

# Policy Prohibiting Title IX Sex Discrimination

## I. Statement of Purpose

Bryant University (“Bryant” or “the University”) is committed to maintaining and promoting a safe working and learning environment which promotes respect for the individual and support for academic freedom, where all members of the Bryant community can work and learn in an atmosphere that is free from all forms of discrimination.

As a recipient of federal financial assistance, Bryant is subject to Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. § 1681 *et. seq.*, which prohibits discrimination on the basis of sex within the University’s education program or activity (herein referred to as either “**Sex Discrimination**” or “**Prohibited Conduct**”). This Title IX Sex Discrimination Policy (“Policy”) addresses Bryant’s obligation to prevent and remedy Sex Discrimination within its education program or activity. This Policy should be read in conjunction with Bryant’s related Title IX Procedures (“Title IX Procedures”), which delineate the University’s responsive actions upon its knowledge of alleged Sex Discrimination and its prompt and equitable grievance procedures to investigate and resolve complaints alleging Sex Discrimination.

Bryant has updated this Policy and its Title IX Procedures to comply with the United States Department of Education Office for Civil Rights’ regulations implementing Title IX (“Title IX Regulations”), as published at 34 Code of Federal Regulations (CFR) Part 99 and as amended effective August 1, 2024. If any provision within this Policy or the Title IX Procedures contradict or fail to enforce fully the Title IX Regulations’ requirements, the Title IX Regulations will supersede and control to clarify or correct any such contradiction.

Consistent with the Title IX Regulations, the scope of Prohibited Conduct under this Policy and addressed under the Title IX Procedures includes all Sex Discrimination in its education program or activity, including all discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

**This Policy applies to all Bryant students (graduate and undergraduate), all full and part-time employees (including administration, faculty and staff), and third parties (such as contractors, guests, vendors, visitors or volunteers). All persons who violate this policy are subject to sanctions and discipline up to and including expulsion from the University, termination of employment, or termination of a contractual or other relationship with the University.**

Bryant’s prohibition against Sex Discrimination is an integral part of the University’s comprehensive prohibition against all forms of unlawful discrimination, such as discrimination on the basis of race, color, national or ethnic origin, disability, age, genetic information, marital status, or protected

veteran status. Bryant's comprehensive commitment to non-discrimination in its programs or activities applies to admissions, financial aid, academic matters, career services, counseling, housing, employment policies, scholarship programs, medical services, all forms of study abroad programs, and all other programs and activities available at Bryant.

This Policy and the Title IX Procedures do not substitute for or supersede related civil and criminal laws. The University encourages all individuals to consider their options to report incidents and violations to law enforcement officials and agencies with appropriate jurisdiction and to avail themselves of all of the supportive services and rights to which they are entitled.

Anyone who has any information about Sex Discrimination within Bryant's education program or activity should report fully and promptly all known information to the University's Title IX Coordinator (whose contact information is provided below), any designated Deputy Title IX Coordinators (as published on Bryant's Title IX webpage), or to the Department of Public Safety (whose contact information is provided below). Also, as stated herein, the University prescribes that certain employees are mandatory reporters, who must promptly notify the Title IX Coordinator upon their knowledge of alleged Sex Discrimination with Bryant's education program or activity. The University encourages all individuals to report allegations of Sex Discrimination and file complaints fully and promptly in order to capture and preserve relevant evidence. A delay in reporting may compromise the subsequent investigation, whether conducted by law enforcement and/or under the University's grievance procedures. Also, by reporting in a timely manner the University will be able to provide all persons involved with information regarding their rights, options, and available supportive resources.

This Policy and the Title IX Procedures should be read in conjunction with Bryant's Student Handbook (including its Student Code of Conduct), Employment Handbook, Fraternalization Policy, and other applicable codes and policies prohibiting discrimination and harassment, as well as the University's collective bargaining agreements. Bryant reserves the right to address, respond to, and remedy all forms of prohibited conduct under all applicable University policies, procedures and/or collective bargaining agreements.

Concerns about Bryant's implementation of its Title IX policies and procedures or adherence to its Title IX responsibilities may be addressed to any of the following governmental authorities:

**United States Department of Education, Office for Civil Rights**

8th Floor

5 Post Office Square Boston, MA 02109-3921

Telephone: (617) 289-0111

Telephone: (800) 421-3481

Facsimile: (617) 289-0150 Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

**United States Equal Opportunity Commission**

John F. Kennedy Federal Building 475 Government Center

Boston, MA 02203  
Telephone: (800) 669-4000  
Facsimile: (617) 565-3196

**Rhode Island Commission for Human Rights** 180 Westminster Street, 3rd Floor  
Providence, RI 02903  
Telephone: (401) 222-2661  
Facsimile: (401) 222-1616  
Email: [RICHR.Info@richr.ri.gov](mailto:RICHR.Info@richr.ri.gov)

## II. The Title IX Coordinator

Bryant's Title IX Coordinator is the University's designated and authorized administrator with the responsibility to coordinate Bryant's compliance with its responsibilities under Title IX and the Title IX Regulations. The following administrator serves as Bryant's Title IX Coordinator and may be contacted as follows:

Michelle Harris, J.D.  
Title IX Coordinator  
Student Affairs-Bryant University  
1150 Douglas Pike  
Smithfield, RI 02917  
[Mharris11@bryant.edu](mailto:Mharris11@bryant.edu)  
(401) 232-6105

The Title IX Coordinator may also be contacted at the following electronic address:  
[titleix@bryant.edu](mailto:titleix@bryant.edu).

Information about Bryant's Title IX policies, procedures and resources may be found on the University's Title IX webpage:  
<https://www.bryant.edu/about-bryant/title-ix-and-clery-act-information>

Reports or inquiries may be made to the Title IX Coordinator at any time (including during non-business hours, weekends, or University holidays) by using the above listed telephone number and email addresses, or by mail or hand-delivery to the above-stated address.

References to the Title IX Coordinator include any individual(s) designated as a Deputy Title IX Coordinator (whose identities, responsibilities, and contact information will be updated and published on Bryant's Title IX webpage). Additionally, references to the Title IX Coordinator may include any other designee appointed under this Policy or the Title IX Procedures, whose identity, responsibilities, and contact information will be provided to the parties. Any Deputy Title IX Coordinator or designee must be properly trained regarding their respective roles in furtherance of the University's Title IX compliance. The appointment of a Deputy Title IX Coordinator or

assignment of a responsibility to a designee does not amend the Title IX Coordinator's overall responsibility for coordinating Bryant's Title IX compliance in its education program or activity.

Among the Title IX Coordinator's responsibilities to ensure the University's Title IX Compliance, the Title IX Coordinator will perform the following tasks:

- Support all community members in response to any inquiries about prohibited Sex Discrimination, including the evaluation and maintenance of appropriate supportive measures and resources;
- Ensure that Bryant's policies and procedures effectuate prompt and equitable resolutions to reports and complaints of alleged Sex Discrimination, including all steps necessary to ensure the continuation of equal access to the University's education program or activity;
- Periodically review (at least annually) the University's policies and procedures to ensure that they adhere to all legal obligations under Title IX, particularly those required under the Title IX Regulations, and effectively allow Bryant to respond to and remedy any Sex Discrimination within its education program or activity;
- Track and monitor Sex Discrimination allegations involving Bryant community members;
- Ensure that Bryant's training, education, and prevention with respect to Sex Discrimination adhere to the Title IX Regulations, including all required training of employees; and
- Provide for mandatory training of all individuals implementing Bryant's grievance procedures, as prescribed under the University's Title IX Procedures, including the Title IX Coordinator, investigators, decisionmakers, facilitators of informal resolution process, and appellate officers.

### III. Bryant's Title IX Education Program or Activity

Title IX prescribes that “[n]o person, in the United States, shall 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.” 20 U.S.C. § 1681(a) (italics and bold print added). Under Title IX, Bryant's “**education program or activity**” includes all of the University's operations. 20 U.S.C. § 1687.

Title IX's jurisdictional scope does not always draw a strict line between on-campus, off-campus, or online conduct, events, or activities. To determine whether Title IX applies, the focus concerns whether any Sex Discrimination has occurred or is occurring against a person in the United States within Bryant's education program or activity. Beyond the University's campus, Bryant's education program or activity may include University-sponsored, funded or otherwise supported events or programs such as internships or mentorships. Whether Sex Discrimination has occurred or is

occurring within Bryant's education program or activity may require a fact-specific determination based upon the totality of the applicable facts and circumstances, which Bryant shall evaluate carefully to ensure its Title IX compliance to the fullest extent.

Particularly, Prohibited Conduct that has occurred or is occurring outside of the United States (e.g., in an international program) or outside of Bryant's education program or activity (e.g., at a non-University owned or controlled location) could nonetheless be subject to this Policy and the Related Title IX Procedures, if the effects of such conduct effectuates or contributes to Sex Discrimination (e.g., a hostile educational environment) in Bryant's education program or activity.

In limited circumstances in which Title IX and/or the Title IX Regulations permit different treatment or separation on the basis of sex within Bryant's education program or activity, the University must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than *de minimis* harm, except as permitted by Title IX under 20 U.S.C. § 1681(a)(1)-(9) and its corresponding provisions under the Title IX Regulations 34 CFR §§ 106.12-106.15, or by Title IX under 20 U.S.C. § 1686 and its corresponding provisions under the Title IX Regulations, 34 CFR § 106.32(b)(1) or § 106.41.

In addition to its prohibitions against Sex Discrimination prohibited under Title IX, Bryant has the institutional authority to address and remedy all forms of gender-based discrimination, harassment, or inter-personal violence (such as sexual exploitation or nonconsensual sexual contact) prohibited by any of its policies, procedures, or community standards. If any alleged conduct falls outside of Title IX's jurisdictional scope (e.g., outside of Bryant's education program or activity) or definitional scope (e.g., does not meet the requirements that constitute Sex Discrimination as defined by Title IX and the Title IX Regulations), the University may address, remedy, and/or discipline all such conduct under all other applicable University policies, procedures, and agreements, including but not limited to Bryant's Student Handbook, Human Resource Department policies, or any collective bargaining agreement. Bryant will maintain and enforce its community standards to the fullest extent under all of its applicable policies, procedures, or collective bargaining agreements.

#### **IV. Prohibited Conduct**

- A. Sex Discrimination:** Sex Discrimination is prohibited under Title IX and Bryant's Title IX policies and procedures. Under Title IX, Sex Discrimination is discrimination on the basis of an individual's sex, including discrimination based upon sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Prohibited Sex Discrimination includes Sex-Based Harassment. All references to Sex Discrimination within this Title IX Policy and Bryant's related Title IX Procedures include prohibited Sex-Based Harassment, as defined below.
- B. Sex-Based Harassment:** Sex-Based Harassment is a form of prohibited Sex Discrimination, which entails sexual harassment and other harassment on the basis of sex, including

harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Sex-Based Harassment may entail conduct under one or more of the following categories: (1) Quid Pro Quo Harassment; (2) Hostile Environment Harassment; and/or (3) Sex-Based Crimes (Sexual Assault, Dating Violence, Domestic Violence, or Stalking).

1. **Quid Pro Quo Harassment** occurs when a Bryant employee, agent, or other person authorized by the University to provide an aid, benefit, or service under Bryant's education or activity explicitly or impliedly conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
2. **Hostile Environment Harassment** occurs when unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from Bryant's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes the University's consideration of the following factors:
  - a. The degree to which the conduct affected an individual's ability to access Bryant's education program or activity;
  - b. The type, frequency, and duration of the conduct;
  - c. The parties' ages, roles within Bryant's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - d. The location of the conduct and the context in which the conduct occurred; and
  - e. Other Sex-Based Harassment in Bryant's education program or activity.
3. **Sex-Based Crime** means an offense classified as a forcible or non-consensual sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. A Sex-Based Crime includes conduct constituting any one of the four offenses: **Sexual Assault** (20 U.S.C. § 1092(f)(6)(A)(v)), **Dating Violence** (20 U.S.C. § 12291(a)(10)), **Domestic Violence** (34 U.S.C. § 12291(a)(8)), and **Stalking** (34 U.S.C. § 12291(a)(30)).
  - a. **Sexual Assault** is a sexual act directed against another person, by force, threat of force, coercion, or without consent, including instances where the person is incapable of giving consent. Sexual Assault includes the offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.
    - i. **Rape:** The carnal knowledge of a person, without consent of the victim,

including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

- ii. **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - iii. **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - iv. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without consent of the victim, including instances where the victim is incapable of giving consent because of their age, or because of their temporary or permanent mental or physical incapacity.
  - v. **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - vi. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the age of statutory age of consent (age 16 in Rhode Island).
- b. **Dating Violence:** Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. The existence of the relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- c. **Domestic Violence:** Domestic Violence includes felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim or a person similarly situated to a spouse of the victim, by a person who is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner, by a person who shares a child in common with the victim, or by a person who commits acts against a youth or adult victim who is protected under family or domestic violence laws of the jurisdiction. All forms of domestic violence prohibited by Rhode Island law are also included.
- d. **Stalking:** Stalking occurs when a person engages in a course of conduct directed at

a specific person under circumstances that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. Course of conduct means two or more instances including but not limited to unwelcome acts in which an individual directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or similar devices or forms of contact are used.

- C. Provision of Alcohol and/or Other Drugs for Purposes of Prohibited Conduct:** The provision of alcohol and/or drugs to an individual for the purpose of committing or facilitating Prohibited Conduct is also in and of itself Prohibited Conduct. Such behavior may include provision of a drink or food which contains alcohol and/or drugs without the knowledge of the individual to whom it is being provided or other actions taken with the intention of impairing senses, judgment, and/or physical and mental ability of another person. An individual does not have to engage in sexual activity with another person to be found responsible for the prohibited provision of alcohol and/or other drugs.
- D. Retaliation:** Retaliation is any action, intimidation, threat, coercion or discrimination against an individual in response to the individual's good-faith report or participation in a proceeding related to this policy. Any retaliatory action taken directly against a person who has made a report, filed a complaint, or participated in an investigation or hearing is strictly prohibited. Retaliation can include, but is not limited to, intimidation, direct or indirect threats, harassment, use of social media to ridicule, insult or bully, and other conduct that would discourage a reasonable person from engaging in any activity protected under this policy, such as seeking services, receiving protective measures and accommodations, and/or reporting Prohibited Conduct. Retaliatory actions include, but are not limited to, threats or actual violence against the person or their property, adverse educational or employment consequences, ridicule, intimidation, bullying or ostracism. This prohibition against retaliation protects parties and witnesses to Bryant's Title IX grievance procedures.
- E. Making a Materially False Statement in Bad Faith:** Members of the University's community are expected to provide truthful information in any report, meeting or proceeding relating to this Policy and the University's Title IX Procedures. Providing or submitting false or misleading information in bad faith, with a motive to obtain personal advantage or to cause intentional harm to another person in connection with an incident of sex discrimination and/or harassment is prohibited, and the individual is subject to disciplinary sanctions under the relevant disciplinary system. This provision does not apply to reports made or information provided in good faith, even if the facts claimed are ultimately not substantiated. A determination regarding responsibility, alone, is insufficient to conclude that any party violated this provision.



## V. Definitions Related to Prohibited Conduct

- A. Consent:** Consent is a clear, informed and voluntary agreement to engage in sexual activity. Consent requires an outward demonstration, through understandable words or behavior, that conveys a clear willingness to engage in sexual activity. Consent to one type of sexual activity does not equal consent to other types of sexual activity. Consent can be withdrawn at any point during sexual activity and the sexual activity must stop immediately. A verbal “no” establishes lack of consent. Silence, without clear actions demonstrating permission, cannot be assumed to indicate consent – the absence of “no” does not equal “yes.” Consent cannot be obtained by coercion, threat or force.

Consent cannot be given by someone if they are mentally or physically incapacitated. Engaging in sexual activity with a person whom you know -- or reasonably should know - - to be incapacitated constitutes sex harassment. A person also is incapable of giving valid consent to sexual activity if they are under the legal age of consent (age 16 in Rhode Island).

Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent. Talking with sexual partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual willingness and respect. Presumptions based upon contextual factors (such as clothing, alcohol consumption, or dancing) are unwarranted and do not constitute evidence of consent.

- B. Incapacitation:** Incapacitation is a state where an individual is temporarily or permanently impaired to the extent where that person can no longer make a rational and informed decision to consent to sexual activity. Incapacitation may be caused by mental or physical disability, or when a person has consumed alcohol or other drugs, including prescribed medication. Individuals who are asleep or unconscious are incapacitated. A person who does not comprehend the “who, what, when, where, why, or how” of a sexual interaction may be incapacitated. Evidence of incapacitation may include, but is not limited to, stumbling or shaky equilibrium, vomiting, slurred speech, bloodshot eyes, smell of alcohol, outrageous or unusual behavior, or unconsciousness (for short or long periods of time).

Where alcohol or other drugs are involved, evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects a person’s decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person.

Further, the accused may not assert his or her own diminished capacity due to drug or alcohol usage as a defense to the reported allegations or resulting charges.

- C. **Coercion:** Coercion is verbal and/or physical conduct, including intimidation, unwanted contact, and express or implied threats of physical, emotional, or other harm, that would reasonably place an individual in fear of immediate or future harm and/or that is employed to compel someone to engage in sexual contact.
- D. **Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force can include intimidation or implied threats to overcome an individual's resistance or produce consent. There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent.
- E. **Intimidation:** Intimidation is defined as overt or implied threats or acts that would cause reasonable fear of harm in another.

## VI. Key Definitions

The following definitions aid in the interpretation of this Policy, which should be read in conjunction with and applied consistently with the definitions stated in the Title IX Procedures.

- A. **Complainant:** The Complainant is an individual who is (a) a student or employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination or (b) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Sex Discrimination and was participating or attempting to participate in Bryant's education program or activity at the time of the alleged Sex Discrimination.
- B. **Confidential Employee:** A confidential employee means:
  1. A Bryant employee whose communications are privileged or confidential under federal or state law. The employee's confidential status is only with respect to information received while the employee is functioning within the scope of their duties to which the privilege or confidentiality applies;
  2. A Bryant employee whom the University has designated as confidential under this Policy or another applicable policy for the purpose of providing services to persons related to Sex Discrimination. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about Sex Discrimination in connection with providing those services; or
  3. A Bryant employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about Sex Discrimination – but the employee's confidential status is only with respect to information received while conducting the study.

- C. Parental Status:** For purpose of the Policy’s protections based upon parental status, the term refers to the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of physical or mental disability, is (1) a biological parent; (2) an adoptive parent; (3) a foster parent; (4) a stepparent; (5) a legal custodial or guardian; (6) in loco parentis with respect to such person; or (7) actively seeking legal custody, guardianship, visitation, or adoption of such person.
- D. Pregnancy and Related Conditions:** The scope and meaning of the term “Pregnancy and Related Conditions” entails the following:
1. Pregnancy, childbirth, termination of pregnancy, or lactation;
  2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
  3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
- E. Respondent:** The Respondent is an individual who is alleged to have violated Bryant’s prohibitions against Sex Discrimination.
- F. Supportive Measures:** Supportive Measures are non-disciplinary, non-punitive individualized services and accommodations offered, as appropriate and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the Complainant or the Respondent, including measures designed to protect the safety of persons impacted by a report or the University’s community, or to deter Sex Discrimination, as well as provide support during the grievance procedures or during an informal resolution process.

Examples of Supportive Measures include, but are not limited to: counseling; extensions of deadlines and other course-related adjustment; campus escort services; increased security and monitoring of certain areas of campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or other activity, regardless of whether or not there is a comparable alternative; counseling, and training and education programs. Supportive Measures may vary based upon what Bryant deems to be reasonably available.

As coordinated by Bryant’s Title IX Coordinator, Supportive Measures will be offered and provided equitably to the Complainant and Respondent, as circumstances reasonably permit. Bryant will maintain as confidential any Supportive Measures provided to the Complainant and Respondent to the extent that maintaining such confidentiality would not impair the University’s ability to provide the Supportive Measures.

## VII. The University's Fraternalization Policy

Except under specifically prescribed and limited exemptions, Bryant strictly prohibits any non-student community member from engaging in a romantic or sexual relationship with an enrolled student. The University's prohibition against such intimate relationships is stated in its [Fraternalization Policy](#). The Fraternalization Policy may be enforced separately or concurrently with this Policy as circumstances prescribe.

## VIII. Protections to Students Based on Parental, Family, or Marital Status; Pregnancy or Related Conditions

The Title IX Coordinator will apply the following protections under Title IX and this Policy in coordination with the appropriate deans and administrators responsible for academic affairs and/or student life matters.

**A. Status Generally:** Bryant will not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.

**B. Pregnancy or Related Conditions:**

- 1. Nondiscrimination:** Bryant will not discriminate in its education program or activity against a student based on the student's current, potential, or past Pregnancy or Related Conditions. Bryant may allow a student, based on Pregnancy or Related Conditions, to voluntarily participate in a separate portion of its education program or activity that is comparable to students who are not pregnant or have related conditions.
- 2. Responsibility to Provide Title IX Coordinator Contact and Other Information:** When a student, or a person who has the legal authority to act on the student's behalf, informs any Bryant employee of the student's Pregnancy or Related Conditions, unless the employee believes that the Title IX Coordinator has been notified, the employee should promptly provide the student or the authorized person with the Title IX Coordinator's contact information in order to facilitate the protection against Sex Discrimination and ensure the student's equal access to Bryant's education program or activity.
- 3. Actions to Prevent Sex Discrimination and Ensure Equal Access:** Upon knowledge or notification of a student's Pregnancy or Related Conditions, the Title IX Coordinator must coordinate the following actions:
  - a. Information About Bryant's Obligations:** Bryant will inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's Pregnancy or Related Conditions and has a legal right to act on the student's behalf,

of all of Bryant's obligations under this section and provide a copy of Bryant's notice of nondiscrimination.

- b. Reasonable Modifications:** Bryant must make reasonable modifications based upon a student's individual needs, which shall be assessed in consultation with the student. A modification that would fundamentally alter the nature of Bryant's education program or activity is not a reasonable modification. The student has the discretion to accept or decline each reasonable modification offered by Bryant. If the student accepts the reasonable modification, Bryant will implement it.

Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or attend to health needs associated with Pregnancy or Related Conditions, including eating, drinking, or using the restroom; intermittent absences to attend to medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures that would not fundamentally alter Bryant's education program or activity.

- c. Voluntary Leaves of Absence:** Bryant will allow the student to voluntarily take a leave of absence from its education program or activity to cover, at a minimum, the period of time deemed necessary by the student's licensed healthcare provider. Student leaves of absence shall be administered consistent with Bryant's student policies.
  - d. Lactation Space:** Bryant will allow the student to access a lactation space, which will not be a bathroom, that is clean, shielded from view, free from intrusion of others, and may be used by the student for expressing breast milk or breastfeeding as needed.
- 4. Limitation on Supporting Documentation:** Bryant will not require supporting documentations in regarding any of the above-stated actions, unless the documentation is necessary and reasonable for the University to determine the reasonable accommodations to make or whether to take any additional specific actions.
  - 5. Certification to Participate:** Bryant will not require a student who is pregnant or has related conditions to provide a certification from a healthcare provider or any other person that the student is physically able to participate in a class, program, or extracurricular activity, unless (i) the certified level of physical ability or health is necessary for participation, (ii) Bryant requires such certification of all students participating in the class, program, or extracurricular activity; and (iii) the information will not be used for any discriminatory purpose.

## **IX. Protections for Employees Based on Parental, Family, or Marital Status; Pregnancy or Related Conditions**

Bryant will apply the following protections under Title IX and this Policy, concurrent and consistently with its applicable Human Resources Policies and Procedures relating to employees and applicants for employment. The Title IX Coordinator shall facilitate Bryant's compliance with the following provisions in coordination with the Vice President of Human Resources or a designee.

- A. Status Generally:** Bryant will not adopt or implement any policy, practice, or procedure or take any employment action, on the basis of sex:
  - 1. Concerning the current, potential, or past parental, family, or marital status of an employee or applicant of employment, which treats persons differently, or
  - 2. That is based upon whether an employee or applicant for employment is the head of household or principal wage earner in such employee's or applicant's family unit.
  
- B. Pregnancy or Related Conditions:** Bryant will not discriminate against any employee or applicant for employment on the basis of current, potential, or past pregnancy or related conditions.
  
- C. Comparable Treatment of Temporary Medical Conditions:** Bryant will treat pregnancy or related conditions as any other temporary medical conditions for all job-related purposes, including commencement, duration and extensions of leave; payment of disability income; accrual of seniority and any other benefit or service; and reinstatement; and under any fringe benefit offered to employees by virtue of employment.
  
- D. Voluntary Leaves of Absence:** In the case of an employee with insufficient leave or accrued employment time to qualify for leave under Bryant's leave of absence policies, Bryant will treat Pregnancy or Related Conditions as a justification for a voluntary leave of absence without pay for a reasonable period of time, at the conclusion of which the employee shall be reinstated to the status held when the leave began or a comparable position, without decrease in rate of compensation or loss of promotional opportunities, or any other right or privilege of employment.
  
- E. Lactation Time and Space:** Consistent with its Human Resources policies, Bryant will provide reasonable break time for an employee to express breast milk or breastfeed as needed. Bryant will ensure that the employee can access a lactation space, which will be a space other than a bathroom that is clean, shielded from view, free from intrusion of others, and may be used by an employee for expressing breast milk or breast feeding as needed.

## X. Mandatory Reporters

Taking meaningful and prompt action when Sex Discrimination occurs is a critical component of Bryant's commitment to the health and safety of its community. Designating employees as a **Mandatory Reporter** enhances the University's ability to know promptly what is occurring within its programs or activities and to respond promptly, equitably, and accordingly.

For purposes of this policy, a Mandatory Reporter is a University employee who has a duty to promptly notify the Title IX Coordinator of all known details of alleged Prohibited Conduct involving students, faculty, staff and third-parties. The term Mandatory Reporter does not include confidential resources and anonymous reporting sources addressed in this Policy's options for reporting and assistance. Specifically, any employee, who is a Confidential Employee (as defined above), is not a Mandatory Reporter.

Mandatory Reporters include employees with the authority to institute corrective measures or are responsible for administrative leadership, teaching, or advising. Any questions about the status of an employee as a Mandatory Reporter should be addressed to the Title IX Coordinator. Bryant Employees, who are Mandatory Reporters, include the following non- exhaustive list:

- The President, Vice Presidents and Deans;
- The Provost;
- All Faculty;
- Student Affairs administrative staff (except Counseling Center, Health Services and Office of Campus Ministries staff, who are confidential sources, and First Responders and Victim Advocates, who are anonymous sources);
- Residential Life staff (Area Co-Coordinators, Associate Director, Assistant Director, Director, and Resident Assistants.);
- Peer Mentors;
- Coaches and Athletic Trainers;
- Human Resources staff members;
- Student organization faculty/staff advisors; and
- Student employees while in their capacity as an employee.

Upon receipt of the known information from a Mandatory Reporter, the Title IX Coordinator may notify the Department of Public Safety and other appropriate Bryant officials, as deemed reasonably necessary and appropriate under the circumstances.

Mandatory Reporters who learn about alleged incident(s) of Sex Discrimination (including but not limited to Sex-Based Harassment) should not promise confidentiality. Mandatory Reporters should provide to the Title IX Coordinator all relevant details known about the events, circumstances relating to the Prohibited Conduct, including:

- the person who experienced the alleged Prohibited Conduct;
- the name of the accused, if known;
- the identity of other persons or witnesses involved in or with information about the alleged Prohibited Conduct;
- details about the date, time and location of the alleged Prohibited Conduct; and
- whether the person who experienced the alleged Prohibited Conduct has requested that their name not be disclosed to the alleged perpetrator(s) or that the University not investigate or take action against the alleged perpetrator(s).

To the extent possible, information reported by a Mandatory Reporter will be shared only with people responsible for handling the University's response to the report. A Mandatory Reporter should not share information with law enforcement without the individual's consent or unless the individual has also reported the incident to law enforcement.

Any Bryant employee who is not designated as a Mandatory Reporter must either report the incident of Prohibited Conduct to the Title IX Coordinator or provide the individual who disclosed the prohibited conduct with the Title IX Coordinator's contact information, and information about how to make a complaint of discrimination.

## **XI. Reporting and Options for Assistance**

Bryant is required to take responsive action when it has notice of potential or alleged Prohibited Conduct. Notice occurs when the Title IX Coordinator receives a report from a Complainant, or any person, alleging Prohibited Conduct. Bryant has instituted policies and training to Mandatory Reporters to share promptly and fully information about conduct that reasonably may constitute Prohibited Conduct. The University's centralized reporting requirement helps to ensure that the Complainant may receive Supportive Measures promptly upon the reporting of Prohibited Conduct, ensures that all Bryant community members have equitable access to the resolution processes (including Supportive Measures, as appropriate to the Complainant, Respondent, and witnesses during the processes), allows Bryant to take prompt and appropriate actions consistent with its Title IX obligations and educational mission, while respecting the Complainant's autonomy to the fullest extent possible.

Members of the Bryant community who believe that they or another member of the community have been or are being subjected to any form of sex discrimination and/or harassment have the right and are encouraged to report the matter to and seek assistance from the University, off-campus resources, or both.

### **Resources**

As discussed below, some resources both on and off-campus are "confidential" and/or



“anonymous” resources - i.e., persons who can offer support, advice or other services and who, as a general matter, are not required to further report, initiate an investigation, or otherwise take action in response to the information you provide. Additional resources are not confidential or anonymous.

**Anonymous Resources** – Anonymous reporting sources are required to report statistical information to the Title IX Coordinator. While maintaining a victim’s anonymity, these individuals must report the nature, date, time, and general location of an incident to the Title IX Coordinator or designee. Anonymous resources include the First Responders (who answer reports or inquiries on the Advocacy Helpline) and the Victim Advocate.

**Confidential Resources** – Confidential resources are those individuals who, by law and/or University policy, are obligated to maintain confidentiality of the disclosure of Sex Discrimination (including Sex-Based Harassment). These individuals are not required to re-disclose information shared with them other than in very extreme and unusual circumstances involving evidence of a serious and imminent threat to the individual making the report or to an identifiable third party. Confidential resources include Health Services, Counseling Services, and the Office of Campus Ministries.

**Victim Advocate** - A Victim Advocate works to support and assist victims of Sex-Based Harassment (including sexual assault and sexual harassment). A Victim Advocate has received training to provide advice and assistance, including but not limited to the provision of information about available options under this policy and other applicable University policies, the right to contact law enforcement, and available legal, medical or counseling support and assistance. Victim Advocates are an anonymous resource who must report date and location of the incident, but names will not be included unless with consent of the victim.

**Non-confidential Resources** – Non-confidential resources, particularly Mandatory Reporters, are required to report all information to the Title IX Coordinator. In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual assault, sex-based discrimination and/or harassment, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment. That said, under federal law, campus officials (with the exception of those listed under as Confidential Employees or Confidential Resources, above) who receive a report of sexual assault, sex-based discrimination and/or harassment, dating violence, domestic violence, stalking, and/or conduct that creates a hostile environment, whether from a student or third party, must share that information with the Title IX Coordinator.

### **Immediate Resources On Campus**

**Advocacy Helpline – (401) 258-4209:** A private, 24/7 support network of Bryant staff members who are trained to assist student victims of sex-based discrimination and/or harassment. The network provides support, information, and assistance in attaining medical attention. When you get support, you do not have to pursue any specific course of action and no action will be taken unless you choose to do so.

Bryant's advocates for those who have experienced sex-based discrimination and/or harassment are housed in the Hochberg Women's Center on the 2<sup>nd</sup> floor of the Fisher Student Center.

**Department of Public Safety – emergency response (401) 232-6911:** Emergency response available 24 hours a day, 7 days a week. Complaints may also be directed to Public Safety's administrative number, (401) 232-6001.

**Title IX Coordinator: Michelle Harris, J.D. (see full contact information above)**

- Michelle Harris, J.D., (401) 232-6105

**Office of Counseling Services (401) 232-6045:** Clinicians provide confidential crisis support and follow-up appointments for Bryant students. All conversations are kept confidential within professional and legal guidelines. The following staff in the Office of Counseling Services are a confidential resource:

- Noelle Harris, PhD, LMHC, R.Y.T, Assistant Dean/Director of Counseling, Religious, and Spiritual Life;
- Robert A. Richards, MS, LMCH, LCDP, Associate Director;
- Courtney McCarthy, MSW, LICSW, Assistant Director;
- Lisa Donovan, MD, Consulting Psychiatrist
- David Lockwood, M.Ed, MSW, LICSW, Sports Psychology Counselor;
- LaTanya Monteiro, MS, Senior Intercultural Counseling Specialist;
- Jennifer Lemieux, BA, Practice Coordinator; and
- Gianella Salvaggio, Counselor MS, CTP.

**Health Services (401) 232-6220:** Clinicians provide on-site medical care, testing and treatment for Bryant students. All medical information and treatment are kept confidential within professional and legal guidelines. The following staff in Health Services are a confidential resource:

- Christine Dodd, Co-Director, [cdodd@bryant.edu](mailto:cdodd@bryant.edu);
- Cassandra Gaffney, Co-Director, [cgaaffney2@bryant.edu](mailto:cgaaffney2@bryant.edu);
- Chelsea Gould, Certified Nurse Practitioner, [cgould1@bryant.edu](mailto:cgould1@bryant.edu);
- Laurie Anderson, Clinical Nurse Practitioner, [landerson6@bryant.edu](mailto:landerson6@bryant.edu);
- Amy Webster, Health Promotion Coordinator, [awebster@bryant.edu](mailto:awebster@bryant.edu);
- Beth Williams, Clinical Nurse Practitioner, [bwilliams12@bryant.edu](mailto:bwilliams12@bryant.edu);
- Cheryl Brock, Health and Nutrition Educator, [cbrock@bryant.edu](mailto:cbrock@bryant.edu);
- Sandra Dephoure, Health Services, Office Assistance, [sdephoure@bryant.edu](mailto:sdephoure@bryant.edu); and
- Alison Plante, Health Services, Practice Coordinator, [aplante3@bryant.edu](mailto:aplante3@bryant.edu).

**Office of Campus Ministries (401) 232-6712:** Chaplains are available for counseling and support. The following staff in the Office of Campus Ministries are a confidential resource:

- Rabbi Steven Jablow, Director of Campus Ministry, (401) 232-6553, sjablow@bryant.edu;
- Pastor Kevin White, Protestant Chaplain, kwhite13@bryant.edu;
- Chaplain Aisha Manzoor, Muslim Chaplain, amanzoora@bryant.edu;
- Fr. Chris Murphy, fathercjm@gmail.com;
- Fr. David Gaffney, gaffdav@aol.com;
- Fr. Joseph Pescatello, jjjr1189@gmail.com; and
- Fr. Brian Morris, rev.brian.morris@gmail.com

**Office of Residence Life (401) 232-6140:** Provides a crisis response system which includes on-call administrators.

**Gertrude Meth Hochberg Women's Center (401) 232-6854:** Provides support, information, and education for the Bryant campus community regarding gender-related issues as well as violence prevention and advocacy services.

**For Bryant Employees only:** Coastline Employee Assistance Program Hotline: **1-800-445-1195**

**Immediate Resources Off-Campus:**

**Smithfield Police (401)-231-2500 (215 Pleasant View Avenue, Smithfield, RI 02917)** The Smithfield Police Department is available to help individuals affected by power-based personal violence cope with these traumatic events, including helping to protect the safety of individuals within the University communicating and ensuring justice is served.

<http://smithfieldpd.com/sexual-assault-resources-for-bryant-university-students/>

**Local Hospitals:** The following hospitals offer the Safe Program with SANE (Sexual Assault Nurse Examiner) and rape kit capability

**Women and Infants Hospital: (401) 274-1100, Emergency Room**

100 Dudley Street #2  
Providence, RI 02905

*Recommended for female individuals. Sexual Assault Nurse Examiners available*

**Rhode Island Hospital: (401) 444-4000, Emergency Room**

593 Eddy Street  
Providence, RI 02903

*Recommended for male individuals.*

**Miriam Hospital: (401) 793-2500, Emergency Room**

164 Summit Avenue

Providence, RI 02906

*Recommended for transgender or gender non-binary individuals.*

**Options for Victims of Sexual Assault**

Victims of sexual assault should call either the Department of Public Safety, the Hochberg Women's Center or the Advocacy Helpline. The Rhode Island Sexual Assault and Domestic Violence Hotline can also be reached at 1 (800) 494-8100. They will ensure that a trained advocate is available to assist you at the hospital and will work directly with the Hospital Staff to enlist the services of a Sexual Assault Forensic Examiner (SAFE) Nurse. The nurse can provide pregnancy tests and preventive treatment for some sexually transmitted infections (STI) free of charge.

In order to preserve evidence, it is essential to seek medical treatment immediately following a sexual assault should you wish to press charges now or at a later date. To preserve evidence of the sexual assault – do not bathe, shower, douche, eat, drink, or brush your teeth. If possible, try not to eliminate any waste. Any of these behaviors can wash away evidence. Any clothing, if not still being worn, and any bedding or fabric should be preserved and not laundered. These items may contain forensic evidence and be useful if you decide to report the crime to law enforcement. Put them in a paper bag, not plastic.

**Additional Resources for Victims of Sexual Assault**

**Day One: (401) 421-4100, [www.dayoneri.org](http://www.dayoneri.org)**

100 Medway Street

Providence, RI 02906

Day One is the only agency in Rhode Island that is specifically organized to deal with issues of sexual assault as a community concern. The organization provides treatment, intervention, education, advocacy, and prevention services to Rhode Islanders of all ages.

**Rhode Island Sexual Assault and Domestic Violence Hotline – 1 (800) 494-8100**

A twenty-four (24) hour hotline if you need help because of sexual assault or an abusive relationship. Counselor-advocates provide support and are available to accompany victims of sexual assault to the hospital and police station. Ongoing counseling and support groups available. This hotline is specific to Rhode Island. Contact the National Sexual Assault Hotline at 1(800) 656-HOPE if you need help in another state.

**Law Enforcement Options**

To file a police report and/or discuss your options for pursuing a criminal complaint, contact:

- Bryant Department of Public Safety (DPS), 232-6911 (emergency) or 232-6001 (administrative)
- Smithfield Police, 215 Pleasant View Avenue, Smithfield, RI 02917 (401)231-2500
- RI State Police, 311 Danielson Pike, No. Scituate, RI 02857 (401) 444-1000

### **Reporting Options and Confidentiality**

The University encourages victims of Sex Discrimination and others who are aware of Sex Discrimination to report the matter promptly for the impacted individual to receive support and for the University to investigate and address any allegations of Sex Discrimination. The individual at all times has the right to file a criminal complaint, or not, and to pursue University disciplinary action, or not, including the right to do both simultaneously if they so choose.

The University supports the confidentiality interests of persons who report that they have been subjected to sex-based discrimination. Even if such a person does not specifically ask for confidentiality, the University will disclose information regarding alleged incidents of sexual misconduct only to those individuals responsible for handling the University's response or otherwise have a need to know the information.

At the same time, there are situations in which the University must override a person's request for confidentiality in order to meet its legal obligations and/or to protect the safety and wellbeing of its community. However, these situations will be limited, and the information will only be shared with individuals who are responsible for handling the University's response.

### **On Campus Confidential and Anonymous Resources**

Victims who wish to access resources and support without their names being disclosed to other University officials, or others, should contact one of the following:

**Advocacy Helpline - (401) 258-4209.** The Advocacy Helpline is a private 24/7 support network of Bryant staff members who are trained to assist student victims of sexual assault. The network provides support, information, and assistance in attaining medical attention. When you get support, you do not have to pursue any specific course of action and no action will be taken unless you choose to do so.

**Office of Counseling Services – (401) 232-6045.** Clinicians provide confidential crisis support and follow-up appointments for Bryant students. All conversations are kept confidential within professional and legal guidelines.

**Health Services – (401) 232-6220.** Clinicians provide on-site medical care, testing, and treatment for Bryant students. All medical information and treatment are kept confidential within professional and legal guidelines.

**Office of Campus Ministries – (401) 232-6045.** Chaplains are available for counseling and support and may be reached by telephone for an appointment.

Disclosures to these employees generally will not trigger a University investigation into an incident against the victim's wishes. In addition, these individuals will share only general information about the incident to the Title IX Coordinator, as required under federal law, and will not disclose information which identifies the individual except in those instances where the Title IX Coordinator determines that disclosure is necessary in order for the University to meet its legal obligations and/or to protect the safety and well-being of its community.

There are also confidential resources available off-campus. As a general matter, licensed off-campus medical providers, mental health providers, and rape crisis counselors are prohibited from disclosing the identity of persons who seek their assistance in connection with an alleged sexual assault without that person's consent, except in very limited circumstances where there is an imminent risk of harm.

### **Addressing Requests for Confidentiality/Privacy or That No Action Be Taken**

A person may report an incident of Prohibited Conduct to the University but request that their name not be disclosed to the alleged perpetrator(s) or that the University not investigate or take action. If an individual seeks to report an incident to a Mandatory Reporter while maintaining complete confidentiality or privacy, rather than speaking to the individual about confidential information, the Mandatory Reporter should offer to refer or accompany the impacted individual to one of the confidential or private resources listed above.

The University has an obligation to provide a safe and nondiscriminatory environment for all students, faculty and staff. Once a person reports an act of Prohibited Conduct to a Mandatory Reporter, confidentiality or privacy requests which could preclude a meaningful investigation or potential discipline of the alleged perpetrator(s) will be evaluated by the Title IX Coordinator . In evaluating the request for confidentiality/privacy or that no action be taken, the Title IX Coordinator will consider a range of factors, including but limited to, the following:

- whether circumstances suggest there is an increased risk of the alleged perpetrator committing additional acts of sexual or other violence;
- whether there have been other sexual misconduct complaints about the same accused individual;
- whether the alleged perpetrator has a history of arrests or disciplinary complaints in other settings indicating a history of violence;

- whether the alleged accused individual has threatened further sexual or other violence;
- whether the reported sexual misconduct was committed by multiple alleged accused individuals;
- circumstances that suggest there is an increased risk of future acts of sexual violence under similar circumstances;
- whether the report of sexual misconduct reveals a pattern of perpetration at a given location and/or by a particular group;
- whether the reported sexual violence was perpetrated with a weapon; and/or
- whether the University possesses other means of obtaining relevant evidence.

In cases where the balance of factors compels the University to investigate the allegation of Sex Discrimination (including Sex-Based Harassment) and pursue a grievance procedure that requires disclosing a person's identity to the alleged perpetrator(s), the person will be told in advance and the University will work with the person to maximize their safety and privacy. The University also will reiterate its non-retaliation policy with all parties.

### **Reporting Procedure – Child Abuse/Neglect**

Rhode Island law requires that all persons must report known or suspected cases of child abuse and/or neglect, meaning the physical or mental injury, sexual abuse or exploitation, negligent treatment or maltreatment of a child under the age of eighteen (18). If an employee (faculty or staff member) suspects or observes child sexual and/or neglect abuse on campus, the employee must report it to the Rhode Island Department of Children, Youth, and Families within twenty-four hours of becoming aware of such abuse/neglect. Call the DCYF hotline at 1-800-RI-CHILD (1-800-742- 4453). **In emergency situations, call 911 first.**

## **XII. Student Amnesty**

The health and safety of every student at Bryant is of utmost importance. Bryant recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including but not limited to sexual assault, domestic violence, dating violence or stalking, may be hesitant to report such incidents due to fear about potential consequences for their own conduct. Bryant encourages students to report instances of Sex Discrimination. A bystander acting in good faith, or a reporting individual acting in good faith, who discloses an incident of violence to the University's officials or law enforcement will not be subject to the University's Student Handbook for violations of alcohol-and/or drug-use policies occurring at or near the same time of the commission of the incident.

## **XIII. Academic Freedom**

Bryant is committed to the principles of free inquiry and expression. Vigorous discussion and debate are fundamental to this commitment, and this Policy is not intended to restrict teaching methods. Offensiveness of inquiry or expression, standing alone, is not sufficient to constitute

Prohibited Conduct. Rather, the conduct must be subjectively and objectively offensive, as well as so severe or pervasive that the conduct results in limitation or denial of a person's ability to participate or attempt to participate in Bryant's education program or activity. Sex Discrimination compromises Bryant's integrity and tradition of intellectual freedom and will not be tolerated.

#### **XIV. Applicable State Laws**

Conduct that violates this Policy may also violate the local laws of the State of Rhode Island or other jurisdiction where the incident occurred and could subject an accused to criminal prosecution. As noted above, an individual can choose to make a report to external law enforcement at an time, and doing so does not preclude the individual from making a report to the University. Both processes can be pursued if an individual chooses to do so. Prompt external reporting is important to a criminal investigation and prosecution.

The preponderance of the evidence standard used by Bryant ("more likely than not" is not the same standard for criminal culpability. A determination of responsibility under a Bryant policy does not equate to a violation of criminal law.

#### **XV. Sexual Assault Prevention, Education, and Training**

Bryant provides programs designed to promote the awareness of Prohibited Conduct, including primary prevention and awareness programs for all incoming students and new employees which address the University's prohibition against Prohibited Conduct, the definitions of such conduct, the definition of consent in reference to sexual activity, safe and positive options for bystander intervention, and information on risk reduction to recognize warning signs of abusive behavior and how to avoid potentials attacks.

This information is provided to students during mandatory Best Bulldog Modules, New Student and Transfer Orientation, and Welcome Week trainings. This information is also provided to students during the following optional trainings: "Bystander Intervention in 3D," "Healthy Relationship and Hookup Culture," "Got Consent?," Domestic Violence Awareness Week programs, and Sexual Assault Awareness Week programs.

All Campus Security Authorities receive annual training on reportable crimes under the Clery Act including all forms of sex-based discrimination and harassment. All employees, including the Title IX Coordinator and all persons involved in the University's Title IX grievance procedures (including its investigators, facilitators of informal resolutions, decision- makers, and appeals officers) will receive annual Title IX training, particularly the requirements of the Title IX Procedures. Upon hiring or a change of position that alters their duties under Title IX, all employees will promptly receive training related to their duties under Title IX.