



# SIMMONS UNIVERSITY'S SEXUAL HARASSMENT POLICY

*Presented by*

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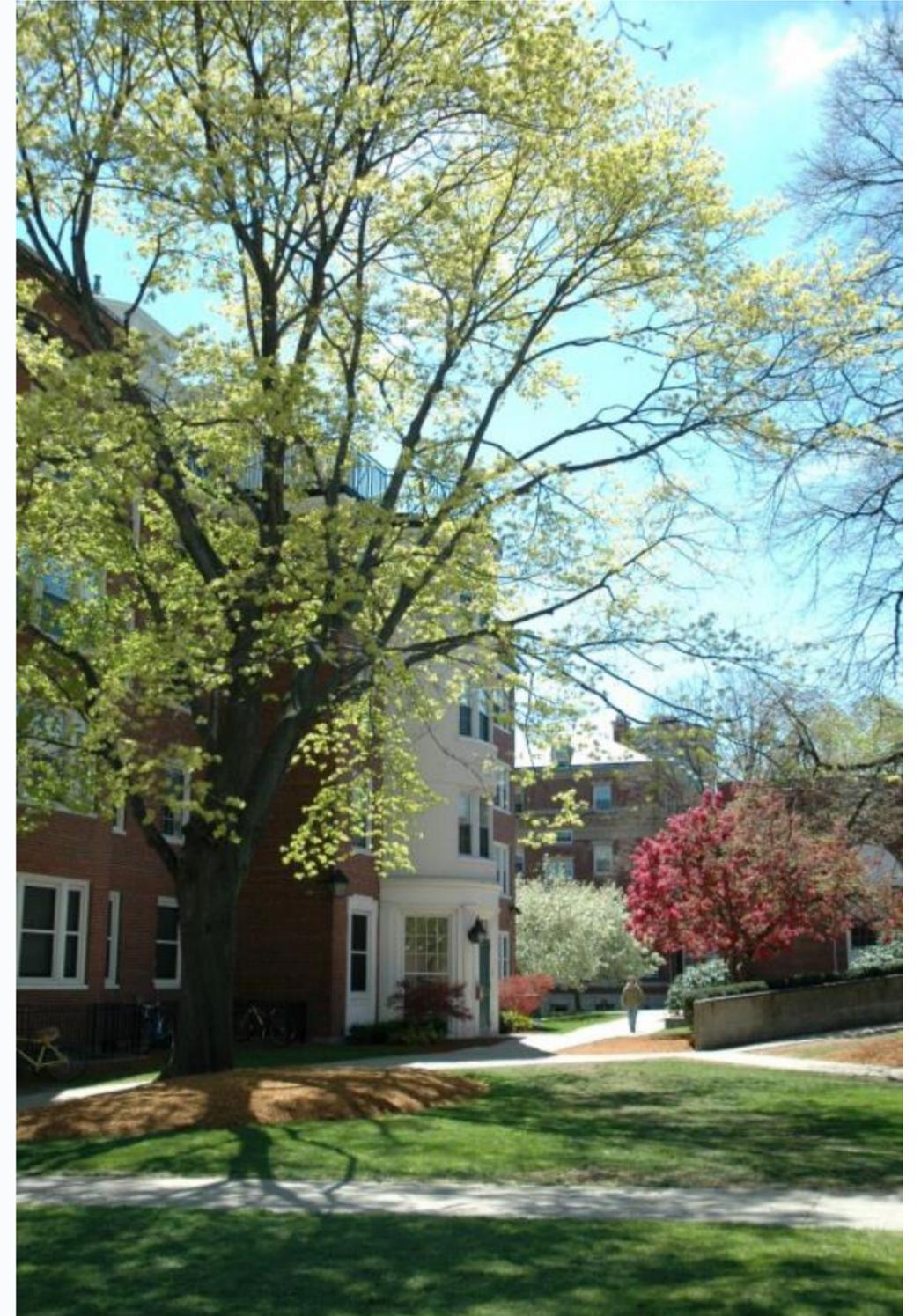
# CONTENT WARNING

Please use self care.

Feel free to move around as needed.

# TODAY'S TOPICS

- Overview of Title IX
- Simmons' Sexual Harassment Policy
- Reporting incidents of Sexual Harassment
- Formal Complaints & the Grievance Processes
- Resources
- Questions



# TITLE IX: AN OVERVIEW

“

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.

*Title IX of the Education Amendment of 1972*

# THE GOAL:

To provide equal access to education and ensure individuals are not denied or limited in their ability to fully participate in, or benefit from their school's educational programs, activities or resources (including employment) due to sex discrimination.



# SEXUAL HARASSMENT POLICY

ON THE SIMMONS WEBSITE, YOU CAN FIND A WEB PAGE DEDICATED TO TITLE IX, WITH A LINK TO OUR SEXUAL HARASSMENT POLICY



**Simmons UNIVERSITY**

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## Sexual Harassment Policy

*Here's the policy link.*

| Title IX   |
|--|
| <a href="#">Sexual Harassment Policy</a>                 |
| <a href="#">Title IX Coordinators and Team Members</a>   |
| <a href="#">Filing a Complaint</a>                       |
| <a href="#">University and Community Resources</a>       |
| <a href="#">Prevention and Education</a>                 |
| <a href="#">Proposed Changes to Title IX Regulations</a> |

This [Sexual Harassment Policy](#) ("Policy") governs all community members, including undergraduate and graduate students, faculty, staff, those employed by others but working on the Simmons campus, and visitors to Simmons. The Policy defines the behavior that Simmons identifies as prohibited sexual harassment, the process for addressing sexual harassment that falls under and outside Title IX jurisdiction, and the potential sanctions for engaging in prohibited conduct. This Policy expressly prohibits sexual harassment, including sexual assault, domestic violence, dating violence, and stalking.

In addition to the foregoing, the Policy and the Simmons Title IX website also:

1. Explain how to report incidents of sexual harassment to Simmons.
2. Detail the process for assessing, investigating, and resolving reports and complaints of sexual harassment, including the implementation of supportive measures when appropriate, and the use of sanctions against those who violate the Policy.
3. Identify on and off campus resources available to individuals impacted by sexual harassment, and how to access those resources.
4. Identify Simmons' [Title IX Coordinator and Deputy Title IX Coordinators](#) and other members of the Title IX team

View the [Simmons Sexual Harassment Policy](#) If you have any questions about the Policy, please contact the Title IX Coordinator or other member of the Title IX Team. For additional University policies for students, faculty and staff, please refer to the [Student Code of Conduct](#), [Employee Handbook](#) and [Faculty Policy Manual](#).

**Get Help**

If you are in immediate need of help, call 911 or [Public Safety](#) at 617-521-1111.

# Who Must Comply With This Policy?

- *Faculty and staff (both on campus and online, and full-time, part-time, or adjunct)*
- *All undergraduate and graduate students (including online and off-site students, part-time and full-time)*
- *Personnel connected to Simmons through sponsored off-site programs, such as internships, and field and clinical placements*
- *Contract employees (e.g. dining or facilities staff)*
- *Guests of the University*

# THE POLICY SUPPORTS INDIVIDUALS...

While engaged in courses and while in their work space

At University events

In dining facilities or other areas of campus

On University-sponsored trips

Anywhere out in the community



# Simmons UNIVERSITY

## SEXUAL HARASSMENT POLICY FOR STUDENTS, FACULTY, STAFF, AND VISITORS

Initial distribution October 14, 2014

Updated as of August 15, 2018

UPDATED as of August 14, 2020 to reflect new Title IX regulations

The federal laws, regulations, and guidance concerning Title IX, the Clery Act and the Violence Against Women Act (VAWA) are not static. Simmons will monitor changes and endeavor to keep the Policy current and reflective of best practices. If you believe the Policy contains erroneous or outdated information, we encourage you to contact the Title IX Coordinator and/or our General Counsel.

# THIS POLICY INCLUDES:

- A glossary of important definitions
- How to report incidents of Sexual Harassment
- Title IX Team contact information
- Supportive measures
- On and off-campus resources
- Retaliation policy
- Formal complaint & grievance processes
- Informal resolution processes
- Investigation and resolution processes
- Appeals process

# HOW IS SEXUAL HARASSMENT DEFINED?

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

- Quid pro quo harassment of a student by an employee
- Unwelcome conduct determined by a reasonable person to be so *severe, pervasive, and objectively offensive* that it effectively denies a person equal access to Simmons' Education Program/Activity
- Sexual assault, domestic violence, dating violence, and stalking (as defined by the regulations)

# HOW IS CONSENT DEFINED?

Agreement which is freely and actively given through clear words or actions, and creates mutually understandable permission regarding the conditions of sexual activity.

- Consent must be given knowingly, voluntarily, and affirmatively.
- Consent requires mutual understanding between the parties.
- Consent given on one instance does not imply consent at a future date.

The Simmons website has a link titled "Report an Incident," where you can find the link for Title IX reporting.

The screenshot shows a green header with the text "Take the Next Step" and three white buttons: "REQUEST INFO", "VISIT", and "APPLY". Below the header, there are links for "Undergraduate Site" and "Graduate Site". A "RESOURCES" section contains a grid of links: Library, Athletics, Public Safety, Events, Faculty Directory, Title IX, Maps and Directions, Financial Reporting, and Report an Incident. A handwritten note "There it is!" with an arrow points to the "Report an Incident" link. To the right of the resources is a "MORE" section with links for Contact Us, Give, and Work at Simmons. The Simmons University logo is in the top right, along with contact information: 300 The Fenway, Boston, MA 02115 and phone number (617) 521-2000. Social media icons for YouTube, Facebook, Twitter, LinkedIn, and Instagram are at the bottom right. The footer includes copyright information and links for Accessibility, Privacy, and Consumer Information.

Take the Next Step

REQUEST INFO VISIT APPLY

Undergraduate Site >  
Graduate Site >

RESOURCES

Library Athletics Public Safety  
Events Faculty Directory Title IX  
Maps and Directions Financial Reporting Report an Incident

MORE

Contact Us  
Give  
Work at Simmons

Simmons UNIVERSITY

300 The Fenway  
Boston, MA 02115

(617) 521-2000

There it is!

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# TITLE IX/ SEXUAL HARASSMENT INCIDENT REPORT

This form should be used to document all disclosures or incidents pertaining to Sexual Harassment, including, but not limited to, incidents of sexual assault, dating violence, domestic violence, and stalking that have impacted students, faculty, staff, or visitors. This form will be sent to the University's Title IX Coordinator or their designee.

Thank you in advance for your detailed report.

### Background Information

Enable additional features by logging in.

Your first and last name:

Your position/title:

Your phone number:

Your email address:

Your physical address:

Urgency of this report (required):

Date of most recent incident (required):  

Time of incident:

Location of incident (required):

### Involved Parties

| Name                 | Role                 |
|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> |

Add another party

### Questions

Answering the following questions will help Simmons assist you.

Please describe the incident(s) that is/are leading you to file this Incident Report. (required)

# OUR TITLE IX COORDINATOR

**Title IX Coordinator**  
Gretchen Groggel Ralston

300 The Fenway  
MCB, Suite 208  
Phone: 617-521-2768

E-mail: [gretchen.groggelralston@simmons.edu](mailto:gretchen.groggelralston@simmons.edu)

# Responsible Employees v. Confidential Resources

## CONFIDENTIAL RESOURCES

A protected status under the law, in all instances other than the VPEO Case Manager

Keeps disclosures of Sexual Harassment confidential, and can only report concerns to the University's Title IX Coordinator, Office of Student Affairs, Public Safety, etc. if a student gives explicit permission to do so.

Note: Confidential resources are still mandated reporters

Only Includes: VPEO Case Manager, staff from the Health and Counseling Centers, and pastoral counselors

## RESPONSIBLE EMPLOYEE

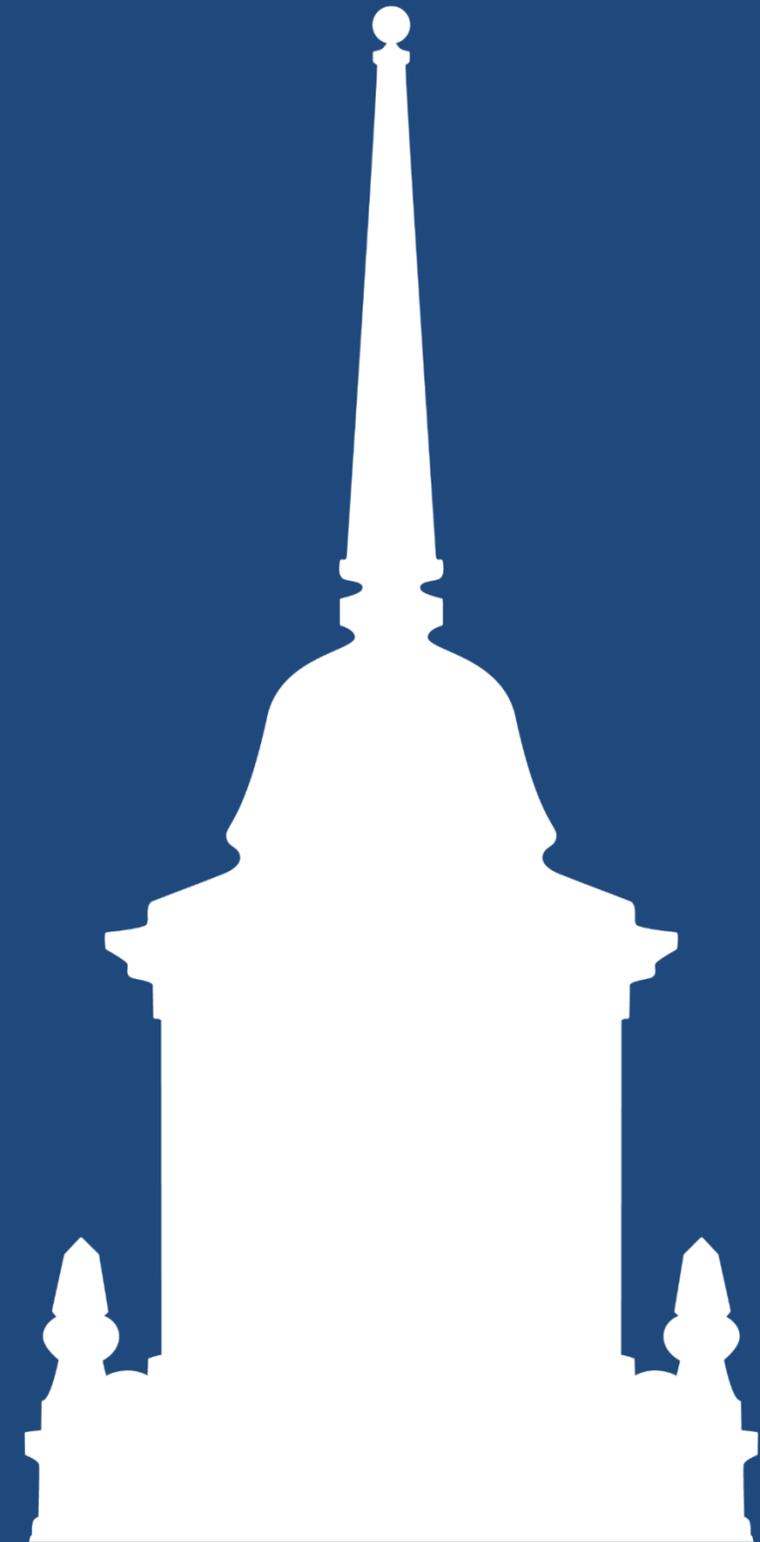
Required to report incidents of Sexual Harassment that they know of (or reasonably should know of) to our University Title IX Coordinator.

Includes: ALL university faculty, staff and contract workers, with the only exceptions being the carved out confidential resources on campus

**SUPPORTIVE MEASURES**

**AMNESTY PROVISION**

**NON-RETALIATION POLICY**



Non-disciplinary, non-punitive individualized services

**AMNESTY PROVISION**

**NON-RETALIATION POLICY**



# SUPPORTIVE MEASURES

For students: limited immunity from drug/alcohol/COVID-19 policy charges

# NON-RETALIATION POLICY



# SUPPORTIVE MEASURES

# AMNESTY PROVISION

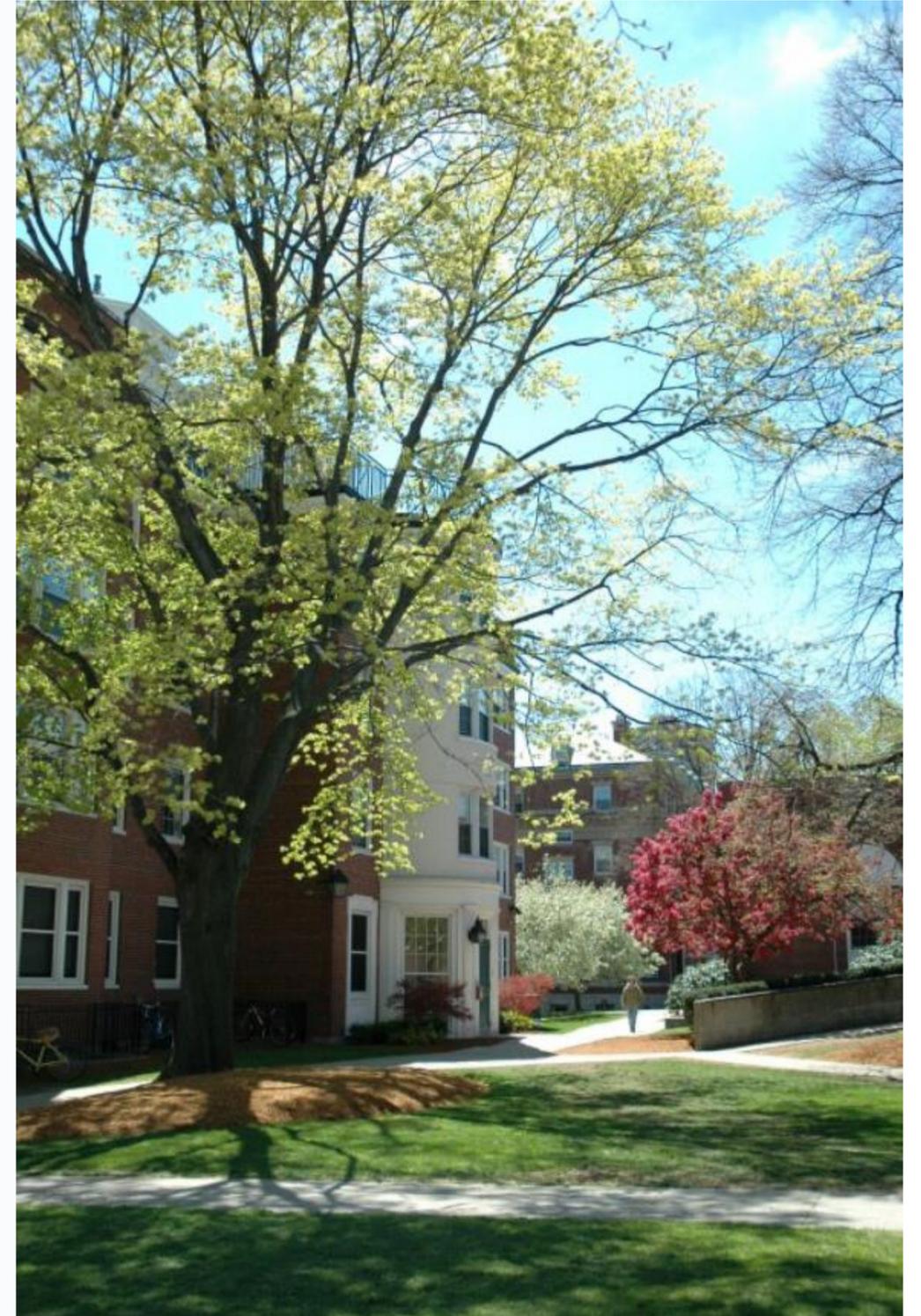
Retaliation is strictly prohibited against anyone involved, in any manner



# Formal Complaints & Grievance Processes

# FORMAL COMPLAINT

- Alleges Sexual Harassment against a Respondent
- Describes the alleged Sexual Harassment
- Requests the University investigate the alleged Sexual Harassment
- Includes the Complainant's signature or is submitted in a way that clearly indicates the identity of the Complainant



# GRIEVANCE PROCESSES

Triggered by the filing of a Formal Complaint alleging Sexual Harassment.

## GRIEVANCE PROCESS

(Formal Complaint)

- Allegations of Sexual Harassment
- Within Simmons' Education Program/Activity
- Within the United States
- By a Complainant involved in Simmons Programs/Activities

\*Requires a live hearing

## ALTERNATE

## GRIEVANCE PROCESS

(Recognized Complaint)

All other allegations of Sexual Harassment.

# Informal Resolution Processes

## *Facilitated Resolution*

Facilitator assists parties in resolving the Complaint through a mediated process.

## *Administrative Resolution*

Title IX Coordinator (or designee) reviews the facts and makes a determination regarding responsibility, as well as levies sanctions and implements remedies.

Consent by both parties is required.

May not be utilized when circumstances involve a Formal Complaint of Sexual Harassment by a student against an employee.

# INVESTIGATION

- Fair, timely, and impartial
- Interviews with the parties and relevant witnesses
- Review of documentation
- Investigative Report prepared



# INVESTIGATIVE REPORT

Contains a summary of all Relevant evidence.

Investigator issues a draft report to the parties.

Parties may review the report and submit a response.



# LIVE HEARING

Hearing Officer presides and makes relevance determinations

Parties and relevant witnesses provide testimony

- Questions from the Hearing Officer
- Cross-examination questions by Advisors
- If a person refuses to answer any question asked, their statements relating to the alleged Sexual Harassment will not be considered

Hearing Officer and parties discuss relevant documents

\*Only occurs as part of the Grievance Process



# Determination Regarding Responsibility

- Determination on whether the Respondent engaged in some or all of the alleged Sexual Harassment
- Sanctions that are imposed, if any
- That remedies will be provided to the Complainant, as appropriate
- How to appeal

DECIDED UNDER THE PREPONDERANCE OF THE EVIDENCE STANDARD



# RESOURCES

# SIMMONS RESOURCES

## **Emergency/Support Services**

**Simmons University Public Safety**  
x1111

**Health Center**  
x1020

**Counseling Center**  
x2455

**Violence Prevention and  
Educational Outreach Program**  
Anne Hamilton, Case Manager  
[anne.hamilton@simmons.edu](mailto:anne.hamilton@simmons.edu)

**Office of Student Affairs**  
x2116

## **Title IX Support**

**Title IX Coordinator**  
Gretchen Groggel Ralston  
X2768

**Institutional Equity Investigator  
and Deputy Title IX Coordinator**  
Sara Simberg  
X3289

# COMMUNITY RESOURCES

## Greater Boston-Area Resources

Boston Area Rape Crisis Center

Beth Israel Deaconess Medical  
Center's Center for Violence  
Prevention and Recovery

Casa Myrna and SafeLink

The Network/La Red

Fenway Health's Violence Recovery  
Program

MA Office of Victim Assistance

Victims' Rights Law Center

## National Resources

Rape, Abuse, Incest National  
Network (RAINN)

National Domestic Violence  
Hotline

More information  
is available on  
Simmons' Title IX  
website.

# Financial Assistance for Survivors of Sexual Assault

## FREE EMERGENCY ROOM CARE

Forensic exam, labs, imaging, medications

Physician fees

ED nursing and ancillary costs

Facility fees/room and board

## UP TO \$25,000 FOR EXPENSES

Certain medications

Medical follow-up services

Counseling

Lost earnings

Assistance is provided through the Massachusetts Attorney General's Office  
<https://www.mass.gov/info-details/section-x-victim-compensation>

**QUESTIONS?**



**THANK YOU!**