title IX Coordinators.

The Title IX Coordinator is responsible for overseeing the University’s response to Title IX reports and complaints, and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Title IX Coordinator’s contact information is in [Section X](#). The [Deputy Title IX Coordinators](#) are individuals located in academic departments, and some administrative departments, who are trained to assist students and employees in their departments with complaints or concerns about sexual misconduct, and direct them to the resources they need. They report all complaints and concerns to the Title IX Coordinator, and

work closely with the Title IX Coordinator in promptly responding to a person's concerns. The Deputy Coordinators can help with interim measures that a complainant may need during the investigation of a complaint. Contact information for the Deputy Title IX Coordinators is in [Section X](#).

2. Boston University Police Department.

Complainants may report sexual misconduct to the Boston University Police Department ("BUPD"), the Boston Police Department, the Brookline Police Department, and/or the local law enforcement agency or District Attorney's office where the misconduct occurred. The University complaint resolution procedures and the criminal justice system work independently from one another and law enforcement officials do not determine whether a violation of this Policy has occurred. BUPD personnel and the other resources listed in [Section X](#) are familiar with state and local law enforcement processes and can explain what happens when sexual misconduct is reported to law enforcement. Confidential resources, the Dean of Students Office, the Office of Judicial Affairs, and BUPD can explain how to report sexual assault and other forms of sexual misconduct to law enforcement. Although confidential resources or BUPD personnel will accompany any student requesting support to the appropriate Police Department or District Attorney's Office, they are not able to provide legal advice on these matters.

E. Off-Campus Resources.

Students, faculty, and staff may also access resources located in the local community. The organizations and agencies listed in [Section X](#) can provide crisis intervention services, counseling, medical attention, and legal assistance. All members of the BU community are encouraged to utilize the resources that are the best suited to their needs, whether on or off campus. In general, off-campus resources can provide assistance to those who wish to make a report to the University, but will not notify the University without the consent of the complainant.

V. REPORTING SEXUAL MISCONDUCT.

Boston University encourages all survivors to report incidents of sexual misconduct as promptly as possible so that the University can respond effectively. Students may report sexual misconduct to the Dean of Students, the Office of Judicial Affairs ("OJA"), the Title IX Coordinator, or a Deputy Title IX Coordinator. Faculty and staff may report incidents to the Title IX Coordinator, a Deputy Title IX Coordinator, a supervisor, a Dean, or a department head. In general, when one of these offices receives a report, the University must commence an investigation. All reports of such incidents will be disclosed to the Title IX Coordinator.

The University recognizes that student complainants may be most comfortable disclosing sexual misconduct to a University employee they know well, such as a faculty member, coach, or resident adviser ("RA"). Students are welcome to speak with them, but should understand that these individuals are considered "responsible employees" of the University (other than the confidential resources identified in the [Section X](#)), and if they receive a report of sexual misconduct are required to inform the Title IX Coordinator about the incident. The University defines a "responsible employee" to include supervisors and officials with significant responsibility for student and campus activities including, but not limited to, academics, student residences, athletics, discipline, and campus safety. Employees whose positions legally require confidentiality (e.g., counseling staff and clergy) are not "responsible employees."

Before a student discloses an incident of sexual misconduct, University faculty and staff will try to ensure that the student understands the employee's reporting obligations — and, if the student wishes to maintain confidentiality, direct the student to confidential resources. Similarly, before a faculty or staff member discloses an incident of sexual misconduct, the person to whom the disclosure is to be made will endeavor to ensure that the faculty or staff member understands his

or her reporting obligations. [Section X](#) identifies the confidential resources available to students, faculty, and staff who do not wish to file a complaint or trigger an investigation, or who would like to better understand their options.

A. Reports to a Non-Confidential Resource: Requests for Confidentiality.

The University has designated the Title IX Coordinator and a small number of other University administrators to evaluate requests for confidentiality and oversee the University's response to reports of sexual misconduct where the complainant has disclosed an incident of sexual misconduct to a "responsible employee" (who must report the incident) and also requested that his or her identity not be disclosed or that no action be taken.

In such cases, the Title IX Coordinator, in consultation with a small number of key University administrators, which may include SARP, representatives of the Dean of Students Office, the Boston University Police Department, and the Office of the General Counsel, will weigh the request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the complainant. When weighing a request that no investigation be pursued or the complainant's identity not be disclosed, the Title IX Coordinator and the appropriate University administrators will consider a range of factors, including whether:

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

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

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

In some cases the University may not be able to honor a confidentiality request in order to adhere to its obligation to provide a safe, non-discriminatory environment for the BU community. If the Title IX Coordinator determines that the University cannot maintain a complainant's confidentiality, the Title IX Coordinator will inform the complainant prior to starting an investigation and will only share information with those University officials responsible for handling the University's response.

B. Interim Measures and Support.

Boston University provides a range of support services for survivors of sexual misconduct, including interim measures. Interim measures are available to provide for the safety of the complainant and the campus community while the University is investigating an allegation of sexual misconduct. Requests for interim measures can be made by or on behalf of the complainant to the University Title IX Coordinator or a Deputy Title IX Coordinators. Students may also seek assistance from the Dean of Students Office. The Title IX Coordinator will work with the appropriate office(s) to ensure that any necessary interim measures are promptly provided. For more information about interim measures and support, see *Student Procedures*, [Section VII](#), and Faculty and Staff Procedures, [Section V](#).

Upon the receipt of a report of sexual misconduct, and until any investigation into the report has been completed, the University will provide reasonable protective measures and interim support to provide a safe educational and work environment and to prevent additional acts of sexual misconduct, even when there is no specific request for protective action.

The University may impose any measure that can be tailored to the parties involved to achieve the goals of this Policy. In addition, the University will maintain as confidential any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

An individual's failure to comply with restrictions imposed by interim measures is a violation of this Policy and a basis for disciplinary action.

Outside the University, a complainant may also be entitled to obtain remedies under applicable law, such as a judicial restraining order. The University can assist in contacting law enforcement or legal service organizations to learn about these remedies.

C. Amnesty for Students Who Report Sexual Misconduct.

Boston University encourages the reporting of all concerns regarding sexual misconduct. In some instances, students may be hesitant to report sexual misconduct because they fear they may be charged with other policy violations, such as underage alcohol consumption or violation of the University's drug policy. Because BU's primary interest is in protecting the well-being of its community and remedying sexual misconduct, a person who reports sexual misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the University for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. However, the use of alcohol or drugs does not excuse sexual misconduct and a person who has been incapacitated through the use of alcohol and drugs (or by any other means) cannot give effective consent to sexual activity. The University may initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

VI. OTHER INFORMATION RELATED TO REPORTING SEXUAL MISCONDUCT

A. Time for Reporting.

Although all members of the Boston University community are encouraged to report sexual misconduct immediately in order to maximize the University's ability to respond promptly and equitably, the University does not limit the time frame for reporting. However, the University's ability to investigate and respond effectively may be reduced with the passage of time.

B. Anonymous Reports and Reports from Third Parties.

Any person may make an anonymous report concerning an act of sexual misconduct. A person may report the incident without disclosing his/her/their name, identifying the respondent, or requesting any action. Depending on the level of information available about the incident and the people involved, however, the University's ability to respond to an anonymous report may be limited. Anonymous reports may be made by submitting the [Sexual Misconduct Report Form](#) to the University Title IX Coordinator or one of the Deputy Title IX Coordinators.

In cases in which the report was made anonymously or by a third party (such as a friend, roommate, adviser, or faculty member), this Policy will apply in the same manner as if the complainant had made the initial report. A Title IX Coordinator or member of the OJA staff will make every effort to meet with the complainant to discuss available options and on-campus and off-campus resources.

C. Reporting of Crime and Disciplinary Statistics.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is a federal law that requires the University to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy. As described in the chart in [Section XI](#), many BU employees who receive reports of sexual misconduct are required by the Clery Act to notify BUPD about such incidents for statistical reporting purposes, without the inclusion of personally identifiable information, as defined by VAWA. These notifications may include the classification and location of the reported crimes, but, in the case of employees with "confidential" status, do not identify the parties involved.

The Clery Act also requires the University to issue a "timely warning" when it receives a report of certain crimes that pose a serious or continuing threat to the University community. This warning will not contain any biographical or other identifying information regarding the victim of the crime. Immediately threatening circumstances include, but are not limited to, recently reported incidents of sexual misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to BU students, faculty, administrators, staff, or visitors.

D. Public Awareness Events.

The University supports public awareness events that further campus-wide education and prevention efforts. A survivor's public disclosure of incidents of sexual misconduct at these events will not be considered a report to the University for the purpose of triggering an investigation of a particular incident.

In addition, the University may, from time-to-time, conduct climate surveys to gauge the BU communities' attitudes about sexual misconduct and awareness of campus resources. These voluntary surveys will contribute to the University's understanding of the campus climate and student safety at BU. The disclosure of incidents of sexual misconduct in responses to survey questions will not be considered a report to the University for the purpose of triggering an investigation of a particular incident.

E. Prohibition Against Retaliation.

The University and Title IX strictly prohibit retaliation against and intimidation of any person because he or she reported of an incident of sexual misconduct or is involved in the University's response. BU will take strong disciplinary action in response to any retaliation or intimidation, and

will pursue such discipline through the applicable student conduct policy or other disciplinary process and follow the applicable time frames within such policies or processes.

F. Filing a Criminal Complaint and Coordination with Law Enforcement.

Boston University encourages complainants to pursue criminal action for incidents of sexual misconduct that may also be crimes under Massachusetts law. In general, the University, through the Chief of the BUPD, will notify the Boston or Brookline Police Department of allegations of sexual violence. The University will also assist a complainant in making a criminal report and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law. However, a complainant may also choose not to pursue criminal action, and under most circumstances, the Boston or Brookline Police Department will not force a complainant to pursue criminal charges if he or she is not willing to do so.

VII. TITLE IX REVIEW.

A. Role of the Title IX Coordinator.

The Title IX Coordinator oversees the University's centralized review, investigation, and resolution procedures for reports of sexual misconduct and coordinates the University's compliance with Title IX. The Title IX Coordinator is supported by a team of University administrators who serve as Deputy Title IX Coordinators. Each Deputy Title IX Coordinator is knowledgeable and trained in state and federal laws that apply to matters of sexual misconduct, as well as this Policy and the complaint resolution procedures.

A complete list of the Deputy Title IX Coordinators is available [here](#).

The Title IX and/or Deputy Title IX Coordinators can be contacted by telephone, email, or in person during regular office hours. They can provide information related to campus and community resources and describe the options available to address concerns related to sexual misconduct.

The duties and responsibilities of the Title IX and Deputy Title IX Coordinators also include training, education, climate assessments, and the oversight of procedures that are designed to promptly and equitably end sexual misconduct, prevent its recurrence, and address its effect on persons and the University community as a whole. The Title IX Coordinator, with the assistance of Deputy Title IX Coordinators as appropriate, will:

- Oversee the investigation and resolution of all reports of sexual misconduct;
- Ensure prompt and equitable resolutions that comply with all requirements and timeframes specified in the University's complaint procedures;
- Conduct climate checks to track and monitor sexual misconduct allegations on campus; and,
- Coordinate all training, education, and prevention efforts.

The Title IX Coordinator and a Deputy Title IX Coordinator will meet with any person, including a complainant, respondent, or third party, to discuss interim measures, resources, and procedural options for on-campus and off-campus reporting. Any student, faculty, or staff member who has concerns about sexual misconduct, including sexual assault, discrimination, or harassment, is encouraged to seek the assistance of the University's Title IX Coordinator or any of the Deputy Title IX Coordinators.

B. Procedures for Responding to Sexual Misconduct.

The Title IX Coordinator oversees the initial response and assessment of reports of sexual misconduct through the University's sexual misconduct resolution procedures. The procedure used will be determined by the status of the respondent:

- Complaints against student respondents will be resolved by the Procedures for the Resolution of Sexual Misconduct Complaints against Students (See <http://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/student-sexual-misconduct-procedures/>).
- Complaints against faculty and staff respondents, as well as non-affiliates, will be resolved by the Procedures for the Resolution of Sexual Misconduct Complaints against Faculty, Staff, Affiliates, and Non-Affiliates (see <http://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/facultystaff-sexual-misconduct-procedures/>).

Each process is guided by the same principles of fairness and respect for all parties. Resources are available for both students and employees, whether as complainants or respondents, to provide guidance throughout the investigation and resolution of a sexual misconduct complaint.

VIII. PREVENTION AND EDUCATION

Boston University expects all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Members of the BU community who intervene to prevent or stop sexual misconduct will be supported by the University and protected from retaliation. Read more about SARP's education, awareness, and training program at www.bu.edu/sarp.

IX. TRAINING

In connection with its obligations under Title IX, Boston University is committed to ensuring appropriate training for its Title IX Coordinator, Deputy Title IX Coordinators, law enforcement personnel, "responsible employees," victim advocates, and others involved in responding to, investigating, or adjudicating sexual misconduct. In addition, the University has developed an on-line training program for faculty, staff, and students to assist them in recognizing sexual misconduct, teach them how to respond to reports of sexual misconduct, and ensure that they are aware of available on and off campus resources.

X. RESOURCES AND SUPPORT.

The contact information for the resources listed here was confirmed at the time of the Policy's initial publication in January 2015. Up-to-date contact information can always be found on the University's website at www.bu.edu/safety.

CONFIDENTIAL ON-CAMPUS CRISIS INTERVENTION, SUPPORT, ADVOCACY AND HEALTH RESOURCES

Sexual Assault Response & Prevention Center (SARP) (for students)

www.bu.edu/sarp

930 Commonwealth Ave.

24-hour hotline: 617-353-SARP (7277)

Email: sarp@bu.edu

Student Health Services/Behavioral Medicine

www.bu.edu/shs

881W Commonwealth Ave., 1st Floor Medical Department

617-353-3575

Behavioral Medicine

24-hour hotline: 617-353-3569

Faculty & Staff Assistance Office (for employees)

www.bu.edu/fsao

Charles River Campus

270 Bay State Road, B-30

617-353-5381

Medical Campus

Dr. Solomon Carter

Fuller Mental Health Ctr., 85 East Newton St., 10th Floor, M-1007

617-638-5381

Email: fsao@bu.edu

Office of the Ombuds

www.bu.edu/ombuds/

Charles River Campus

19 Deerfield Street, Suite 203

617-358-5960

Medical Campus

Dr. Solomon Carter

Fuller Mental Health Ctr., 85 East Newton St., Suite 957E

617-638-7645

University Chaplains

www.bu.edu/chapel/staff/chaplains/

Charles River Campus

735 Commonwealth Ave.

617-353-3560

Email: chapel@bu.edu

NON-CONFIDENTIAL CAMPUS RESOURCES**University Title IX Coordinator**

19 Deerfield Street, 2nd Floor

617-353-9286

Email: titleix@bu.edu

Deputy Title IX Coordinators and their contact information available at

<https://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/>.

Boston University Police Department

32 Harry Agganis Way

In an emergency: 617-353-2121

Detective Unit: 617-353-3436

www.bu.edu/police/

Dean of Students Office (Students)

George Sherman Union, 3rd Floor
775 Commonwealth Ave.
617-353-4126

www.bu.edu/dos/about-us/contact-us/

Office of Judicial Affairs (Students)

19 Deerfield Street, 3rd Floor
617-358-0700

Equal Opportunity Office (Faculty & Staff)

19 Deerfield Street, 2nd Floor
617-353-9286

Email: titleix@bu.edu

www.bu.edu/eoo

Human Resources (Faculty & Staff)

Charles River Campus

25 Buick Street, 2nd Floor

617-353-2380

Medical Campus

Crosstown Center Building, 801 Massachusetts Avenue, Suite 400

617-638-4610

University Service Center

881 Commonwealth Avenue

617-358-1818

Email: usc@bu.edu

Student Financial Assistance

881 Commonwealth Avenue

617-353-2965

Email: finaid@bu.edu

www.bu.edu/finaid/contact-us/

OFF-CAMPUS COUNSELING, ADVOCACY, AND LEGAL RESOURCES, including assistance with or referrals for visa and immigration matters

Boston Area Rape Crisis Center (“BARCC”)

617-492-RAPE (7273)

800-841-8371

www.barcc.org

Victim Rights Law Center (“VRLC”)

115 Broad Street, 3rd Floor, Boston, MA 02110

617-399-6720, x19

www.victimrights.org/

Fenway Health Violence Recovery Program

Ansin Building

1340 Boylston Street, Boston, MA 02215

617-927-6250; 800-834-3242

(After 5 p.m. or on the weekends, call 877-785-2020)

www.fenwayhealth.org/

OFF-CAMPUS LAW ENFORCEMENT RESOURCES

Boston Police Department Sexual Assault Unit

Boston Police Department

911

617-343-4400

Boston Police Sexual Assault Unit

617-343-4400

www.cityofboston.gov/police/divisions/sau_home.asp

Brookline Police Department

911

Brookline Police Detective Bureau

617-730-2244

OFF-CAMPUS MEDICAL/HEALTH CARE RESOURCES

A medical provider can provide emergency and/or follow-up medical services as appropriate, and a person can discuss any related health care concerns in a confidential medical setting. The medical examination has two primary goals: (i) to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection or pregnancy) and (ii) to properly collect and preserve evidence. There is a limited window of time within which to preserve physical and other forms of evidence (usually within 96 hours of the sexual assault). Taking the step to gather evidence immediately does not commit a person to any course of action.

Beth Israel Deaconess Medical Center Emergency Department

330 Brookline Ave., Boston, MA

617-754-2323

Note: Beth Israel Deaconess, along with Boston Medical Center and Brigham & Women's Hospital are SANE designated hospitals that have specially trained Sexual Assault Nurse Examiners ("SANE") on call. SARP can help students arrange a SANE examination.

GOVERNMENT RESOURCES

The resources listed here may provide additional assistance for those who would like to file an external complaint of sexual misconduct or students with inquiries regarding the application of Title IX and its implementing regulations.

White House Task Force

<http://www.notalone.gov>

U.S. Department of Education, Office for Civil Rights

<http://www.ed.gov/ocr>

U.S. Department of Education

Office for Civil Rights

Region I – Boston Office

5 Post Office Square, 8th Floor Boston, MA 02109-3921

617-289-0111

OCR.Boston@ed.gov

U.S. Department of Justice, Office on Violence Against Women

U.S. Department of Justice

www.ovw.usdoj.gov*Office on Violence Against Women*

145 N Street, NE, Suite 10W., 121 Washington, DC 20530

202-307-6026

U.S. Citizenship and Immigration Services

Boston Field Office

John F. Kennedy Federal Bldg.

15 New Sudbury St., Room E-160, Boston, MA 02203

800-375-5283

www.uscis.gov/about-us/find-uscis-office/field-offices/massachusetts-boston-field-office**Massachusetts Commission Against Discrimination ("MCAD")**

1 Ashburton Place, Sixth Floor Boston, MA 02108

617-994-6000

XI. CONFIDENTIALITY PROTECTIONS & REPORTING OBLIGATIONS.

As a reminder, confidential resources will not share information with anyone. Non-confidential resources are also required to respect a complainant's privacy to the greatest extent possible. They will disclose identifying information to others only on a need-to-know basis.

Office/Personnel	Status	Reporting Obligation
University Chaplains (Clergy)	Confidential	None, unless acting in a role described below.
Behavioral Medicine	Confidential	Behavioral Medicine will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, Behavioral Medicine will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).
Sexual Assault Response and Prevention Center ("SARP")	Confidential	SARP will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX). If the incident is a crime on or near campus, SARP may report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act) if the complainant consents to the report.

Student Health Services ("SHS")	Confidential	<p>SHS will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX).</p> <p>If the incident is a crime on or near campus, SHS will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). If there is reasonable cause to suspect that a minor has been sexually assaulted, SHS will notify law enforcement (Massachusetts Law).</p>
Faculty & Staff Assistance Office ("FSAO")	Confidential	<p>FSAO will report incidents without any identifying information to the Title IX Coordinator to help the University understand the existence and extent of the problem (Title IX).</p> <p>If the incident is a crime on or near campus, FSAO will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).</p>
University Ombuds	Confidential	<p>The Ombuds may provide anonymous (de-identified) information to the Title IX Coordinator in an effort to address emerging problems or to prevent recurrence, including information on general trends or patterns of concern (Title IX).</p>
Title IX Coordinator	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, the Title IX Coordinator will supervise the investigation and response to reported incidents of sexual misconduct (Title IX).</p> <p>If the incident is a crime on or near campus, the Title IX Coordinator will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). The Title IX Coordinator will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
Deputy Title IX Coordinators	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, the Deputy Title IX Coordinators will assist the Title IX Coordinator in the investigation and response to reported incidents of sexual misconduct, as appropriate (Title IX).</p>

Dean of Students Office ("Dean")	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, the Dean's designee (the Office of Judicial Affairs) will investigate and respond to reported incidents of sexual misconduct (Title IX).</p> <p>If the incident is a crime on or near campus, the Dean will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act). The Dean will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
Office of Judicial Affairs ("OJA")	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, OJA will investigate and respond to reported incidents of sexual misconduct (Title IX).</p> <p>If the incident is a crime on or near campus, OJA will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).</p> <p>OJA will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>
Equal Opportunity Office ("EOO")	Not Confidential	<p>Unless a complainant requests otherwise and the request is granted, EOO will investigate and respond to reported incidents of sexual misconduct (Title IX).</p> <p>If the incident is a crime on or near campus, EOO will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).</p> <p>EOO will share information with University Personnel who need to know it in order to carry out University policies and procedures.</p>

Boston University Police Department (“BUPD”)	Not Confidential	<p>BUPD will report to the Title IX Coordinator all information received about sexual misconduct incidents so the University can investigate and respond (Title IX.)</p> <p>If the incident is a crime, BUPD will include it in a crime log and the annual security report without identifying the victim (Clery Act). If the incident is a crime and poses a serious or continuing threat, BUPD will issue a timely warning or emergency notification (Clery Act).</p> <p>If there is reasonable cause to suspect that a minor has been sexually abused, BUPD will notify University leadership (MA Law on Protection of Minors).</p> <p>BUPD will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>
Other University Personnel	Not Confidential	<p>Will report to the Title IX Coordinator all information received about sexual misconduct incidents so the University can investigate and respond (Title IX.) If the incident is a crime, a “campus security authority” will report it without any identifying information to BUPD for inclusion in the annual security report and for issuance of any required timely warning (Clery Act).</p> <p>If there is reasonable cause to suspect that a minor has been sexually abused, other University personnel will notify University leadership (MA Law on Protection of Minors).</p> <p>Other University personnel will share information with University personnel who need to know it in order to carry out University policies and procedures.</p>

Student Sexual Misconduct Procedures

Procedures for the Resolution of Sexual Misconduct Complaints Against Students

Effective January 1, 2015

Table of Contents

[I. Applicability](#)

[II. Rights of the Complainant and Respondent](#)

[III. Preliminary Matters](#)

[IV. Initiating a Complaint](#)

[V. How to file a Complaint](#)

[VI. Information for Complaints](#)

[VII. Interim Measures](#)
[VIII. Withdrawal of a Complaint](#)
[IX. Complainant Requests for Confidentiality](#)
[X. Responding to a Complaint](#)
[XI. Investigation of a Complaint](#)
[XII. Resolution of a Complaint](#)
[XIII. Appeal to the University Board on Student Conduct](#)
[XIV. Appeals to the University Provost](#)
[XV. Disciplinary Records, Withdrawal and Readmission](#)

I. APPLICABILITY

These Procedures will be used to investigate and resolve all complaints of sexual misconduct against Boston University students (undergraduate, graduate, full-time, and part-time). Complaints of sexual misconduct against Boston University faculty, staff, affiliates, and non-affiliates will be investigated and resolved using the Procedures for the Resolution of Sexual Misconduct Complaints against Faculty, Staff, Affiliates, and Non-Affiliates (see <http://www.bu.edu/safety/sexual-misconduct/title-ix-bu-policies/facultystaff-sexual-misconduct-procedures/>).

II. RIGHTS OF THE COMPLAINANT AND RESPONDENT

Boston University's Procedures for the investigation, adjudication, and resolution of sexual misconduct complaints brought against students are designed to be accessible, prompt, equitable, and impartial. Throughout this process, both the complainant and respondent have the following rights:

- To be treated with respect, dignity, and sensitivity.
- To receive appropriate support from the University.
- Privacy to the extent possible, consistent with applicable law and University policy.
- Information about the University's Sexual Misconduct/Title IX Policy.
- The presence of an Adviser throughout the process.
- To participate or to decline to participate in the investigation or complaint resolution process. However, a decision not to participate in the process either in whole or in part will not prevent the University from proceeding with the information available.
- A prompt and thorough investigation of the allegations.
- Adequate time to review documents in the Office of Judicial Affairs following the investigation.
- To appeal the decision made or any sanctions imposed by the Dean of Students to a Hearing Panel of the University Board on Student Conduct.
- To challenge a Hearing Panel member(s) for a possible conflict of interest.
- To refrain from making self-incriminating statements.
- To appeal the decision by made the Hearing Panel of the University Board on Student Conduct to the University Provost.
- Notification, in writing, of the case resolution, including the outcome of any appeals, and the final determination.
- For the complainant, to report the incident to law enforcement (including the Boston University Police or with the police department in the jurisdiction in which the sexual misconduct occurred) at any time.

Boston University will disclose information about its investigation and resolution of sexual misconduct complaints only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all University personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process. This does

not prohibit either a complainant or respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or other resources.

III. PRELIMINARY MATTERS

A. Timing of Complaints.

If the respondent is a current Boston University student (undergraduate or graduate, full-time or part-time), there is no time limit for filing a complaint to initiate these Procedures. However, students are strongly encouraged to report sexual misconduct in a timely manner to maximize the University's ability to gather evidence, and conduct a thorough, impartial, and reliable investigation. If the respondent is a second semester senior (or in the final semester of a graduate program), the University may withhold that student's Boston University degree pending conclusion of the complaint resolution procedures.

B. Effect of Criminal Proceedings.

The filing and processing of a complaint of sexual misconduct is separate from and independent of any criminal investigation or proceeding. Boston University will not wait for the conclusion of any criminal investigation or proceedings to begin its own investigation although the University may delay temporarily the fact-finding component of the investigation while the police are gathering evidence. Neither law enforcement's determination as to whether or not to prosecute a respondent nor the outcome of any criminal prosecution is determinative of whether sexual misconduct occurred under the University's [Sexual Misconduct/Title IX Policy](#).

C. Effect of a Pending Complaint on the Respondent.

If the respondent is a current BU student, no notation will be placed on the respondent's transcript of a complaint or pending disciplinary action prior to the conclusion of the complaint resolution process. If the respondent withdraws from Boston University while a sexual misconduct complaint is pending, the respondent's transcript will reflect a withdrawal and a notation of pending disciplinary action subject to modification to reflect the outcome of the disciplinary action.

D. Amnesty.

A student who files a sexual misconduct complaint, or who serves as a third party witness during the complaint resolution process, will not be subject to disciplinary action by the University for his or her own personal consumption of alcohol or other drugs at or near the time of the alleged sexual misconduct, provided that such violations did not and do not place the health or safety of any other person at risk. However, the use of alcohol or drugs does not excuse sexual misconduct and a person who has been incapacitated through the use of alcohol and drugs (or by any other means) cannot give effective consent to sexual activity. The University may initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

E. Adviser.

The complainant and respondent may each choose and be accompanied to any meeting or hearing related to these Procedures by an Adviser, who may provide support during such meeting or hearing. During meetings and interviews, the Adviser may quietly confer or pass notes with the party in a non-disruptive manner. The Adviser may not intervene in a meeting or interview, or address the Investigator. Consistent with the University's obligation to promptly resolve sexual misconduct complaints, the University reserves the right to proceed with any meeting or interview, regardless of the availability of the party's selected Adviser.

F. Declining to Participate.

A complainant and/or respondent may decline to participate in the investigative or complaint resolution process. The University may continue the process without the complainant's and/or respondent's participation. In most cases, a refusal to participate in the investigative process will preclude a complainant or respondent from appealing any determination. The Dean of Students will make this determination.

G. Time Frame for Complaint Resolution.

The University will seek to resolve every report of sexual misconduct within sixty (60) calendar days of the start of an investigation, not counting any appeals. Time frames may vary depending on the complexity of a case, the availability of witnesses, and at certain times of the academic year (for example, during breaks, study periods or final exams). The University may extend any time frame for good cause, with a written explanation to the complainant and respondent.

H. Prohibition on Retaliation.

It is illegal and a violation of the University's [Sexual Misconduct/Title IX Policy](#) to retaliate against a person for filing a complaint of sexual misconduct or for cooperating in a sexual misconduct investigation. Any person who retaliates against a person for reporting sexual misconduct, filing a sexual misconduct complaint, or participating in a sexual misconduct investigation is subject to disciplinary action up to and including expulsion from the University.

I. Notice.

The Office of Judicial Affairs ("OJA") will give the complainant and respondent, respectively, a written explanation of their rights and options, and any available accommodations, as soon as possible after a complaint is reported. OJA and the Dean of Students Office will also ensure that both the complainant and respondent are updated throughout the investigative process, including with timely notice of meetings where either the complainant's or the respondent's presence may be required.

IV. INITIATING A COMPLAINT.

A. Individual.

Any person who believes he or she has experienced sexual misconduct as defined in the University's [Sexual Misconduct/Title IX Policy](#), may file a complaint against the Boston University student responsible for that conduct (the person filing a complaint is referred to as a "complainant"). A person who has information that sexual misconduct may have been committed by a University student or a participant in a University Program may also file a complaint (the person with such information is referred to as a "reporter"). A complainant or reporter¹ may include any member of the Boston University community, including students, faculty, administrators, and staff members, visitors, applicants for employment or admission, participants in a BU program or activity, or a non-affiliate with knowledge of an incident of sexual misconduct.

¹ Reporter: A person who has information that sexual misconduct may have been committed by a University student or a participant in a University Program and who initiates a complaint.

B. Administrative.

In extraordinary cases, such as situations that threaten the safety of members of the BU community, the University may initiate a complaint through the Dean of Students Office against a Boston University student. As set forth in the [Sexual Misconduct/Title IX Policy](#), reports of sexual misconduct undergo a Title IX Review to determine the appropriate response.

V. HOW TO FILE A COMPLAINT.

A complainant or reporter may submit a Sexual Misconduct Report Form [Sexual Misconduct Report Form](#), paper or electronic format) to the Dean of Students Office, the Office of Judicial Affairs (“OJA”), or one of the University’s Title IX Coordinators. Although the Report Form should contain sufficient information to permit the respondent to understand and respond adequately to the charges being brought, it may not reflect every detail related to the allegations in the complaint, as additional information may be discovered during the investigation.

A complainant may also call or meet with the Dean of Students Office, OJA, or a Title IX Coordinator to initiate a complaint.

University Title IX Coordinator
19 Deerfield Street, Fl. 2, Boston, MA 02115
(617) 353-9286
titleix@bu.edu

Deputy Title IX Coordinators
Contact information available [here](#)

Dean of Students Office
George Sherman Union, Fl. 3
775 Commonwealth Avenue, Boston, MA 02115
(617) 353-4126
dos@bu.edu

Office of Judicial Affairs
19 Deerfield Street, Fl. 3, Boston, MA 02115
(617) 358-0700

VI. INFORMATION FOR COMPLAINANTS.

After receiving a report of sexual misconduct, OJA will notify the complainant of the option to have an Adviser accompany him or her to any meeting or interview related to the complaint resolution process. OJA will also:

- Provide the complainant with information regarding the Rights of the Complainant and Respondent.
- Explain the prohibition against retaliation.
- Explain the process for investigating and resolving a sexual misconduct complaint (including the available appeal procedures).
- Instruct the complainant not to destroy any potentially relevant documentation in any format.
- Give the complainant a copy of the relevant policies.
- Explain the availability of interim measures.
- Provide the complainant with a list of on-campus and off-campus support resources.

VII. INTERIM MEASURES.

Upon the filing of a sexual misconduct complaint, the Dean of Students, OJA, or a Title IX Coordinator will review the allegations and determine the necessity and scope of any interim measures to prevent further acts of harassment, misconduct, or retaliation and to provide a safe educational and work environment. The range of interim measures may include, but not be limited to:

- Moving the complainant's or respondent's residence.
- Adjusting the complainant's or respondent's work schedule, assignment, or location for University employment. Changing the complainant's academic schedule, allowing the complainant to take an incomplete in one or more courses, allowing the complainant to drop (or retake) a course without penalty, or attend class via web conference.
- Changing the complainant's transportation arrangements or providing an escort to ensure safe movement between classes and other activities.
- Allowing the complainant to withdraw from or retake a class without penalty, or extending deadlines for examinations or other assignments.
- Reassigning the respondent to another section, if the complainant and respondent are enrolled in the same lecture, discussion class, academic team, or project group.
- Providing access to tutoring or other academic support.
- Issuing an administrative "stay-away" (no contact) order.
- Interim suspension of the respondent.

The University will maintain as confidential any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

An individual's failure to comply with restrictions imposed by interim measures is a violation of University Policy and a basis for disciplinary action, up to and including expulsion from the University.

VIII. WITHDRAWAL OF A COMPLAINT.

Prior to the conclusion of a sexual misconduct investigation, the complainant may withdraw his or her complaint. Withdrawal of the complaint will ordinarily end the complaint investigation and resolution process. However, the University reserves the right to proceed with the complaint, even after the complainant withdraws it, in order to protect the interests and safety of the BU community.

IX. COMPLAINANT REQUESTS FOR CONFIDENTIALITY.

If the complainant is willing to participate in the review and investigation process, OJA will proceed as described in the Investigation section below.

If the complainant requests confidentiality or asks that the report of sexual misconduct not be pursued, the University will, generally before taking any further investigative steps, evaluate the complainant's request in the manner set forth in [Section V.A](#) of the Sexual Misconduct/Title IX Policy. The evaluation will be conducted by the Title IX Coordinator in consultation with a small number of University administrators as deemed necessary and appropriate under the circumstances.

Even absent a request for confidentiality, every reasonable effort will be made to protect the privacy of all parties during the investigation. Boston University will disclose information about its investigation and resolution of sexual misconduct complaints only to those who need to know the

information in order to carry out their duties and responsibilities. It will inform all University personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process. This does not prohibit either a complainant or respondent from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or other resources.

X. RESPONDING TO A COMPLAINT.

A. Notification of Respondent.

The person alleged to have committed sexual misconduct is called the respondent. Unless the complainant requests and is granted confidentiality, the respondent will be notified in writing that a complaint alleging sexual misconduct has been filed against him or her. The respondent will be advised that he or she may have an Adviser accompany him or her to any meeting or interview related to the investigation and complaint resolution process.

B. Information for Respondent.

Within seven (7) calendar days of receiving notice of the complaint, the respondent must arrange to meet with OJA. At that meeting, OJA will:

- Provide the respondent with information regarding the Rights of the Complainant and Respondent.
- Provide the respondent with a copy of the complaint.
- Explain the prohibition against retaliation.
- Discuss the nature of the complaint.
- Explain the rights and responsibilities of the complainant and respondent. Explain the process for investigating and resolving the complaint (including the available appeal procedures).
- Instruct the respondent not to destroy any potentially relevant documentation in any format.
- Give the respondent a copy of the relevant policies.
- Provide the respondent with a list of on-campus and off-campus support resources.

If the respondent fails to meet or cooperate with the OJA Investigator, the investigation and resolution of the complaint will proceed without input from the respondent. If interim measures have been imposed, OJA will explain the scope of those measures and the respondent's duty to comply with the interim measures.

C. Acceptance of Responsibility.

After reviewing the complaint and meeting with OJA and the Dean of Students, the respondent may choose to end the complaint resolution process by accepting responsibility for the conduct alleged in the complaint. If the respondent accepts responsibility for the conduct alleged in the complaint, the Dean of Students will determine an appropriate sanction for the respondent. If the respondent disputes the allegations of the complaint, the matter will proceed to an investigation.

At any point in the process, the respondent may accept responsibility for the conduct alleged in the complaint. In such cases, the Dean of Students may impose sanctions for violations of the Sexual Misconduct/Title IX Policy.

XI. INVESTIGATION OF A COMPLAINT.

A. Investigators.

The Office of Judicial Affairs will designate two Investigators specifically trained in sexual misconduct investigations to conduct a prompt, thorough, and fair investigation.

B. Investigation Process.

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

C. Standard of Proof.

In resolving complaints pursuant to the [Sexual Misconduct/Title IX Policy](#), the University will use a "preponderance of the evidence," standard, which is whether the evidence gathered and information provided during the investigation supports a finding that it is more likely than not that the respondent violated the Sexual Misconduct/Title IX Policy.

D. Investigation Finding.

At the conclusion of the investigation, the Investigators will prepare a report (the "Investigative Report") summarizing and analyzing the relevant facts determined through the investigation, with reference to any supporting documentation or statements. Before the Investigative Report is finalized, the complainant and respondent will be given the opportunity to review their own statements and, may also be provided with a written summary of other information collected during the investigation.

A complainant or respondent must submit any comments about their own statement, or on any investigation summary that might be provided, to the Investigators within five (5) calendar days after the statement or summary was provided.

Following the receipt of any comments submitted, or after the 5-day comment period has lapsed without comment, the Investigators will address any identified factual inaccuracies or misunderstandings, as appropriate. The final Investigative Report will provide a summary of the Investigators' impressions, including context for the evidence and a recommendation, but will not make a final determination as to whether a violation of the [Sexual Misconduct/Title IX Policy](#) occurred, reserving that decision (and any sanctions) for the Dean of Students. The parties will be provided with a copy of the final Investigative Report simultaneously.

XII. RESOLUTION OF A COMPLAINT.

A. Voluntary Resolution.

A complainant and a respondent may choose to resolve a complaint through voluntary resolution. Voluntary resolution may include conflict mediation or a restorative conference with a University community member. However, voluntary resolution may only be used:

1. Prior to a decision by Dean of Students being issued;

2. When the Dean of Students determines this is a suitable option for resolving the complaint, and both the complainant and respondent agree to use the process;
3. When the complaint does not involve sexual assault, as defined in [Section II.A](#) of the Sexual Misconduct/Title IX Policy.

Either the complainant or respondent may choose to end the voluntary resolution process at any time and commence or resume the formal complaint resolution process.

Because the outcome of voluntary resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted. If the parties are unable to agree on a voluntary resolution, the matter will be referred by the Dean of Students for investigation by the Office of Judicial Affairs.

B. Dean of Students Determination of Responsibility under the University's Sexual Misconduct/Title IX Policy.

On behalf of the University, the Dean of Students shall have jurisdiction in cases of alleged misconduct by Boston University students and shall determine if a student has violated the [Sexual Misconduct/Title IX Policy](#). The Office of Judicial Affairs will provide the Dean of Students with a copy of the Investigative Report within seven (7) calendar days of its completion. Within fourteen (14) calendar days after receiving the Investigative Report, the Dean of Students will make a determination as to whether the respondent(s) violated the Sexual Misconduct/Title IX Policy, and impose a sanction if a violation has been found.

1. Determination & Notice of the Outcome.

The Dean of Students may, in his or her discretion, provide the complainant and the respondent with an opportunity to meet, accompanied by the party's Adviser. If the Dean of Students meets with one party, he or she will offer the other party the chance to meet.

The Dean of Students will provide the complainant and respondent with simultaneous, written notice of the outcome of the University's resolution of the sexual misconduct complaint (the "Letter of Determination"), the sanction, if any, that has been imposed on the respondent, and any additional steps that the University has taken to eliminate the hostile environment (if the Dean found one exists) and prevent any recurrence of any sexual misconduct. The Letter of Determination will include a description of the right to appeal for both the complainant and the respondent.

2. Sanctions for Violations of the Sexual Misconduct/Title IX Policy.

If the respondent is found responsible for violating the Sexual Misconduct/Title IX Policy, the Dean of Students will impose a sanction designed to eliminate the misconduct, prevent its recurrence, and remedy its effects, while supporting the University's educational mission and Title IX obligations. Sanctions may also serve to promote safety or deter students from similar future behavior.

The following, individually or in combination, are potential sanctions for violations of the University's Sexual Misconduct/Title IX Policy. Where appropriate, the statement of the sanction includes the duration, any conditions to be observed during that period, and the conditions for termination of the sanction.

Major Sanctions.

- Expulsion from the University or a program of the University.

- Suspension from the University or a program of the University for a specific period of time.
- Deferred suspension from the University or a program of the University.
- Denial of graduation, diploma, or degree.
- Deferral of graduation, diploma, or degree for a specific period of time.
- Revocation or withdrawal of diploma or degree previously credited, awarded, or conferred.

Other Available Sanctions.

- Expulsion from a University residence.
- Suspension from a University residence for a specific period of time.
- Deferred residence expulsion (with or without relocation to a different residence location).
- Disciplinary probation. Disciplinary probation may involve counseling with faculty or administrative staff; restriction of student privileges; prohibitions against participation in University activities or events, including athletic or non-athletic activities; and prohibitions against holding office or participating in student organizations or residence, school, or college organizations or activities.
- Residence probation. Residence probation may involve periodic meetings with a member of the residence staff and/or restriction of specific residence privileges.
- Disciplinary reprimand or warning.
- Restitution. The student will reimburse the University and/or other appropriate party for damage to or loss of property or for costs or expenses incurred by the University or other party. Restitution will be made at full cost of replacement or repair, and other expenses.

Note: If the respondent is a graduate student who also serves as a teaching assistant, sanctioning decisions related to the respondent's teaching responsibilities will be made by the appropriate academic Dean.

3. Remedies for Complainants.

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

XIII. APPEAL TO THE UNIVERSITY BOARD ON STUDENT CONDUCT.

A. Grounds for Appeal.

The complainant and respondent each have the right to appeal the Dean of Students' determination to the University Board on Student Conduct ("UBSC"). The complainant and respondent will be notified of this right and the procedures for appeal in writing. The Dean's determination will be presumed to have been reached reasonably and appropriately, by a preponderance of the evidence. Therefore, a party may appeal the Dean's determination only on the following grounds:

1. Insufficient evidence to support OJA's findings.
2. The sanction imposed is disproportionate to the violation of the [Sexual Misconduct/Title IX Policy](#).
3. The discovery of new, relevant evidence, that was unavailable to the appealing party during the investigation that could reasonably affect the outcome of the case.

4. Prejudicial bias on the part of an OJA Investigator.

To appeal to a Hearing Panel of the UBSC, the appealing party must submit a written appeal petition to the Dean of Students within ten (10) calendar days of the date of receipt of the Letter of Determination. The Dean of Students may accept a late submission under extenuating circumstances.

The Dean of Students will provide the non-appealing party with a copy of the appeal petition. The non-appealing party will have ten (10) days from receipt of the appeal petition to file a response to the appeal petition. The response must be in writing and submitted to the Dean of Students. The Dean of Students will forward the response to the petition to the appealing party upon receipt.

B. Content of Appeal Petition and Response.

The appeal petition must specify the grounds for the appeal, along with the supporting rationale, including a response to the Investigative Report, if any. The appeal may also include, or make reference to, other relevant information such as the identity of new witnesses who were not reasonably discoverable during the investigation or other evidence that was not considered during OJA's investigation. Any response to the appeal petition must address the issue raised in the appeal.

Each party will have the opportunity to review any written submissions of the other party prior to the Hearing.

C. University Board on Student Conduct.

The membership of the UBSC will be as follows: one-third of the members will be members of the faculty appointed by the Provost. The Provost will make his or her designation from a list of 15 nominations made by the Faculty Council. One-third of the members will be students (undergraduate and graduate) selected by the Dean of Students. One-third of the members will be appointed by the Vice President for Enrollment & Student Affairs and may include students, faculty, or members of the administrative staff of the University. Temporary imbalances in the composition of the Board caused by the absence or withdrawal from the UBSC of any member(s) will not affect the validity of actions taken by a Hearing Panel of the UBSC.

Membership on the UBSC shall be for a term of two years except that the term for student members shall be one year. Members appointed to fill a vacancy on the Board shall serve for the duration of the term.

If, during the summer or during any other period, sufficient members of the UBSC are not available to create a Hearing Panel, the Office of the Provost, at the request of the Dean of Students, may designate individuals to serve as interim members of the UBSC for the purpose of serving on a Hearing Panel.

A member of the Dean of Students' staff will sit in ex officio, and will be responsible for the administrative functions of the UBSC, but will not participate in any Hearing. Each Hearing Panel will consist of three or five members of the UBSC. At least one member of each Hearing Panel will be a student and at least one member will be a member of the faculty.

1. Training.

All UBSC members must participate in training. In addition, each year, returning UBSC members must receive refresher training. In addition to training on how the adjudicatory process works, the

training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct.

2. Hearing Panel Selection/Conflict Checking.

The Dean of Students will appoint a Hearing Panel of three or five members and will appoint one of these members as the Panel Chair. The Hearing Panel will not include any person who has participated in any effort to resolve the same complaint. The Hearing Panel members will receive the names of the complainant, the respondent, and all witnesses, and must withdraw from the proceedings if their relationship to a party or witness, or other circumstances leads them to believe that they cannot judge the matter fairly.

The Dean of Students will send a notice to the complainant and respondent, providing the names of the Hearing Panel members and informing them of their right to object to the participation of a Hearing Panel member. The objection must be in writing to the Dean of Students and received within two (2) calendar days of the date of the notice, and must state the party's reasons for believing the Hearing Panel member is incapable of fairly judging the matter.

The Dean of Students will decide whether an objection is justified, and that decision is final. When necessary, the Dean of Students will select a replacement Hearing Panel member. Parties will have an opportunity to object to any Panel member selected as a replacement.

D. Hearing Procedures.

1. Timing and Notice.

The Dean of Students will notify the complainant and the respondent of the time and location of the Hearing and will endeavor to convene a Hearing Panel within fourteen calendar (14) days of the written appeal petition. The parties are expected to cooperate in the scheduling of the Hearing.

2. Pre-Hearing Procedures.

a. Pre-Hearing Review.

Prior to the Hearing, the Hearing Panel members will review all the written materials provided to them by the Dean of Students, including OJA's Investigative Report, the Dean of Students' Letter of Determination, the appeal petition and response (if any), and any other documents or evidence submitted by the parties. Based on the appeal petition and response, the Hearing Panel, in its sole discretion, will determine whether third party witnesses will be called at the Hearing and will provide the names of those witnesses to the Dean of Students, who will arrange for those witnesses to appear. The Hearing Panel may also ask to see underlying materials that were relied upon by OJA in its Investigative Report. In the absence of good cause as determined by the Chair in his or her sole discretion, parties may not introduce witnesses, documents, or other evidence at the Hearing that were not included in or referred to by the appeal petition or any response.

b. Pre-Hearing Meeting.

Prior to the Hearing date, the Dean of Students will schedule individual meetings with the complainant and the respondent and their respective Advisers. At the meeting, the Dean of Students will review the Hearing Panel procedures. In addition, the Dean of Students will provide the complainant and the respondent with a copy of the list of witnesses, and copies of documents or other evidence that the Hearing Panel may consider at the Hearing. The University reserves

the right, through the Chair, to add witnesses to the witness lists with reasonable notice prior to the Hearing.

c. Attendance at Hearing.

If the complainant or the respondent fails to appear at the scheduled Hearing, the Chair may postpone the proceedings or direct that the Hearing proceed and determine the appeal on the basis of the available information, provided the absent party was duly notified of the scheduled Hearing date, as outlined above.

3. Conduct of Hearing.

The Chair will preside at the Hearing and may make such rulings as he or she deems necessary for the orderly conduct of the Hearing. No one other than the Hearing Panel members, the complainant and respondent, their respective Advisers, witnesses (when called), and necessary University personnel may be present in the Hearing room or rooms during the proceeding. The Dean of Students Office will work with other University personnel so that any student whose presence is required may participate in the Hearing.

In general, Hearings will proceed as follows:

- Complainant opening statement;
- Respondent opening statement;
- Questions to the complainant by the Hearing Panel;
- Questions to the respondent by the Hearing Panel;
- Witness testimony (if any) and questioning by the Hearing Panel;
- Questions to the Investigators by the Hearing Panel (if any);
- Closing statement by complainant; and
- Closing statement by respondent.

The Hearing Panel will not consider the romantic or sexual history of either the complainant or respondent, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the Hearing Panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to sexual contact.

The Hearing Panel may set reasonable time limits for any part of the Hearing. In cases where either the complainant or respondent opts not to participate in the Hearing, the Hearing Panel may still hear from the other.

The Hearing will not follow a courtroom model, and the rules of evidence and civil or criminal procedure do not apply. The Chair has the sole discretion to commence, recess, and reconvene the Hearing, and may suspend the Hearing at any time. The Chair will make any procedural decisions during the Hearing that he or she deems necessary to safeguard the integrity and fairness of the Hearing and to avoid undue delay. The Chair will determine the admissibility, relevance, and materiality of the testimony and information offered and may exclude any testimony or evidence that he or she determines to be cumulative or irrelevant. The Hearing Panel may take notice of facts or information within the knowledge of the University community or based on University records.

Upon timely request by the complainant or respondent, the Chair may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the complainant or respondent during the Hearing by providing separate facilities, by using a visual screen, and/or by permitting

participation by telephone, videophone, closed circuit television, video conferencing, videotape, audiotape, written statement or other means, where and as determined in the sole discretion of the Chair to be appropriate.

a. Audio Recording.

The Dean of Students will arrange for the hearing to be audio recorded, and may arrange for the preparation of any transcript of the recording that he or she deems appropriate. The complainant and respondent will have the right to access a copy of the recording without cost, or to obtain a copy of the recording at his or her expense. The Hearing Panel's post-Hearing deliberations will not be recorded. Personal cell phones and recording devices may not be used in the Hearing room(s) to record the Hearing unless approved by the Chair in advance.

b. Preponderance of the Evidence Standard of Review.

All decisions by the Hearing Panel will be made by majority vote and must be supported by a preponderance of evidence.

c. Opening Statements and Questioning by the Parties.

The complainant and respondent will each have the opportunity to present an opening statement. Only the Chair and the Hearing Panel members are permitted question the individual parties and witnesses (if any). However, the complainant and the respondent may ask the Chair to pose additional questions or inquire further into specific matters by submitting these requests to the Chair in writing or orally, at the discretion of the Chair. The Chair may disallow or reframe any questions that are redundant, irrelevant, or disruptive. If, prior to the conclusion of the Hearing, the Hearing Panel determines that unresolved issues exist that would be clarified by the presentation of additional evidence, the Chair may suspend the Hearing and reconvene it in a timely manner to receive such additional information. A suspension of the Hearing may not be based on the proposed introduction of documents or other evidence that could have been presented prior to the Hearing.

d. Respondent Testimony.

The respondent shall have the right not to answer questions during the Hearing; however, the exercise of that right shall not preclude the Hearing Panel from proceeding and evaluating the appeal on the basis of the Investigative Report, Letter of Determination, and other available information.

e. Privacy of the Hearing.

To comply with Title IX and FERPA, and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the Hearing is not open to the public. Accordingly, documents prepared in anticipation of the Hearing (including the Investigative Report, the Letter of Determination, the appeal petition and response, documents, testimony, or other information introduced at the Hearing, and any recording or transcripts of the Hearing) may not be disclosed outside of the Hearing procedures, except as may be required or authorized by law.

4. Hearing Panel Decision.

After completion of the Hearing, all persons other than the members of the Hearing Panel will be asked to leave the Hearing room. The Hearing Panel will then deliberate privately. The members of the Hearing Panel are the sole arbiters of the weight of the evidence and the credibility of the witnesses. The specification or description of a violation of the [Sexual Misconduct/Title IX Policy](#)

or the sanction imposed may be modified by the Hearing Panel to conform to the evidence, provided that the modification does not deprive the respondent of his or her right to respond to particular charges.

The Hearing Panel shall consider the merits of an appeal petition only on the basis of the four grounds for appeal set forth in [Section XIII.A](#) and supporting information provided in the written appeal petition, any response to the appeal petition, the record of the original decision, and any testimony elicited at the Hearing. Any decision of the Hearing Panel shall be made by majority vote. The vote itself will not be communicated to the parties.

The Hearing Panel may:

- a. Affirm, modify, or reverse the Dean of Students' determination.
- b. Affirm or modify (either to increase or decrease) the sanctions imposed.
- c. Remand the matter to OJA for further investigation. This shall ordinarily be done in the case of new and relevant information, for an assessment of the weight and effect of the new information and a determination after consideration the new facts.

5. Communication of the Hearing Panel's Decision.

Within seven (7) calendar days from the conclusion of the Hearing Panel's deliberations (or such longer time as the Chair may for good cause determine), the Chair will simultaneously communicate the Hearing Panel's decision on the appeal petition to the complainant, the respondent, and the Dean of Students, and will do so in writing.

6. Maintenance of Records.

The Hearing audio recording, together with the documents, information and other evidence presented at the Hearing, will serve as the record of the hearing proceedings and will be maintained by the Dean of Students as part of the respondent's disciplinary record.

The disciplinary files of students who have been suspended or expelled from the University are maintained in the Dean of Students Office for at least seven (7) years after the students' departure from the University.

XIV. APPEALS TO THE UNIVERSITY PROVOST.

A. Procedure for Appeal.

The complainant and the respondent each have the right to appeal the Hearing Panel's decision to the University Provost. An appeal to the University Provost must be in writing and received by the Provost within ten (10) calendar days of receipt of the Hearing Panel's decision. The only grounds for appeal to the Provost are:

1. Procedural irregularity that affected the outcome of the Hearing.
2. The sanction is disproportionate to the violation of the [Sexual Misconduct/Title IX Policy](#).
3. The discovery of new, relevant evidence that was unavailable to the appealing party prior to the Hearing Panel that could reasonably affect the outcome of the case.
4. Prejudicial bias on the part of the Hearing Panel.

The Provost will provide a copy of the appeal petition to the other party. If the non-appealing party chooses to respond to the appeal, he or she must do so in writing to the Provost within ten (10) calendar days after receiving the appeal petition.

Upon receipt of a timely appeal petition, the Dean of Students will forward to the Provost the relevant record of the matter. The University Provost will limit his or her review of Hearing Panel decisions to a review of the record of the original Hearing (including the audio recording), supporting documents, and statements made by one or both parties in the appeal petition.

The Provost will review the record and the statements submitted. The decision of the Provost will be in writing, with copies provided to the complainant, respondent, and the Dean of Students, and will be communicated within fourteen (14) calendar days after receiving the appeal petition or any response.

B. Impact of an Appeal Petition on Imposed Sanctions

The filing of an appeal petition will not operate to stay the effect of sanctions imposed. However, the appeal petition may seek a stay or modification of the sanctions pending the Provost's decision on the appeal. The Dean of Students or the University Provost, in his or her discretion, may suspend, stay, or modify sanctions imposed, subject to such conditions as either may deem appropriate.

C. Provost's Decision on Appeal.

The University Provost may:

1. Affirm, modify, or reverse the Hearing Panel's decision.
2. Affirm or modify (either to increase or decrease) the sanctions imposed.
3. Remand the matter to the UBSC for a new Hearing. This shall normally be done when there is a procedural irregularity that could be corrected in a rehearing.

If the Provost remands the matter, he or she will specify whether the sanctions are to be maintained, modified, suspended, or reversed pending completion of the matter on remand.

Any act authorized by this procedure to be performed by the Provost may also be done by an authorized designee of the Provost.

The decision of the Provost will be final.

XV. DISCIPLINARY RECORDS, WITHDRAWAL, AND READMISSION.

A. Disciplinary Records.

A sanction of expulsion or suspension from the University or a program of the University will be entered on the student's permanent record unless this provision is waived by the Dean of Students and the Provost concurs.

The University Registrar will be informed of all sanctions involving suspension or expulsion from the University or from a program of the University, and no student will be permitted to re-enroll in the University following such sanction unless he or she presents evidence to the Registrar of satisfaction of the sanction and of appropriate permission for re-enrollment.

B. Withdrawal and Readmission.

If a student voluntarily withdraws from the University or a program of the University while charges against him or her are pending, or as part of a negotiated settlement of such charges, this fact will be communicated to the University Registrar and the student will not be permitted to re-enroll

unless he or she presents evidence that appropriate permission for re-enrollment has been obtained. Such permission shall be granted solely at the discretion of the Dean of Students or the Provost. If the student withdrew while charges against him or her were pending, permission for readmission will be granted only after the charges have been resolved.

If permission to re-enroll is not granted, the student may petition the Provost for permission, setting forth in his or her petition the relevant facts and the basis upon which the petition is made. The decision of the Provost will be final.

Failure of a student to comply with a sanction or condition imposed or to obtain permission for re-enrollment in accordance with the above requirements may be a basis for denial of re-enrollment.

FACULTY/STAFF SEXUAL MISCONDUCT PROCEDURES

Procedures for the Resolution of Sexual Misconduct Complaints Against Faculty, Staff, Affiliates and Non-Affiliates

Effective January 1, 2015

Table of Contents

- [I. Applicability](#)
- [II. Rights of the Complainant and Respondent](#)
- [III. Preliminary Matters](#)
- [IV. Initiating a Complaint](#)
- [V. Interim Measures](#)
- [VI. How to File a Complaint](#)
- [VII. Investigation of a Complaint](#)
- [VIII. Requests for Confidentiality and Privacy](#)
- [IX. Appeal](#)
- [X. Imposition of Sanctions](#)

I. APPLICABILITY.

These Procedures will be used to investigate and resolve all complaints of sexual misconduct against Boston University faculty and staff members, affiliates, and non-affiliates, as appropriate. For purposes of the University's Sexual Misconduct/Title IX Policy and these Procedures, an "affiliate" includes, but is not limited to, visiting scholars and post-doctoral fellows who are not otherwise classified as Boston University faculty, staff, or students. Complaints of sexual misconduct against Boston University students will be investigated and resolved using the [Procedures for the Resolution of Sexual Misconduct Complaints against Students](#).

All other complaints of discrimination or harassment against faculty and staff members, including but not limited to those based on race, color, creed, religion, ethnic origin, age, sex, disability, and sexual orientation, will be resolved using the University's [Complaint Procedures in Cases of Alleged Unlawful Discrimination and Harassment](#).

II. RIGHTS OF THE COMPLAINANT AND RESPONDENT.

These Procedures for the investigation, adjudication, and resolution of sexual misconduct (including sexual harassment) complaints brought against faculty, staff, affiliates and non-affiliates are designed to be accessible, prompt, fair, and impartial. Throughout this process, both the complainant and respondent have the following rights:

- To be treated with respect, dignity, and sensitivity.
- To receive appropriate support from the University.

- Privacy to the extent possible, consistent with applicable law and University policy.
- Information about the University's Sexual Misconduct/Title IX Policy.
- A prompt and thorough investigation of the allegations.
- Notification, in writing, of the case resolution, including the outcome of any appeals.

To report the incident to law enforcement (including the Boston University Police or the police department in the jurisdiction in which the sexual misconduct occurred) at any time.

III. PRELIMINARY MATTERS.

A. Effect of Criminal Proceedings.

The filing and processing of a complaint of sexual misconduct is separate from and independent of any criminal investigation or proceeding. Boston University will not wait for the conclusion of any criminal investigation or proceedings to begin its own investigation, although the University may delay temporarily the fact-finding component of the investigation while the police are gathering evidence. Neither law enforcement's decision whether to prosecute a respondent nor the outcome of a criminal prosecution is determinative of whether sexual misconduct occurred under the University's [Sexual Misconduct/Title IX Policy](#).

B. Adviser.

The complainant and respondent may each choose and be accompanied to any meeting or hearing related to these Procedures by an Adviser, who may provide support during such meeting or hearing. During meetings and interviews, the Adviser may quietly confer or pass notes with the party in a non-disruptive manner. The Adviser may not intervene in a meeting or interview, or address the Investigator. Consistent with the University's obligation to promptly resolve sexual misconduct complaints, the University reserves the right to proceed with any meeting or interview, regardless of the availability of the party's selected Adviser.

C. Declining to Participate.

A complainant may decline to participate in the investigative or complaint resolution process. The University may continue the process without the complainant's participation.

D. Time Frame for Complaint Resolution.

The University will seek to resolve every report of sexual misconduct within sixty (60) calendar days of the start of an investigation, not counting any appeals. Time frames may vary depending on the complexity of a case and the availability of witnesses, and at certain times of the academic year (for example, during breaks, study periods or final exams). The University may extend any time frame for good cause, with a written explanation to the complainant and respondent.

E. Prohibition on Retaliation.

It is illegal and a violation of the University's [Sexual Misconduct/Title IX Policy](#) to retaliate against a person for filing a complaint of sexual misconduct or for cooperating in a sexual misconduct investigation. Any person who retaliates against a person for reporting sexual misconduct, filing a sexual misconduct complaint, or participating in a sexual misconduct investigation is subject to disciplinary action up to and including termination by the University.

F. Notice.

The Title IX Coordinator, or designee, will give the complainant and respondent, respectively, an explanation of their rights and options, and as appropriate, any available accommodations, as soon as possible after a complaint is reported. The Equal Opportunity Office will also ensure that both the complainant and respondent are updated throughout the investigative process, including with timely notice of meetings where either the complainant's or the respondent's presence may be required. The complainant and respondent will be simultaneously provided with written notice of the results of any investigation including whether there has been a violation of the University's [Sexual Misconduct/Title IX Policy](#). The Title IX Coordinator or designee will also inform the complainant of any sanctions imposed on the respondent that directly relate to the complainant, and any other steps the University has taken to prevent recurrence of the misconduct.

IV. INITIATING A COMPLAINT.

Any person who believes he or she has experienced sexual misconduct, as defined in the University's Sexual Misconduct/Title IX Policy, may file a complaint against the Boston University faculty or staff member, affiliate, or non-affiliate responsible for that conduct (the person filing a complaint is referred to as a "complainant"). A person who has information that a University faculty or staff member, affiliate, or non-affiliate may have committed sexual misconduct may also file a complaint (the person filing the complaint is referred to as a "reporter"). A complainant or reporter² may include any member of the Boston University community, including students, faculty, administrators, staff members, visitors, applicants for employment or admission, participants in a BU program or activity, or a non-affiliate with knowledge of an incident of sexual misconduct.

V. INTERIM MEASURES.

Upon the filing of a sexual misconduct complaint, the Title IX Coordinator will review the allegations and determine the necessity and scope of any interim measures to prevent further acts of harassment, misconduct, or retaliation and to provide a safe educational and work environment. The range of interim measures may include, but not be limited to:

- Adjusting the complainant's or respondent's work schedule, assignment, or location for University employment.
- Changing the complainant's academic schedule, allowing the complainant to take an incomplete in one or more courses, allowing the complainant to drop (or retake) a course without penalty, or attend class via web conference.
- Providing an escort to ensure safe movement between classes, work sites, and other activities.
- Allowing the complainant to withdraw from or retake a class without penalty, or extending deadlines for examinations or other assignments.
- Providing access to tutoring or other academic support.
- Putting the respondent on paid administrative leave until the conclusion of the investigation.
- Issuing an administrative "stay-away" (no contact) order.

The University will maintain as confidential any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

² Reporter: A person who has information that sexual misconduct may have been committed by a University student or a participant in a University Program and who initiates a complaint.

An individual's failure to comply with restrictions imposed by interim measures is a violation of University Policy and a basis for disciplinary action, up to and including termination of employment.

VI. HOW TO FILE A COMPLAINT.

A complainant or reporter may submit a [Sexual Misconduct Report Form](#) (paper or electronic format), to the Title IX Coordinator, one of the Deputy Title IX Coordinators, Human Resources, or the Equal Opportunity Office. Although the Report Form should be as specific as possible regarding the conduct that precipitated the complaint, it need not reflect every detail related to the allegations in the complaint, as additional information may be discovered during the investigation.

A complainant may also call or meet with the Title IX Coordinator, a Deputy Title IX Coordinator, Human Resources, or the Equal Opportunity Office to initiate a complaint.

University Title IX Coordinator
19 Deerfield Street, Fl. 2, Boston, MA 02115
(617) 353-9286
titleix@bu.edu

Deputy Title IX Coordinators Contact information available [here](#).

Human Resources
Charles River Campus
25 Buick Street, Boston, MA 02115
(617) 353-4044
Medical Campus
801 Massachusetts Avenue, Suite 400, Boston, MA 02118
(617) 638-4610

Equal Opportunity Office
19 Deerfield Street, Fl. 2, Boston, MA 02115
(617) 353-9286
eogen@bu.edu

VII. INVESTIGATION OF A COMPLAINT.

A. Investigator.

The Title IX Coordinator will designate an Investigator (ordinarily a member of the University's Equal Opportunity Office) specifically trained in sexual misconduct investigations to conduct a prompt, thorough, and fair investigation of any sexual misconduct complaint against a University faculty or staff member, affiliate, or a non-affiliate.

B. Investigation Process.

The investigation may involve one or more meetings with the complainant and respondent, interviewing witnesses, reviewing other relevant evidence, requesting written statements from the parties, informing the respondent of the allegations and/or providing to that person a copy of the complainant's statement. Before any adverse determination is made, the respondent will be informed as to the nature of the complaint, and will have the opportunity to respond. The respondent will also be advised of the University's strict prohibition against retaliation.

C. Standard of Proof.

In resolving complaints pursuant to the [Sexual Misconduct/Title IX Policy](#), the University will use a “preponderance of the evidence” standard, which is whether the evidence gathered and information provided during the investigation supports a finding that it is more likely than not that the respondent violated the Sexual Misconduct/Title IX Policy.

D. Investigation Finding.

At the conclusion of the investigation, the Investigator will prepare a report (the “Investigative Report”) summarizing and analyzing the relevant facts determined through the investigation, with reference to any supporting documentation or statements.

The final Investigative Report will provide a summary of the Investigator’s impressions, including context for the evidence, and will make a determination as to whether the respondent’s conduct violated the [Sexual Misconduct/Title IX Policy](#). The Investigative Report will then be provided to the Dean of the respondent’s School or College (if a faculty member), the Provost (if the complaint contains allegations against a Dean), or relevant Vice President or Dean (if a staff member).

After review of the Investigative Report, the Dean (with the approval of the Provost), Provost, or relevant Vice President will, if a violation of the [Sexual Misconduct/Title IX Policy](#) has been found, make a final determination as to the appropriate disciplinary sanction for the respondent’s violation of the Sexual Misconduct/Title IX Policy. Prior to any disciplinary action, the respondent shall be afforded an appeal, as described in Section VIII, below.

E. Preservation of Records.

A confidential record of all complaints, including their disposition, will be maintained by the Title IX Coordinator and the Equal Opportunity Office.

VIII. REQUESTS FOR CONFIDENTIALITY AND PRIVACY.

Every reasonable effort will be made to protect the privacy of all parties during the investigation, consistent with and subject to the University’s obligation to investigate and resolve the complaint. Complainants who prefer to discuss an incident of sexual misconduct confidentially such that an investigation will not be initiated should contact one of the confidential resources listed in [Section X](#) of the Sexual Misconduct/Title IX Policy.

If the complainant reports an incident of sexual misconduct to any other campus resource and requests confidentiality or asks that the report of sexual misconduct not be pursued, the University will, generally before taking any further investigative steps, evaluate the complainant’s request in the manner set forth in [Section V.A](#) of the Sexual Misconduct/Title IX Policy. The evaluation will be conducted by the Title IX Coordinator in consultation with a small number of University administrators as deemed necessary and appropriate under the circumstances.

Even absent a request for confidentiality, every reasonable effort will be made to protect the privacy of all parties during the investigation. Boston University will disclose information about its investigation and resolution of sexual misconduct complaints only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all University personnel participating in an investigation, proceeding, or hearing that they are expected to maintain the privacy of the process. This does not prohibit either a complainant or respondent

from obtaining the assistance of family members, counselors, therapists, clergy, doctors, attorneys, or other resources.

IX. APPEAL.

The respondent has the right to appeal the investigative determination and the sanction imposed by the respondent's Dean, Provost, or relevant Vice President.

The University's determination as to whether the respondent's conduct violated the [Sexual Misconduct/Title IX Policy](#) will be presumed to have been reached reasonably and appropriately, by a preponderance of the evidence. Therefore, an appeal is available only on the following grounds:

1. Insufficient evidence to support the Investigator's findings.
2. The disciplinary sanction imposed is disproportionate to the violation of the Sexual Misconduct/Title IX Policy.
3. The discovery of new, relevant evidence, that was unavailable to the appealing party during the investigation that could reasonably affect the outcome of the case.
4. Prejudicial bias on the part of the Investigator.

Any appeal must be in writing and should be filed with the Title IX Coordinator within ten (10) calendar days of the date of receipt of the Dean, Provost, or relevant Vice President's final decision. The Title IX Coordinator may accept a late submission under extenuating circumstances.

In the case of complaints against staff members and non-affiliates, the Title IX Coordinator will direct the appeal to the appropriate officer of the University for review and disposition. In the case of complaints against faculty, the Title IX Coordinator will consult with the University Provost to determine the appropriate officer of the University to whom the appeal should be directed.

The decision of the University officer charged with hearing the appeal will be final, subject to [Section X](#), below.

X. IMPOSITION OF SANCTIONS.

A. Suspension or Termination of Faculty.

Any disciplinary sanction that involves the suspension or termination of a faculty member will be conducted pursuant to the procedures outlined in the [Faculty Handbook](#).

B. Disciplinary Actions against Staff.

Disciplinary sanctions involving staff will be consistent with any applicable collective bargaining agreement and University policies.

14. SEX OFFENDER REGISTRATION

Information regarding registered sex offenders in California can be found on the website of the California Office of the Attorney General, www.meganslaw.ca.gov, or the U.S. Department of Justice, www.nsopw.gov.

15. CRIME STATISTICS

The figures listed in the Los Angeles Campus Crime Statistics table reflect crimes reported to have occurred on Boston University's Los Angeles campus as well as in on-campus student housing and public property within or immediately adjacent to and accessible from campus or on-campus student housing. The crime statistics are prepared by the Boston University Police Department Crime Analysis & Statistics Unit in conjunction with Boston University Study Abroad. Crimes are recorded in the year in which they were reported.

BU Los Angeles		On-Campus			On-Campus Residential*			Public Property		
		2013	2014	2015	2013	2014	2015	2013	2014	2015
Murder & Non-Negligent Manslaughter		0	0	0	0	0	0	0	0	0
Manslaughter		0	0	0	0	0	0	0	0	0
Rape		0	0	0	0	0	0	0	0	0
Forcible Fondling		0	0	0	0	0	0	0	0	0
Statutory Rape		0	0	0	0	0	0	0	0	0
Incest		0	0	0	0	0	0	0	0	0
Robbery		0	0	0	0	0	0	0	0	0
Aggravated Assault		0	0	0	0	0	0	0	0	0
Burglary		1	0	0	1	0	0	0	0	0
Motor Vehicle Theft		0	0	0	0	0	0	0	0	0
Arson		0	0	0	0	0	0	0	0	0
Stalking		n/a	0	0	n/a	0	0	n/a	0	0
Domestic Violence		n/a	0	0	n/a	0	0	n/a	0	0
Dating Violence		n/a	0	0	n/a	0	0	n/a	0	0
Liquor Law Violations	Arrest	0	0	0	0	0	0	0	0	0
	Referred	0	0	0	0	0	0	0	0	0
Drug Law Violations	Arrest	0	0	0	0	0	0	0	0	0
	Referred	0	0	0	0	0	0	0	0	0
Weapons Law Violations	Arrest	0	0	0	0	0	0	0	0	0
	Referred	0	0	0	0	0	0	0	0	0
Unfounded Crimes: 2013 = N/A 2014 = 0 2015 = 0										
Hate Crimes: 2013 = 0 2014 = 0 2015 = 0										
*subset of On-Campus category										

Crime statistics for the other University campuses are available in the Boston University Annual Safety Report: www.bu.edu/safety.

Los Angeles Police Department Crime Mapping website, for most current crime data: http://www.lapdonline.org/crime_mapping_and_compstat

APPENDIX A

Included below is information about University programming and initiatives intended to increase the University's community's knowledge and to prevent violence and promote safety, including bystander intervention awareness and other prevention programs intended to prevent dating violence, domestic violence, sexual assault, and stalking.

PROGRAM NAME / DESCRIPTION	TYPE	FREQUENCY	TYPE
Undergraduate Student Orientation		Annually to new students	Students
The University's summer and winter orientation programs for approximately 4,600 incoming undergraduate students emphasize crime prevention, personal responsibility, and bystander education. Representatives from Student Health Services, the Sexual Assault Response & Prevention Center, Judicial Affairs, and the Boston University Police discuss strategies for keeping the newest members of the BU community healthy and safe. This panel presentation includes the following:	Orientation covers a wide array of topics summarized below.		
Orientation/Skits - Sexual Assault Response & Prevention Center (SARP)		Annually to new students	Students
Three skits written and performed by SARP student ambassadors depict situations new students might encounter. The "party scene" illustrates the role pro-social bystanders can play in preventing sexual misconduct. In the "catcalling scene," students are encouraged to come forward and report sexual harassment. The third skit depicts students' response to an escalating argument between dating partners and incorporates an interactive polling system to encourage positive intervention.	Primary rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness/ Prosocial Bystander		
Orientation/Overview of Policies & Title IX - Judicial Affairs		Annually to new students	Students
The Judicial Affairs' presentation outlines expectations for behavior, consequences for misconduct, and key University policies (e.g., alcohol, drugs, threats, physical and interpersonal violence, hazing, prohibition against weapons). The presentation, along with an accompanying video, also promotes fire, pedestrian, and bike safety. In a separate follow-up presentation, Judicial Affairs provides a brief review of sexual harassment and sexual misconduct support services and reporting options, both on and off campus.	Primary rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness/ Crime Prevention/ Drug and alcohol abuse education		
Orientation/Boston University Police (BUPD)—Crime Prevention Tips		Annually to new students	Students

This presentation by the Deputy Chief provides an overview of various programs, services, and reporting options offered by BUPD, including the Rape Aggression Defense program, blue light phones, the University's emergency notification system, Instagram, Twitter, and Text-a-Tip.	Campus security procedures and practices/looking out for one another		
Graduate Student Orientations		Annually	Students
Graduate and professional school orientations are held each year. These sessions provide information on crime prevention, drug and alcohol abuse, looking out for their fellow students and sexual assault prevention. Some of the programs are described below:			
Graduate Orientations - Sexual Misconduct Information Sessions		Annually	Students
At each of the graduate and professional school orientations, the University's Title IX Coordinator or designee discusses Title IX, sexual misconduct, and the University's policies and resources.	Sexual misconduct/campus security procedures and practices		
Graduate Orientation - Crime Prevention Tips		Annually	Students
BUPD or Public Safety personnel presents personal crime prevention strategies to students both on and off campus. Students are encouraged to "see something, say something", to look out for their fellow students, and to pay close attention to BU Alert messages sent to notify them about crime and emergency situations.	Campus security procedures and practices/crime prevention		
AlcoholEdu		Annually	First-Year Students
This evidence-based course is designed to educate students about risky drinking and its effects. AlcoholEdu for College® is confidential and non-judgmental and is a key part of Boston University's comprehensive alcohol prevention program.	Alcohol abuse prevention/ encourage students to look out for one another		
FY (First Year) 101		Ongoing/Upon Request	Students
FY101 is a unique, seminar-style course that provides the opportunity to explore issues relevant to new undergraduate students at Boston University. Students learn to explore and practice strategies involving a wide range of relevant issues to foster campus involvement and personal well-being including alcohol abuse education modules.	Drug or alcohol abuse education		
BASICS		Ongoing	Students
BASICS is a brief clinical intervention for substance abuse available to all BU students.	Drug or alcohol abuse education		

e-Checkup to Go		Ongoing	Students
A personalized, web-based feedback tool for alcohol and marijuana.	Drug or alcohol abuse education		
Resident Assistant Training		Annually	Students (RAs)
Residence Assistants learn how to effectively respond to situations they may encounter in their duties including how to recognize and prevent sexual violence.	Alcohol, students in distress, sexual violence prevention		
CHOICES Education Classes		Ongoing	Students
The CHOICES® Alcohol Education class teaches students practical strategies for drinking in a less risky way. Students discuss their own expectations about alcohol and identify behaviors that can promote or prevent dangerous drinking. Students who have been adjudicated for violating the BU's drug and alcohol policies are mandated to participate. The CHOICES classes cover both alcohol and marijuana.	Drug or alcohol abuse education		
Sexual Misconduct Awareness Brochure			
The University widely distributes an informational brochure entitled "Have You Experienced Sexual Assault, Sexual Harassment, Stalking, or Domestic or Dating Violence?" to students and employees throughout campus. It provides awareness of these issues and helpful resources to contact if needed. The brochure is also available online at http://www.bu.edu/safety/files/2013/10/DOS-Sexual-Misconduct-Brochure_Final.pdf	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
New Employee Orientation		Upon hire	Faculty & staff
All new Boston University employees are required to attend an orientation training from Human Resources that includes an awareness level training in sexual misconduct reporting as well as an introduction to campus resources available for drug and alcohol dependency issues. There is also a presentation from the BU Police on campus safety and Clery Act.	Primary rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness/ Crime Prevention/ Drug and alcohol abuse education		
Faculty & Staff Assistance Office Programs		Ongoing	Faculty & staff

The BU Faculty & Staff Assistance Office offers free, confidential consultation and counseling to Boston University employees who may be experiencing difficulties that affect their personal lives or work. This office helps BU faculty and staff and their families with a range of issues, including alcohol and drug abuse, stress, depression, relationship and family concerns, sexual misconduct, harassment, interpersonal violence, and abuse.	Drug or alcohol abuse/domestic violence/stress and depression		
Healthy Relationships Workshop		Annually	Students, faculty & staff
SARP hosts a Domestic Violence Awareness workshop about healthy relationships. Participants learn what constitutes a healthy relationship and how to recognize trouble signs of domestic violence. Crisis Intervention Counselors at SARP navigate these issues and discuss way to get help for oneself or others.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Sexual Assault Awareness Week		Annually	Students, faculty & staff
The BU community observes Sexual Assault Awareness Week, an annual nationwide campaign that highlights the importance of public awareness of sexual assault and prevention. Campus events have included discussions, performances, and a screening of Hunting Ground, a powerful documentary about sexual assault on college campuses. The weeklong observance concludes with the Take Back the Night Rally.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Educational programming concerning sexual health		Multiple events each semester/online	Students
A number of educational workshops and programs that are ongoing throughout the year focus on promoting healthy sexual relationships, understanding consent in a sexual context, interpersonal violence and sexual health.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Step Up Step In BU Bystander Training		Multiple events each semester	Students

Step Up Step In BU (SUSIBU) is an interactive bystander training session to raise awareness about sexual assault and what we as members of the BU community can do to help prevent it. SUSIBU bystander training is a requirement by Student Activities Office for recognized student organizations accepting funding from the Allocations Board. Each organization must send at least one person with allocation responsibilities to a training session.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness/look out for one another		
Rape Aggression Defense (R.A.D.)		Multiple classes each semester	Female students, faculty & staff
Specifically for women who wish to physically protect themselves against rape and other forms of violence. The 16-hour or the 20-hour course is taught by certified BUPD RAD instructors. The program trains women in basic self-defense and offers them viable options when confronted with various threats of violence.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Domestic and Dating Violence Prevention		Ongoing/Upon Request	Students, Faculty & Staff
The Boston University Police Department provides a full range of services addressing domestic and dating violence issues, including obtaining restraining orders, safety planning, and criminal prosecution.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Sexual Misconduct: The Role of Faculty and Staff in Preventing, Identifying and Reporting		Biannually	Faculty & Staff
Faculty and staff learn how to recognize sexual misconduct, have an appropriate conversation with anyone who reports sexual misconduct, help by directing the survivor to University or off-campus resources, and report the incident to proper authorities.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness/campus security procedures and practices		
Sexual Misconduct Training in the Workplace		Ongoing/Upon Request	Faculty & Staff

In addition to the bi-annual online training, the University's Title IX Coordinator and Director of the University's Equal Opportunity Office provides a variety of training and educational programming concerning sexual misconduct upon request. Participants learn to recognize sexual misconduct in the workplace and how to appropriately report and manage complaints.	Sexual Misconduct Training		
Prevention of Sexual Assault and Harassment (DOD)		Annually	Students (ROTC)
At the beginning of each academic year, each ROTC class conducts a session on the prevention of sexual assault and harassment using programming provided by the Department of Defense. In addition, the Army ROTC program requires freshmen cadets to review a two-hour video training session on the prevention of sexual assault and harassment at the beginning of each academic year.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
The Common Thread Podcast		Ongoing/online	Students, Faculty & Staff
The Common Thread podcast, a Howard Thurman Center program, explores a variety of issues, including sexuality, sexual health, and University resources concerning sexual misconduct. The Thurman Center, a division of the Dean of Students Office, is committed to preserving the legacy of Dr. Howard Thurman by breaking barriers of divisiveness and building community.	Ongoing rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking prevention and awareness		
Courageous Conversations		Ongoing / online	Students, Faculty & Staff
Courageous Dialogues is a Thurman Center program focused on small group discussions to build meaningful relationships among participants. The program focuses on issues of race, class, gender, and sexuality, and are designed to equip individuals with skills necessary to engage in sensitive dialogue around these topics.	Tolerance and community building		
Town Hall Meetings		Quarterly	Students, Faculty & Staff
Held throughout the academic year, town hall meetings give students an opportunity to meet with the Chief of Police & Executive Director of Public Safety and the Dean of Students to discuss safety and security on campus. Town hall meetings are announced on the Police Department website.	Crime Prevention Programs		

Safety Week		Annually (Fall)	Students, Faculty & Staff
BUPD sponsors Safety Week each fall semester. Held at the George Sherman Union, Safety Week includes RAD demonstrations, computer and bicycle registration, and provides information and resources about a number of other safety issues, including alcohol.	Crime Prevention Programs		
Group Meetings		Ongoing	Students
Members of the Boston University Police Department meet regularly with student groups, including fraternities and sororities, to foster good relations and to discuss safety issues or any topics that may come up.	Crime Prevention Programs		
Informational and Educational Materials		Ongoing	Students, Faculty & Staff
The Boston University Police Department prepares and disseminates information about safety and crime prevention, including tips for safety in the dorms and suggestions for steps to take if you are the victim of a crime. The Medical Campus Public Safety Department prepares and disseminates a variety of informational brochures providing general guidance for safety and crime prevention, including bicycle theft, "street sense," and identity theft.	Crime Prevention Programs		
Office Watch Program		Ongoing/Upon Request	Faculty & Staff
Office Watch is a crime prevention program similar in philosophy to that of a neighborhood watch program. The goal of Office Watch is to reduce the opportunities to commit crime by enlisting a cooperative effort between the Boston University community and the Boston University Police Department. This mission is accomplished by establishing a formal network of communication between University departments, their personnel, and the University Police.	Crime Prevention Programs		
Public Safety Meet & Greet: Medical Student Residence		Annually	Students (MED)

<p>An evening of pizza and public safety presentations welcoming new and returning medical students to the Medical Student Residence facility. The Department of Public Safety, Boston University Police, Boston Police, and Transit Police are all represented and engage students in conversation about personal safety, campus security procedures, reporting crimes and the importance of looking out for one another in the busy urban environment of the Medical Campus.</p>	<p>Campus security procedures and practices</p>		

APPENDIX B – Selected California and Massachusetts Law Definitions

In accordance with the Violence Against Women Reauthorization Act of 2013, the University has provided below the definitions under California and Massachusetts law of sexual assault, domestic violence, dating violence, stalking, and consent.

Please note that the definitions may differ from the definitions in the University's Sexual Misconduct Policy, which applies to the University's internal processing of complaints.

CALIFORNIA

Domestic Violence	Abuse, including the willful infliction of corporal injury or force or violence, committed against an adult or minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child, or is having or has had, a dating or engagement relationship, regardless of sexual orientation.	California Penal Code Sections 243(e)(1) (battery); 273.5 (spousal abuse or cohabitant abuse); 13700-13702 (domestic violence, defined)
Dating Violence	Abuse, including the willful infliction of corporal injury or force or violence, committed against an adult or minor who is a cohabitant, former cohabitant, or person with whom the suspect has had a child, or is having or has had a dating or engagement relationship.	Under California law, dating violence is addressed as domestic violence. See above.
Stalking	To engage in a willful and malicious pattern of conduct directed at a specific person that, taken in its entirety, would cause a reasonable person to fear for his or her safety or the safety of their immediate family.	California Penal Code Section 646.9(a)
Sexual Assault	Non-consensual sexual intercourse with a non-spouse who is mentally or physically disabled, incapacitated, unconscious, asleep, incapable of consenting due to the consumption of alcohol or other drugs, or otherwise incapable of consenting or resisting.	California Penal Code 261 (Rape)

Consent	The exercise of free will through positive cooperation, either by a person's actions or their attitude; to act freely and voluntarily, with knowledge of the nature of the act or transaction involved. A previous dating or marital relationship is insufficient to establish the existence of consent.	California Penal Code Section 261.6
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MASSACHUSETTS

Domestic Violence / Dating Violence

Massachusetts does not have one state definition of domestic or dating violence. Under Massachusetts law, a person suffering abuse from a family or household member may seek a restraining order. Abuse includes: attempting to cause or causing physical harm; placing another in fear of imminent serious physical harm; or causing another to engage involuntarily in sexual relations by force, threat, or duress. Mass. G. L. ch. 209A.

The term "family or household members" includes persons who: (a) are or were married to one another; (b) are or were residing together in the same household; (c) are or were related by blood or marriage; (d) having a child in common regardless of whether they have ever married or lived together; or (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts in consideration of the following factors: (1) the length of time of the relationship; (2) the type of relationship; (3) the frequency of interaction between the parties; and (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship. Mass. G. L. ch. 209A.

Stalking

Under Massachusetts law, a person who (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking. Mass. G. L. ch. 265, Section 43. The conduct may include threats made by electronic communications such as email, text messages, Instant message and the like. Stalking may be punished by up to five years in state prison.

Massachusetts also prohibits criminal harassment. Under Massachusetts law, a person who willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment. Mass. G. L. ch. 265, Section 43A. The conduct may include communications by electronic means, including email, text messages, instant messages and the like.

Sexual Assault

Massachusetts does not specifically define sexual assault, but rather uses the terms rape and indecent assault and battery.

Rape is defined as having sexual intercourse or unnatural sexual intercourse with a person and compelling such person to submit by force and against his or her will or compelling such person to submit by threat of bodily injury. Mass. G. L. ch. 265, Section 22.

Massachusetts law also prohibits indecent assault and battery, which includes the intentionally having physical contact of a sexual nature with another person, such as the indecent touching of another person's private parts. Mass. G. L. ch. Section 13H.

Consent

The term consent is not specifically defined by Massachusetts law. However, Massachusetts law provides that children under 16, persons that are incapacitated or intoxicated, asleep or mentally impaired can never give consent.