



Policy & Procedures for the Violence Against Women Act (VAWA)

July 2016
2nd Edition

TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
SECTION 1.0: DEFINITIONS, POLICIES & PROCEDURES.....	1
Section 1.1: Dating Violence-Definition:.....	1
Section 1.2: Dating Violence-Policy:.....	2
SECTION 2.0: DATING VIOLENCE- REPORTING POLICIES & PROCEDURES;	2
Section 2.1: Students with a Restraining Order	2
Section 2.2: Filing a Complaint with MTTI	2
Section 2.3: Filing a Complaint with a State and/or Federal Agency	3
Section 2.4: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency	3
Section 2.5: Role of the Student Title IX Office in the Complaint Process:	3
SECTION 3.0: CONFIDENTIALITY AND REPORTING PROTOCOL	3
Section 3.1: Reporting to a Staff Member of MTTI	4
Section 3.2: Requesting Confidentiality	5
Section 3.3: Reporting	7
Section 3.4: Scope.....	8
SECTION 4.0: PROCEDURES FOR SURVIVORS OF DATING VIOLENCE	9
Section 4.1: Evidence preservation:.....	9
SECTION 5.0: MTTI'S DISCIPLINARY PROCEEDINGS	9
SECTION 6.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS	11
Section 6.1: Burden of Proof	11
Section 6.2: Extensions.....	11
Section 6.3: Evidence.....	12
Section 6.4: Meeting/Hearing	12
Section 6.5: Parties' Rights to Advisors.....	12
Section 6.6: Notification of Findings.....	12
Section 6.7: Sanctions.....	13
Section 6.8: Retaliation.....	13
Section 6.9: Domestic Violence-Definition:	13
Section 6.10: Domestic Violence-Policy:	13
SECTION 7.0: DOMESTIC VIOLENCE - REPORTING POLICIES & PROCEDURES;.....	14
Section 7.1: Students with a Restraining Order	14
Section 7.2: Filing a Complaint with MTTI	14
Section 7.3: Filing a Complaint with a State and/or Federal Agency	15
Section 7.4: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency	15
Section 7.5: Role of the Student Title IX Office in the Complaint Process:	15
SECTION 8.0: CONFIDENTIALITY AND REPORTING PROTOCOL	15

TABLE OF CONTENTS (CONTINUED)

<u>SECTION</u>	<u>PAGE</u>
Section 8.1: Reporting to a Staff Member of MTTI	15
Section 8.2: Requesting Confidentiality	17
Section 8.3: Reporting	19
Section 8.4: Scope.....	20
SECTION 9.0: PROCEDURES FOR SURVIVORS OF DOMESTIC VIOLENCE	21
Section 9.1: Evidence preservation:.....	21
SECTION 10.0: MTTI’S DISCIPLINARY PROCEEDINGS	21
SECTION 11.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS	23
SECTION 12.0: SEXUAL VIOLENCE-DEFINITION	25
Section 12.1: Consent:	26
Section 12.2: Sexual Violence-Policy:.....	26
13.0 SEXUAL VIOLENCE- REPORTING POLICIES & PROCEDURES;.....	26
Section 13.1: Filing a Complaint with MTTI	26
Section 13.2: Filing a Complaint with a State and/or Federal Agency	27
Section 13.3: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency	27
Section 13.4: Role of the Student Title IX Office in the Complaint Process:	27
SECTION 14.0: CONFIDENTIALITY AND REPORTING PROTOCOL	27
Section 14.1: Reporting to a Staff Member of MTTI	27
Section 14.2: Requesting Confidentiality	29
Section 14.3: Reporting	32
SECTION 15.0: OPTIONS FOR CONFIDENTIALLY DISCLOSING SEXUAL VIOLENCE	32
Section 15.1: Scope.....	33
SECTION 16.0: VICTIMS OF CAMPUS SEXUAL ASSAULT - STATEMENT OF PRINCIPLES AND RIGHTS	34
Section 16.1: The Right to Human Dignity	35
Section 16.2: The Right to Resources On and Off Campus.....	35
Section 16.3: The Right to Campus Judicial Proceedings	35
Section 16.4: The Right to Law Enforcement and Campus Intervention	36
SECTION 17.0: PROCEDURES FOR SURVIVORS OF SEXUAL VIOLENCE.....	36
Section 17.1: Evidence preservation:.....	36
SECTION 18.0: MTTI’S DISCIPLINARY PROCEEDINGS	37
SECTION 19.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS	39
SECTION 20.0: SEXUAL ASSAULT RISK REDUCTION STRATEGIES.....	41
Section 20.1: Psychological Prevention:.....	41

TABLE OF CONTENTS (CONTINUED)

<u>SECTION</u>	<u>PAGE</u>
Section 20.2: Stalking-Definition	41
SECTION 21.0 STALKING- REPORTING POLICIES & PROCEDURES;.....	42
Section 21.1: Filing a Complaint with MTTI	42
Section 21.2: Filing a Complaint with a State and/or Federal Agency	43
Section 21.3: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency	43
Section 21.4: Role of the Student Title IX Office in the Complaint Process:	43
SECTION 22.0: CONFIDENTIALITY AND REPORTING PROTOCOL	43
Section 22.1: Reporting to a Staff Member of MTTI	44
Section 22.2: Requesting Confidentiality	45
Section 22.3: Reporting	47
Section 22.4: Scope.....	48
SECTION 23.0: PROCEDURES FOR SURVIVORS OF STALKING.....	49
Section 23.1: Evidence preservation:.....	49
Section 23.2: Notifying Law Enforcement:	49
SECTION 24.0: MTTI’S DISCIPLINARY PROCEEDINGS	49
Section 24.1: Prompt, Fair and Impartial.....	50
SECTION 25.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS	51
Section 25.1: Burden of Proof	51
Section 25.2: Extensions.....	51
Section 25.3: Evidence.....	52
Section 25.4: Meeting/Hearing	52
Section 25.5: Parties’ Rights to Advisors.....	52
Section 25.6: Notification of Findings.....	52
Section 25.7: Sanctions.....	53
Section 25.8: Retaliation.....	53
SECTION 26.0: MASSACHUSETTS AND RHODE ISLAND DEFINITIONS.....	53
Section 26.1: Massachusetts Definitions	53
Section 26.2: Rhode Island Definitions	56
Section 26.3: Registered Sex Offenders Information for Massachusetts & Rhode Island	58
SECTION 27.0: BYSTANDER INTERVENTION.....	58
Section 27.1: Bystander-Focused Prevention of Sexual Violence.....	58
Section 27.2: Common Components of Bystander Intervention	58
Section 27.3: How to Help as a Bystander.....	59
Section 27.4: Off School Property Violence	60
Section 27.5: Overview of Resources Available for Support.....	60
SECTION 28.0: TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS.....	61

TABLE OF CONTENTS (CONTINUED)

<u>SECTION</u>	<u>PAGE</u>
Section 28.1: What warrants a "timely warning" or "emergency notification"?	61
Section 28.2: How will a Timely Warning or an Emergency Notification be Communicated?	62
SECTION 29.0 PREVENTION EDUCATION & AWARENESS PROGRAMS	62
Section 29.1: Prevention & Awareness Program	63

APPENDICES

Appendix A: Federal and State Agencies Contact Information

POLICY & PROCEDURES FOR THE VIOLENCE AGAINST WOMEN ACT (VAWA)

POLICY STATEMENT ON SEXUAL MISCONDUCT

MTTI is committed to creating and maintaining an educational environment free from all forms of sexual discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, MTTI strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. These acts have a real impact on the lives of victims. They not only violate a person's feelings of trust and safety, but they can also substantially interfere with a student's education. It is the policy of MTTI that, upon learning that an act of sexual misconduct has taken place, immediate action will be taken to address the situation and punish the perpetrator. This includes working with State and local law enforcement to bring possible criminal charges, seeking disciplinary action through the school, and enforcing mandatory transcript notifications so other institutions are on notice of the offense committed.

SECTION 1.0: DEFINITIONS, POLICIES & PROCEDURES

The definitions, policies & procedures for Dating Violence, Domestic Violence, Sexual Violence & Stalking are defined below.

Section 1.1: Dating Violence-Definition:

Violence (sexual or physical abuse or threat of such abuse) committed by a person who is or has been in a social relationship of a romantic or intimate nature with a victim.

Social Relationship of a Romantic or Intimate Nature

Determination is based upon the reporting party's statement (including the statement of a third-party other than the victim) taking into consideration:

- The length of the relationship
- The type of the relationship; and
- The frequency of the relationship

Dating Violence (Psychological or Emotional Abuse)

We fully support the inclusion of emotional and psychological abuse in definitions of "dating violence" used for research, prevention, victim service, or intervention purposed, however according to the United States Department of Education they do not believe that it should be included in the definition of "dating violence" for the purpose of crime reporting.

Section 1.2: Dating Violence-Policy:

MTTI does not tolerate any form of violence or harassment on MTTI property. This policy applies to all students and employees regardless of sexual orientation or gender identity. If a student of MTTI becomes a victim of dating violence MTTI will support the student by helping to refer him/her to any outside resources needed to ensure for the safety of the student. ***IF A DATING VIOLENCE SITUATION OR THREAT OF ONE TAKES PLACE ON MTTI PROPERTY LOCAL POLICE AUTHORITIES WILL BE CALLED IMMEDIATELY.***

SECTION 2.0: DATING VIOLENCE- REPORTING POLICIES & PROCEDURES;

Section 2.1: Students with a Restraining Order

For the safety of all the students and staff at MTTI, any student who has a restraining order or current domestic/dating violence issues going on while they are attending MTTI MUST report this information to the Title IX Coordinator/s immediately. Please see below for Title IX Coordinators.

- Sharon Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 102, sring@mtti.edu
- Corrie Vacher, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611x126, cvacher@mtti.edu
- Ali Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 111, aring@mtti.edu
- Eddie Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 101, ering@mtti.edu
- Joan Perry (Evening), 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 100, jperry@mtti.edu

Or please ask the receptionist at the front desk to speak with a Title IX Coordinator.

**See Section 3.0 for confidentiality.*

Section 2.2: Filing a Complaint with MTTI

A student may report sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking to the following offices:

Criminal Complaint

- Emergency-911
- Seekonk, MA Police-508-336-8123
- East Providence, RI Police-401-435-7600

Institutional Complaint

- Title IX Office –Sharon Ring 508-336-6611 x 102, Corrie Vacher 508-336-6611 x 126, Ali Ring (508) 336-6611 x 111, Eddie Ring (508) 336-6611 x 101, Joan Perry (Evening) (508) 336-6611 x 100.

A student may file a complaint with the Title IX Coordinator. The Title IX Coordinator is able to refer a student for academic accommodations and health care services.

Section 2.3: Filing a Complaint with a State and/or Federal Agency

A student who is not satisfied with MTTI’s handling of a complaint, may also file a complaint with federal and state agencies. Attached is an Appendix listing the agencies and their respective contact information.

Section 2.4: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency

In addition to filing a complaint with MTTI, the Complainant may file a complaint with the appropriate State or Federal agency at any point during the process.

Section 2.5: Role of the Student Title IX Office in the Complaint Process:

The Title IX Coordinator shall oversee the complaint process and accommodations for the student.

- Sharon Ring 508-336-6611x105
- Corrie Vacher 508-336-6611x126
- Ali Ring (508) 336-6611 x 111
- Eddie Ring (508) 336-6611 x 101
- Joan Perry (Evening) (508) 336-6611 x 100

MTTI IS REQUIRED BY LOCAL AUTHORITIES TO REPORT ALL CRIMES.

SECTION 3.0: CONFIDENTIALITY AND REPORTING PROTOCOL

MTTI does NOT have an on campus a Sexual Assault Center, Victim Advocacy Office, A Woman’s Health Center or a licensed and pastoral counselors those individuals a survivor could talk to in confidence.

If a crime of sexual misconduct has occurred, including dating violence, domestic violence, sexual assault, or stalking, the MTTI ENCOURAGES ACCURATE AND PROMPT REPORTING OF THESE CRIMES TO STATE AND LOCAL POLICE AGENCIES. However, it can be difficult for a victim to come forward after such an event, if a student reports an incident to a staff member of MTTI:

Section 3.1: Reporting to a Staff Member of MTTI

Non –professional Counselors and Advocates (Non-Responsible Employees)-Individuals who work at the school, including front desk staff, can generally talk to a victim without revealing any personally identifying information about an incident to the School. A victim can seek assistance and support from these individuals without triggering an investigation that could reveal the victim’s identity or that the victim has disclosed the incident.

While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report-which includes no information that would directly or indirectly identify the victim-helps keep the Title IX Coordinator informed of the general extent and nature of the incident at the school or event so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator Following is contact information for these non-professional counselors and advocates:

- Non-Administrative Staff
- Career Placement

Responsible Employees - A “responsible employee” is a School employee who has the authority to redress domestic, dating or sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the School to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A “responsible employee” could possibly be in most cases the instructors since that is who the students spend most of their time with. But, could also be anyone in administrative or admissions staff.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged incident shared by the victim and the School will need to determine what happened-including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the School’s response to report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations-and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the School will consider the request, but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employees will not pressure a victim to make a full report if the victim is not ready to but as stated the School is legally obligated to report all crimes committed on school property to local authorities.

Section 3.2: Requesting Confidentiality

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the victim. However, the School is required by local authorities to report all crimes that have taken place on School property. If the school honors the request for confidentiality, a victim must understand that the School's ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the School may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The School has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued the Title IX Coordinator, will consider a range of factors, including the following: The increased risk that the accused will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence or other violence complaints about the same accused individual;
- whether the accused has a history of criminal arrests/warrants or records from a prior school indicating a history of violence;
- whether the accused threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence or other violence was committed by multiple perpetrators;
- whether the sexual violence or other violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the school possesses other means to obtain relevant evidence of the sexual violence or other violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action and/or call for assistance from local law enforcement. If none of these factors are present, the school will try to respect the victim's request for confidentiality. If the school determines that it cannot maintain a victim's confidentiality, the School will inform the victim prior to starting an investigation and/or calling the local law enforcement and will, to the extent possible, only share information with people responsible for handling the School's response and/or local police. The School will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety place.

The School will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide support in the form of referring the victim to an agency that is able to assist in security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements. MTTI will assist in course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The School may not require a victim to participate in any investigation or disciplinary proceeding. Because the School is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the School to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; and/or revisiting its policies and practices. If the School determines that it can respect a victim's request for confidentiality, the School will also take immediate action as necessary to protect and assist the victim.

Other Confidential Avenues:

- Off-Campus Counselors and Advocates
- Crisis Services and off-campus healthcare providers will generally maintain confidentiality unless a student signs a consent or waiver form.

<p><u>On-Campus</u></p> <p>Title IX Office: Sharon Ring 508-336-6611 x 102 Corrie Vacher 508-336-6611 x 126 Ali Ring (508) 336-6611 x 111 Eddie Ring (508) 336-6611 x 101 Joan Perry (Evening) (508) 336-6611 x 100.</p> <p><u>Local Authorities:</u></p> <p>Emergency.....911 Seekonk Police.....(508) 336-8123 E. Providence Police...(401) 435-7600</p>	<p><u>Off-Campus</u></p> <p>BATTERED WOMAN SHELTERS AND PROGRAMS:</p> <p>New Hope 140 Park Street P.O. Box 4100 Attleboro, MA 02703 800-323-4673 (hotline) 877-222-0083 (toll free line) (508) 226-4015</p> <p>Women’s Center of Rhode Island P.O. Box 603300 Providence, RI 02906 (401) 861-2760</p> <p>Blackstone Shelter P.O. Box 5643 Pawtucket, RI 02862 (401) 723-3057</p>
--	---

Section 3.3: Reporting

The school encourages anyone who is a victim or witnesses a crime on MTTI property to report the crime to a school official or the Title IX Coordinator. If a student is not comfortable speaking with someone then s/he can complete a Reporting Form. The Reporting Form will notify school officials and will serve as a notice to the School for the purpose of triggering an investigation. Any student who wishes to complete a Reporting Form can do so by downloading the form from www.mtti.edu. If you would like to report anonymously you can drop the form in an envelope at the front desk or mail it to the school.

Victims should report to the Title IX Coordinator

- Sharon Ring 508-336-6611 x 102 sring@mtti.edu
- Corrie Vacher 508-336-6611 x 126 cvacher@mtti.edu
- Ali Ring (508) 336-6611 x 111 aring@mtti.edu
- Eddie Ring (508) 336-6611 x 101 ering@mtti.edu
- Joan Perry (Evening) (508) 336-6611 x 100 jperry@mtti.edu
 1241 Fall River Ave., Seekonk, MA 02771
- **Academic Accommodations:** MTTI is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct. Any individual who makes

a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to withdraw from or retake a class without penalty or access academic support such as tutoring services. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, MTTI will endeavor, to the extent practicable, to change the schedule or accommodations of the accused student prior to changing the schedule or accommodations of the victim.

- ***Interim Measures:*** In situations where it is necessary, MTTI will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, MTTI may change the course schedule of the accused.

Section 3.4: Scope

Who: This policy applies to all members of the MTTI community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). And off-site activities in which the students, staff and faculty participate are covered by the policy which could include but not limited to externship sites and shadow sites. The policy applies to these parties regardless of sexual orientation or gender identity.

What: This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking. Please refer to the Definitions section for a complete list of terms and prohibited acts.

Where: This policy covers conduct that takes place on MTTI property. This includes any building or property owned or controlled by MTTI and used in direct support of, or in a manner related to, the school's educational purposes between the hours of 8:30 a.m. and 9:30 p.m. Monday-Wednesday, Thursday and Friday 8:00 a.m.-4:30 p.m. In the case of a Monday holiday evening courses may take place on a Thursday evening from 6:00 p.m.-9:30 p.m.

Programs: Automotive Technician, Medical Assistant (MA), Medical Billing & Coding (MBCOA), Computer Service Networking Technician (CSNT), Building Property & Trades (BPT), Motorsports & Power Equipment (MPP), Heating and Ventilation Technician (HVAC), Marine & Personal Fitness Training (PFT).

(This policy covers all programs offered at MTTI)

Confidentiality: MTTI is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While MTTI encourages victims to report an incident of sexual misconduct, there are many options available for students to speak with someone about what happened while maintaining confidentiality.

If a student is victimized off school property the student may certainly talk to someone at the school for guidance. However, the school cannot investigate or adjudicate this type of incident as the perpetrator is not a student and outside the scope of this policy.

SECTION 4.0: PROCEDURES FOR SURVIVORS OF DATING VIOLENCE

Section 4.1: Evidence preservation:

If a violent dating situation has occurred to help local law enforcement to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed. *(The Title IX Coordinator does not have expertise in preserving evidence and therefore should not make any statements or guarantees in this area.)*

Section 4.2: Notifying Law Enforcement:

IT IS REQUIRED BY LOCAL AUTHORITIES THAT WE REPORT ALL CRIMES THAT TAKE PLACE ON SCHOOL PROPERTY. Victims have the right to notify law enforcement, and the School can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities but the School reserves the right to call the local authorities if a crime has taken place on School property.

SECTION 5.0: MTTI'S DISCIPLINARY PROCEEDINGS

IF AN INSTANCE OF DATING VIOLANCE TAKES PLACE ON MTTI PROPERTY THEN THE FOLLOWING COULD TAKE PLACE BUT ONLY AFTER THE LOCAL POLICE ARE INVOLVED:

Proceedings is defined as (Per 2016 Campus & Security Handbook USDE)-All activities related to a non-criminal resolution of an institutional disciplinary complaint, including , but not limited to fact finding investigations formal or informal meetings and hearings. Proceedings doesn't include communications and meetings between officials and victims concerning accommodations or protective services.

The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects victim safety and promotes accountability.

Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process.

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: Violators may be subject to suspension and/or expulsion from MTTI. In such cases, the executive procedure of executive suspension also may be invoked.

The disciplinary processes available for victims of domestic violence, dating violence, sexual assault, and stalking are:

MTTI requires that the Institution's policy describe its procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking cases. Please note: The Title IX Coordinator is not expected to be a lawyer or police officer. The investigative and adjudication aspects of VAWA still need to be done in conjunction with local law enforcement and/or local domestic or sexual violence crisis centers. Students ARE NOT required to report any victimization to the school, police or local crisis center. This is just a statement explaining that should a student report victimization to the school, investigative and adjudication will be to the best of the Title IX Coordinators abilities and those abilities do not include those that can better be performed by professionals with those skills. *At present, the United States Department of Education will not have approved trainers or training for at least two years as explained by James Moore on April 13, 2015 at the PCCS conferment in Philadelphia.* We do not want to minimize the important of proper investigation and adjudication on behalf of the victim and felt this statement was needed. Any student who wants a properly done investigation and adjudication should know this information.

Section 5.1: Prompt, Fair and Impartial

All proceedings must be prompt, fair and impartial from initial investigation to final result. A proceeding is defined in the proposed regulations as "all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings or hearings." The proposed regulations require that the Code of Conduct:

- Have designated and reasonably prompt timeframes for the major stages of the grievance process that apply equally to the parties of the complaint, including the investigation and complaint resolution;
- Be conducted by officials (which could include an attorney) who receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and the procedure to conduct an investigation that protects the safety of victims and promotes accountability;
- Include a statement of the standard of evidence that will be used during the proceeding. VAWA does not prescribe a particular evidentiary standard, but OCR guidance directs the 'preponderance of the evidence standard' for Title IX purposes; The proposed regulations indicate that the process should:
- Allow for an extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- Be consistent with the institution's policies and transparent to the accuser and accused;

- Include timely notice of meetings at which the accuser or accused, or both, may be present;
- Provide the accuser, the accused, and appropriate officials timely access to any information that will be used after the fact-finding investigation and during informal and formal disciplinary meetings and hearings;
- Be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused; and
- Include in the results (which is defined as any initial, interim and final decisions by any official or entity authorized to resolve disciplinary matters within the institution) any sanctions imposed by the institution and must include the rationale for the result and the sanctions. Result will replace “outcomes,” “resolution” and “final determinations” in statute regulations.

SECTION 6.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS

MTTI will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 30 days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 45 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 60 days of receipt of the complaint.

Result are final there is no appeal process.

(Results definition-a consequence, effect or outcome of something.)

If local law enforcement is brought in, the timeframe will be explained by them.

Section 6.1: Burden of Proof

The burden of proof in all cases is “the preponderance of the evidence” – whether it is “more likely than not” that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

Section 6.2: Extensions

All deadlines and time requirements in the Code may be extended for good cause as determined by Title IX Coordinator. Both the respondent and the complainant will be notified

in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

Section 6.3: Evidence

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The School Official presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The MTTI official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

Section 6.4: Meeting/Hearing

- Both the complainant and the alleged offender must be given equal opportunity to have others present during a disciplinary proceeding including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. MTTI cannot limit the parties' choice of an advisor but may establish restrictions regarding the **extent** to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- For example: Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally.
- Similarly, if the school permits one party to submit third-party expert testimony, it must do so equally for both parties.
- An advisor is defined in the proposed regulations as "any individual who provides the accuser or the accused support, guidance or advice."

Section 6.5: Parties' Rights to Advisors

The respondent and complainant may be assisted during disciplinary hearings and related meetings, by an advisor of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the student conduct body. The respondent and complainant are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the President. Advisors for the respondent and complainant may not present evidence or question witnesses.

Section 6.6: Notification of Findings

Within five (5) class days after the adjournment of the hearing, the student conduct hearing body shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any school official who is determined

by the President to have a legitimate interest in the result. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions).

Section 6.7: Sanctions

MTTI considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from MTTI. In such cases, the Exceptional Procedure of EXECUTIVE SUSPENSION also may be invoked.

Section 6.8: Retaliation

No member of the school community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participate in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to Title IX Coordinator.

Section 6.9: Domestic Violence-Definition:

A felony or misdemeanor crime of violence committed by:

- Current or former spouse or intimate partner
- Person with whom the victim shares a child in common
- A person cohabitating, or has cohabitated with, the victim as a spouse or intimate partner
- A person similarly situated to a spouse under the domestic and family violence laws of the jurisdiction in which the crime of violence; or
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic and family violence laws of the jurisdiction in which the crime of violence occurred.

Section 6.10: Domestic Violence-Policy:

MTTI does not tolerate any form of violence or harassment on school property. This policy applies to all students and employees regardless of sexual orientation or gender identity. If a student of MTTI becomes a victim of domestic violence MTTI will support the student by helping to refer him/her to any outside resources needed to ensure for the safety of the student ***IF A DOMESTIC VIOLENCE SITUATION OR THREAT OF ONE TAKES PLACE ON MTTI PROPERTY LOCAL POLICE AUTHORITIES WILL BE CALLED IMMEDIATELY.***

SECTION 7.0: DOMESTIC VIOLENCE - REPORTING POLICIES & PROCEDURES;**Section 7.1: Students with a Restraining Order**

For the safety of all the students and staff at MTTI, any student who has a restraining order or current domestic/dating violence issues going on while they are attending MTTI MUST report this information to a Title IX Coordinator/s immediately. Please see below for the Title IX Coordinators.

- Sharon Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 102, sring@mtti.edu
- Corrie Vacher, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611x126, cvacher@mtti.edu
- Ali Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611x111, aring@mtti.edu
- Eddie Ring, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 101, ering@mtti.edu
- Joan Perry, 1241 Fall River Ave., Seekonk, MA 02771, (508) 336-6611 x 100, jperry@mtti.edu

Or please ask the receptionist at the front desk to speak with a Title IX Coordinator.

**See Section 8.0 below about confidentiality.*

Section 7.2: Filing a Complaint with MTTI

A student may report sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking to the following offices:

Criminal Complaint

- Emergency-911
- Seekonk, MA Police-508-336-8123
- East Providence, RI Police-401-435-7600

Institutional Complaint

- Title IX Office –
- Sharon Ring 508-336-6611 x 102
- Corrie Vacher 508-336-6611 x 126
- Ali Ring 508-336-6611 x 111
- Eddie Ring 508-336-6611 x 101
- Joan Perry (Evening) 508-336-6611 x 100

A student may file a complaint with the Title IX Coordinator. The Title IX Coordinator is able to refer a student for academic accommodations and health care services.

Section 7.3: Filing a Complaint with a State and/or Federal Agency

A student who is not satisfied with MTTI’s handling of a complaint, may also file a complaint with federal and state agencies. Attached is an Appendix listing the agencies and their respective contact information.

Section 7.4: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency

In addition to filing a complaint with MTTI, the Complainant may file a complaint with the appropriate State or Federal agency at any point during the process.

Section 7.5: Role of the Student Title IX Office in the Complaint Process:

The Title IX Coordinator shall oversee the complaint process and accommodations for the student:

- Sharon Ring (508) 336-6611x105
- Corrie Vacher (508) 336-6611x126
- Ali Ring 508-336-6611 x 111
- Eddie Ring 508-336-6611 x 101
- Joan Perry (Evening) 508-336-6611 x 100

MTTI IS REQUIRED BY LOCAL AUTHORITIES TO REPORT ALL CRIMES.

SECTION 8.0: CONFIDENTIALITY AND REPORTING PROTOCOL

MTTI does NOT have an on campus a Sexual Assault Center, Victim Advocacy Office, A Woman’s Health Center or a licensed and pastoral counselors those individuals a survivor could talk to in confidence.

If a crime of sexual misconduct has occurred, including dating violence, domestic violence, sexual assault, or stalking, the MTTI ENCOURAGES ACCURATE AND PROMPT REPORTING OF THESE CRIMES TO STATE AND LOCAL POLICE AGENCIES. However, it can be difficult for a victim to come forward after such an event, if a student reports an incident to a staff member of MTTI:

Section 8.1: Reporting to a Staff Member of MTTI

Non-professional Counselors and Advocates (Non-Responsible Employees)-Individuals who work at the school, including front desk staff, can generally talk to a victim without revealing any personally identifying information about an incident to the School. A victim can seek

assistance and support from these individuals without triggering an investigation that could reveal the victim's identity or that the victim has disclosed the incident.

While maintaining a victim's confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report-which includes no information that would directly or indirectly identify the victim-helps keep the Title IX Coordinator informed of the general extent and nature of the incident at the school or event so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator Following is contact information for these non-professional counselors and advocates:

- Non-Administrative Staff
- Career Placement

Responsible Employees - A "responsible employee" is a School employee who has the authority to redress domestic, dating or sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the School to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A "responsible employee" could possibly be in most cases the instructors since that is who the students spend most of their time with. But, could also be anyone in administrative or admissions staff.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged incident shared by the victim and the School will need to determine what happened-including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

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

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations-and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the School will consider the request, but cannot guarantee that the School will be able to honor it. In reporting the details of the

incident to the Title IX Coordinator, the responsible employees will not pressure a victim to make a full report if the victim is not ready to but as stated the School is legally obligated to report all crimes committed on school property to local authorities.

Section 8.2: Requesting Confidentiality

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the victim. However, the School is required by local authorities to report all crimes that have taken place on School property. If the school honors the request for confidentiality, a victim must understand that the School's ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the School may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The School has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence or other violence:

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued the Title IX Coordinator, will consider a range of factors, including the following:

The increased risk that the accused will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence or other violence complaints about the same accused individual;
- whether the accused has a history of criminal arrests/warrants or records from a prior school indicating a history of violence;
- whether the accused threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence or other violence was committed by multiple perpetrators;
- whether the sexual violence or other violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the school possesses other means to obtain relevant evidence of the sexual violence or other violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action and/or call for assistance from local law enforcement. If none of these factors are present, the school will try to respect the victim's request for confidentiality. If the school determines that it cannot maintain a victim's confidentiality, the School will inform the victim prior to starting an investigation and/or calling the local law enforcement and will, to the extent possible, only share information with people responsible for handling the School's response and/or local police. The School will remain ever mindful

of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety place.

The School will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide support in the form of referring the victim to an agency that is able to assist in security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements. MTTI will assist in course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The School may not require a victim to participate in any investigation or disciplinary proceeding. Because the School is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the School to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; and/or revisiting its policies and practices. If the School determines that it can respect a victim's request for confidentiality, the School will also take immediate action as necessary to protect and assist the victim.

Other Confidential Avenues:

- Off-Campus Counselors and Advocates
- Crisis Services and off-campus healthcare providers will generally maintain confidentiality unless a student signs a consent or waiver form.

<p><u>On-Campus</u></p> <p>Title IX Office: Sharon Ring 508-336-6611 x 102 Corrie Vacher 508-336-6611 x 126 Ali Ring 508-336-6611 x 111 Eddie Ring 508-336-6611 x 101 Joan Perry (Evening) 508-336-6611 x 100.</p> <p><u>Local Authorities:</u></p> <p>Emergency.....911 Seekonk Police.....(508) 336-8123 E. Providence Police...(401) 435-7600</p>	<p><u>Off-Campus</u></p> <p>BATTERED WOMAN SHELTERS AND PROGRAMS</p> <p>New Hope 140 Park Street P.O. Box 4100 Attleboro, MA 02703 800-323-4673 (hotline) 877-222-0083 (toll free line) (508) 226-4015</p> <p>Women’s Center of Rhode Island P.O. Box 603300 Providence, RI 02906 (401) 861-2760</p> <p>Blackstone Shelter P.O. Box 5643 Pawtucket, RI 02862 (401) 723-3057</p>
---	--

Section 8.3: Reporting

The school encourages anyone who is a victim or witnesses a crime on MTTI property to report the crime to a school official or the Title IV Coordinator. If a student is not comfortable speaking with someone then s/he can complete a Reporting Form. The Reporting Form will notify school officials and will serve as a notice to the School for the purpose of triggering an investigation. Any student who wishes to complete a Reporting Form can do so by downloading the form from www.mtti.edu. If you would like to report anonymously you can drop the form in an envelope at the front desk or mail it to the school.

- Victims should report to the Title IX Coordinator –Sharon Ring 508-336-6611 x 102 sring@mtti.edu, Corrie Vacher 508-336-6611 x 126 cvacher@mtti.edu, Ali Ring 508-336-6611 x 111, Eddie Ring 508-336-6611 x 101, Joan Perry (Evening) 508-336-6611 x 100, 1241 Fall River Avenue, Seekonk, MA.
- Academic Accommodations: MTTI is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct. Any individual who makes a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to withdraw from or retake a class without penalty or access academic support such as tutoring services. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, MTTI will endeavor, to the extent practicable, to change the

schedule or accommodations of the accused student prior to changing the schedule or accommodations of the victim.

- **Interim Measures:** In situations where it is necessary, MTTI will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, MTTI may change the course schedule of the accused.

Section 8.4: Scope

Who: This policy applies to all members of the MTTI community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). And off-site activities in which the students, staff and faculty participate are covered by the policy which could include but not limited to externship sites and shadow sites. The policy applies to these parties regardless of sexual orientation or gender identity.

What: This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking. Please refer to the Definitions section for a complete list of terms and prohibited acts.

Where: This policy covers conduct that takes place on MTTI property. This includes any building or property owned or controlled by MTTI and used in direct support of, or in a manner related to, the school's educational purposes between the hours of 8:30 a.m. and 9:30 p.m. Monday-Wednesday, Thursday and Friday 8:00 a.m.-4:30 p.m. In the case of a Monday holiday evening courses may take place on a Thursday evening from 6:00 p.m.-9:30 p.m.

Programs: Automotive Technician, Medical Assistant (MA), Medical Billing & Coding (MBCOA), Computer Service Networking Technician (CSNT), Building Property & Trades (BPT), Motorsports & Power Equipment (MPP), Heating and Ventilation Technician (HVAC), Marine & Personal Fitness Training (PFT).

(This policy covers all programs offered at MTTI).

Confidentiality: MTTI is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While MTTI encourages victims to report an incident of sexual misconduct, there are many options available for students to speak with someone about what happened while maintaining confidentiality.

If a student is victimized off school property the student may certainly talk to someone at the school for guidance. However, the school cannot investigate or adjudicate this type of incident as the perpetrator is not a student and outside the scope of this policy.

SECTION 9.0: PROCEDURES FOR SURVIVORS OF DOMESTIC VIOLENCE

Section 9.1: Evidence preservation:

If a domestic violence situation has occurred to help local law enforcement to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed. *(The Title IX Coordinator does not have expertise in preserving evidence and therefore should not make any statements or guarantees in this area.)*

Section 9.2: Notifying Law Enforcement:

IT IS REQUIRED BY LOCAL AUTHORITIES THAT WE REPORT ALL CRIMES THAT TAKE PLACE ON SCHOOL PROPERTY. Victims have the right to notify law enforcement, and the School can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities but the School reserves the right to call the local authorities if a crime has taken place on School property.

SECTION 10.0: MTTI'S DISCIPLINARY PROCEEDINGS

IF AN INSTANCE OF DOMESTIC VIOLENCE TAKES PLACE ON MTTI PROPERTY THEN THE FOLLOWING COULD TAKE PLACE BUT ONLY AFTER LOCAL POLICE AUTHORITIES ARE INVOLVED:

Proceedings is defined as (Per 2016 Campus & Security Handbook USDE)-All activities related to a non-criminal resolution of an institutional disciplinary complaint, including , but not limited to fact finding investigations formal or informal meetings and hearings. Proceedings doesn't include communications and meetings between officials and victims concerning accommodations or protective services.

The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects victim safety and promotes accountability.

Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process.

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: Violators may be subject to suspension and/or expulsion from MTTI. In such cases, the executive procedure of executive suspension also may be invoked.

The disciplinary processes available for victims of domestic violence, dating violence, sexual assault, and stalking are:

MTTI requires that the Institution's policy describe its procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking cases. Please note: The Title IX Coordinator is not expected to be a lawyer or police officer. The investigative and adjudication aspects of VAWA still need to be done in conjunction with local law enforcement and/or local domestic or sexual violence crisis centers. Students ARE NOT required to report any victimization to the school, police or local crisis center. This is just a statement explaining that should a student report victimization to the school, investigative and adjudication will be to the best of the Title IX Coordinators abilities and those abilities do not include those that can better be performed by professionals with those skills. *At present, the United States Department of Education will not have approved trainers or training for at least two years as explained by James Moore on April 13, 2015 at the PCCS conferment in Philadelphia.* We do not want to minimize the importance of proper investigation and adjudication on behalf of the victim and felt this statement was needed. Any student who wants a properly done investigation and adjudication should know this information.

Section 10.1: Prompt, Fair and Impartial

All proceedings must be prompt, fair and impartial from initial investigation to final result. A proceeding is defined in the proposed regulations as "all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings or hearings." The proposed regulations require that the Code of Conduct:

- Have designated and reasonably prompt timeframes for the major stages of the grievance process that apply equally to the parties of the complaint, including the investigation and complaint resolution;
- Be conducted by officials (which could include an attorney) who receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and the procedure to conduct an investigation that protects the safety of victims and promotes accountability;
- Include a statement of the standard of evidence that will be used during the proceeding. VAWA does not prescribe a particular evidentiary standard, but OCR guidance directs the 'preponderance of the evidence standard' for Title IX purposes; The proposed regulations indicate that the process should:
- Allow for an extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- Be consistent with the institution's policies and transparent to the accuser and accused;

- Include timely notice of meetings at which the accuser or accused, or both, may be present;
- Provide the accuser, the accused, and appropriate officials timely access to any information that will be used after the fact-finding investigation and during informal and formal disciplinary meetings and hearings;
- Be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused; and
- Include in the results (which is defined as any initial, interim and final decisions by any official or entity authorized to resolve disciplinary matters within the institution) any sanctions imposed by the institution and must include the rationale for the result and the sanctions. Result will replace “outcomes,” “resolution” and “final determinations” in statute regulations.

SECTION 11.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS

MTTI will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 30 days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 45 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 60 days of receipt of the complaint.

Result are final there is no appeal process.

(Results definition-a consequence, effect or outcome of something.)

If local law enforcement is brought in, the timeframe will be explained by them.

Section 11.1: Burden of Proof

The burden of proof in all cases is “the preponderance of the evidence” – whether it is “more likely than not” that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

Section 11.2: Extensions

All deadlines and time requirements in the Code may be extended for good cause as determined by Title IX Coordinator. Both the respondent and the complainant will be

notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

Section 11.3: Evidence

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The School Official presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The MTTI official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

Section 11.4: Meeting/Hearing

- Both the complainant and the alleged offender must be given equal opportunity to have others present during a disciplinary proceeding including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. MTTI cannot limit the parties' choice of an advisor but may establish restrictions regarding the **extent** to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- For example: Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally.
- Similarly, if the school permits one party to submit third-party expert testimony, it must do so equally for both parties.
- An advisor is defined in the proposed regulations as “any individual who provides the accuser or the accused support, guidance or advice.”

Section 11.5: Parties' Rights to Advisors

The respondent and complainant may be assisted during disciplinary hearings and related meetings, by an advisor of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the student conduct body. The respondent and complainant are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the President. Advisors for the respondent and complainant may not present evidence or question witnesses.

Section 11.6: Notification of Findings

Within five (5) class days after the adjournment of the hearing, the student conduct hearing body shall submit written findings of fact, conclusions regarding the charge(s), and

imposition of a sanction, if any, to the respondent and any school official who is determined by the President to have a legitimate interest in the result. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions).

Section 11.7: Sanctions

MTTI considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from MTTI. In such cases, the Exceptional Procedure of EXECUTIVE SUSPENSION also may be invoked.

Section 11.8: Retaliation

No member of the school community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participate in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to Title IX Coordinator.

SECTION 12.0: SEXUAL VIOLENCE-DEFINITION

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Please click on the link below to view the definition of rape on the FBI's Uniform Crime Reports.

<https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/violent-crime/rape>

Sex Offenses - Any sexual act directed against another person, **without the consent of the victim**, including instances where the victim is incapable of giving consent.

Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.

Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

Section 12.1: Consent:

- Silence or absence of resistance does not imply consent
- Consent to engage in sexual activity with one person does not imply consent with another
- Consent can be withdrawn at any time
- Coercion, force, or threat of either invalidates consent

If someone is under the influence of alcohol or drugs they cannot consent

Section 12.2: Sexual Violence-Policy:

MTTI does not tolerate any form of violence or harassment on school property. This policy applies to all students and employees regardless of sexual orientation or gender identity. If a student of MTTI becomes a victim of sexual violence MTTI will support the student by helping to refer him/her to any outside resources needed to ensure for the safety of the student. ***IF A SEXUAL VIOLENCE SITUATION OR THREAT OF ONE TAKES PLACE ON MTTI PROPERTY LOCAL POLICE AUTHORITIES WILL BE CALLED IMMEDIATLY.***

13.0 SEXUAL VIOLENCE- REPORTING POLICIES & PROCEDURES:

Section 13.1: Filing a Complaint with MTTI

A student may report sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking to the following offices:

Criminal Complaint

- Emergency-911
- Seekonk, MA Police-508-336-8123
- East Providence, RI Police-401-435-7600

Institutional Complaint

Title IX Office:

- Sharon Ring 508-336-6611 x 102
- Corrie Vacher 508-336-6611 x 126
- Ali Ring 508-336-6611 x 111
- Eddie Ring 508-336-6611 x 101
- Joan Perry (Evening) 508-336-6611 x 100

A student may file a complaint with the Title IX Coordinator. The Title IX Coordinator is able to refer a student for academic accommodations and health care services.

Section 13.2: Filing a Complaint with a State and/or Federal Agency

A student who is not satisfied with MTTI’s handling of a complaint, may also file a complaint with federal and state agencies. Attached is an Appendix listing the agencies and their respective contact information.

Section 13.3: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency

In addition to filing a complaint with MTTI, the Complainant may file a complaint with the appropriate State or Federal agency at any point during the process.

Section 13.4: Role of the Student Title IX Office in the Complaint Process:

The Title IX Coordinator shall oversee the complaint process and accommodations for the student:

- Sharon Ring (508) 336-6611x105
- Corrie Vacher (508) 336-6611x126
- Ali Ring 508-336-6611 x 111
- Eddie Ring 508-336-6611 x 101
- Joan Perry (Evening) 508-336-6611 x 100

MTTI IS REQUIRED BY LOCAL AUTHORITIES TO REPORT ALL CRIMES.

SECTION 14.0: CONFIDENTIALITY AND REPORTING PROTOCOL

MTTI does NOT have an on campus a Sexual Assault Center, Victim Advocacy Office, A Woman’s Health Center or a licensed and pastoral counselors those individuals a survivor could talk to in confidence.

If a crime of sexual misconduct has occurred, including dating violence, domestic violence, sexual assault, or stalking, the MTTI ENCOURAGES ACCURATE AND PROMPT REPORTING OF THESE CRIMES TO STATE AND LOCAL POLICE AGENCIES. However, it can be difficult for a victim to come forward after such an event, if a student reports an incident to a staff member of MTTI:

Section 14.1: Reporting to a Staff Member of MTTI

Non –professional Counselors and Advocates (Non-Responsible Employees)-Individuals who work at the school, including front desk staff, can generally talk to a victim without revealing any personally identifying information about an incident to the School. A victim can seek assistance and support from these individuals without triggering an investigation that could reveal the victim’s identity or that the victim has disclosed the incident.

While maintaining a victim's confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report-which includes no information that would directly or indirectly identify the victim-helps keep the Title IX Coordinator informed of the general extent and nature of the incident at the school or event so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator. Following is contact information for these non-professional counselors and advocates:

- Non-Administrative Staff
- Career Placement

Responsible Employees - A "responsible employee" is a School employee who has the authority to redress domestic, dating or sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the School to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A "responsible employee" could possibly be in most cases the instructors since that is who the students spend most of their time with. But, could also be anyone in administrative or admissions staff.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged incident shared by the victim and the School will need to determine what happened-including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

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

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations-and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the School will consider the request, but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employees will not pressure a victim to make a full report if the victim is not ready to but as stated the School is legally obligated to report all crimes committed on school property to local authorities.

Section 14.2: Requesting Confidentiality

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the victim. However, the School is required by local authorities to report all crimes that have taken place on School property. If the school honors the request for confidentiality, a victim must understand that the School's ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the School may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The School has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued the Title IX Coordinator, will consider a range of factors, including the following:

The increased risk that the accused will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence or other violence complaints about the same accused individual;
- whether the accused has a history of criminal arrests/warrants or records from a prior school indicating a history of violence;
- whether the accused threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence or other violence was committed by multiple perpetrators;
- whether the sexual violence or other violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the school possesses other means to obtain relevant evidence of the sexual violence or other violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action and/or call for assistance from local law enforcement. If none of these factors are present, the school will try to respect the victim's request for confidentiality. If the school determines that it cannot maintain a victim's confidentiality, the School will inform the victim prior to starting an investigation and/or calling the local law enforcement and will, to the extent possible, only share information with people responsible for handling the School's response and/or local police. The School will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety place.

The School will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide support in the form of referring the victim to an agency that is able to assist in security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements. MTTI will assist in course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The School may not require a victim to participate in any investigation or disciplinary proceeding. Because the School is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the School to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; and/or revisiting its policies and practices. If the School determines that it can respect a victim’s request for confidentiality, the School will also take immediate action as necessary to protect and assist the victim.

Other Confidential Avenues:

- Off-Campus Counselors and Advocates
- Crisis Services and off-campus healthcare providers will generally maintain confidentiality unless a student signs a consent or waiver form.

<p><u>On-Campus</u></p> <p>Title IX Office: Sharon Ring 508-336-6611 x 102 Corrie Vacher 508-336-6611 x 126 Ali Ring 508-336-6611 x 111 Eddie Ring 508-336-6611 x 101 Joan Perry (Evening) 508-336-6611 x 100</p> <p><u>Local Authorities:</u></p> <p>Emergency.....911 Seekonk Police.....(508) 336-8123 E. Providence Police...(401) 435-7600</p>	<p><u>Off-Campus</u></p> <p>RAPE CRISIS HOTLINES & AGENCIES:</p> <p>National Sexual Assault Hotline 1-800-656-HOPE</p> <p>New Hope 140 Park Street P.O. Box 4100 Attleboro, MA 02703 800-323-4673 (hotline) 877-222-0083 (toll free line) (508) 226-4015 Day One (Providence)-Sexual Assault & Trauma Ctr-1-800-494-8100 100 Medway Street Providence, RI 02906</p>
--	---

- **Resources for Ongoing Assistance:** The information below provides contacts for trained off-campus advocates who can provide on-going counseling, advocacy, and support following an incidence of sexual misconduct.

National Sexual Assault Hotline 1-800-656-HOPE
 Day One (Providence)-Sexual Assault & Trauma Center-1-800-494-8100
 New Hope (Attleboro) 1-800-323-4673
 Seekonk Police-911-(508) 336-8123

- **Academic Accommodations:** MTTI is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct. Any individual who makes a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to withdraw from or retake a class without penalty or access academic support such as tutoring services. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, MTTI will endeavor, to the extent practicable, to change the schedule or accommodations of the accused student prior to changing the schedule or accommodations of the victim.
- **Interim Measures:** In situations where it is necessary, MTTI will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, MTTI may change the course schedule of the accused.

Section 14.3: Reporting

The school encourages anyone who is a victim or witnesses a crime on MTTI property to report the crime to a school official or the Title IV Coordinator. If a student is not comfortable speaking with someone then s/he can complete a Reporting Form. The Reporting Form will notify school officials and will serve as a notice to the School for the purpose of triggering an investigation. Any student who wishes to complete a Reporting Form can do so by downloading the form from www.mtti.edu. If you would like to report anonymously you can drop the form in an envelope at the front desk or mail it to the school.

Victims should report to a Title IX Coordinator

Sharon Ring 508-336-6611 x 102 sring@mtti.edu,

Corrie Vacher 508-336-6611 x 126 cvacher@mtti.edu,

Ali Ring 508-336-6611 x 111 aring@mtti.edu,

Eddie Ring 508-336-6611 x 101 ering@mtti.edu,

Joan Perry (Evening) 508-336-6611 x 100 jperry@mtti.edu, 1241 Fall River Avenue, Seekonk, MA.

- ***Academic Accommodations:*** MTTI is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct. Any individual who makes a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to withdraw from or retake a class without penalty or access academic support such as tutoring services. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, MTTI will endeavor, to the extent practicable, to change the schedule or accommodations of the accused student prior to changing the schedule or accommodations of the victim.
- ***Interim Measures:*** In situations where it is necessary, MTTI will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, MTTI may change the course schedule of the accused.

SECTION 15.0: OPTIONS FOR CONFIDENTIALLY DISCLOSING SEXUAL VIOLENCE

MTTI wants you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to school officials or to police. You may want to talk with someone about something you observed or experienced, even if you are not sure that a behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applied to different resources that may be available to you.

- Off-Campus Counselors and Advocates
- Off-Campus Healthcare Providers
- Privacy versus Confidentiality
- Requesting Confidentiality: How MTTI Will Weigh the Request and Respond.
- Anonymous Disclosure.
- Institutional Crime Reporting.

MTTI encourages the reporting of sexual misconduct that is prompt and accurate. This allows the school community to quickly respond to allegations and offer immediate support to the victim. MTTI is committed to protecting the confidentiality of victims, and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. MTTI has “responsible employees” who a student can talk to which very limited information will be given to the Title IX Coordinator. If an incident of sexual misconduct occurs the Title IX Coordinator will be advised if the victim would like to go further with an investigation or seek help and school officials may be notified, but will not broadcast the information beyond what is required by law (local authorities require that the School report all crimes committed on school property) and policy. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process.

It is the collective responsibility of all members of the MTTI community to foster a safe and secure campus environment. In an effort to promote this environment and prevent acts of sexual misconduct from occurring, MTTI engages in ongoing prevention and awareness education programs.

Section 15.1: Scope

Who: This policy applies to all members of the MTTI community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). And off-site activities in which the students, staff and faculty participate are covered by the policy which could include but not limited to externship sites and shadow sites. The policy applies to these parties regardless of sexual orientation or gender identity.

What: This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking. Please refer to the Definitions section for a complete list of terms and prohibited acts.

Where: This policy covers conduct that takes place on MTTI property. This includes any building or property owned or controlled by MTTI and used in direct support of, or in a manner related to, the school’s educational purposes between the hours of 8:30 a.m. and 9:30 p.m. Monday-Wednesday, Thursday and Friday 8:00 a.m.-4:30 p.m. In the case of a Monday holiday evening courses may take place on a Thursday evening from 6:00 p.m.-9:30 p.m.

Programs: Automotive Technician, Medical Assistant (MA), Medical Billing & Coding (MBCOA), Computer Service Networking Technician (CSNT), Building Property & Trades (BPT), Motorsports & Power Equipment (MPP), Heating and Ventilation Technician (HVAC), Marine & Personal Fitness Training (PFT).

(This policy covers all programs offered at MTTI)

Confidentiality: MTTI is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While MTTI encourages victims to report an incident of sexual misconduct, there are many options available for students to speak with someone about what happened while maintaining confidentiality.

If a student is victimized off school property the student may certainly talk to someone at the school for guidance. However, the school cannot investigate or adjudicate this type of incident as the perpetrator is not a student and outside the scope of this policy.

SECTION 16.0: VICTIMS OF CAMPUS SEXUAL ASSAULT - STATEMENT OF PRINCIPLES AND RIGHTS

MTTI is committed to providing a safe and secure environment in which all members are treated with dignity and respect, and a campus free from all discrimination on the basis of sex. To that end, the School takes the strongest possible stance against sexual misconduct in all its forms, including sexual harassment, sexual assault, sexual violence or the use of coercion, intimidation or exploitation of others for sexual purposes. The School is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual assault.

Should a sexual assault be reported, the School will investigate allegations and take appropriate actions, to the fullest possible extent. The School supports the victim's right to privacy. In the event that a victim wishes to remain anonymous, the School will respect that request while evaluating the obligation to protect the safety and well-being of the broader community. If MTTI is not able to respect the request of anonymity and may for the sake of the MTTI community reserves the right to call the local authorities for assistance in any crime that may have taken place on MTTI property. In such instances, every safeguard will be taken in order to ensure the victims' anonymity. It is imperative that victims be fully supported in their efforts to heal and respond as they determine is in their own best interests. To this end, the School will provide information about community medical and counseling resources and support the victim's right to make choices about these resources and options.

All members and representatives of the School community, including administrators, faculty, professional staff, employees, and students are expected to recognize and abide by the following principles regarding victims of campus-related sexual assaults:

Section 16.1: The Right to Human Dignity

Victims shall:

- The right to call local law enforcement.
- Be treated with fairness and respect for their dignity;
- Have their allegations of sexual assault treated seriously;
- Be free from any suggestion that they are responsible for the sexual assaults committed against them;
- Be free from any threat of retaliation or other attempt to prevent the reporting of sexual misconduct;

Section 16.2: The Right to Resources On and Off Campus

Victims shall receive assistance following the Reporting of an Alleged Incident-Immediate:

- Receive notice describing options to pursue a criminal complaint with the appropriate law enforcement agency, to pursue the Schools disciplinary process, or to pursue both processes simultaneously;
- Be notified of existing community-based medical, health care agency that has a SANE nurse, preventive measures such as emergency contraception or HIV, communicable disease, counseling, mental health and student services for victims of sexual assault whether or not the assault is formally reported to civil authorities;

Assistance following the Reporting of an Alleged Incident-Ongoing

- Identify counseling and support for victims whether or not a victim to make an official report or participate in the school's disciplinary or criminal process.
- Identify those who can provide ongoing support during the institutional disciplinary or criminal process.
- Describe the immediate steps and interim measures that the school can provide to ensure the safety and well-being of the victim while at school.

Section 16.3: The Right to Campus Judicial Proceedings

Victims have the right to:

- Written and advance notice about a disciplinary hearing involving the person or persons accused of sexually assaulting them;
- Have the opportunity to present witnesses and other evidence, and to receive notice of the process, information about procedures, and written notice of the outcome in a manner that is equivalent to the process of the accused;
- Have a person of their choice accompany them throughout the disciplinary hearing;
- Remain present during the entire proceeding, whenever possible; alternative arrangements may be made for those who do not want to be present in the same room as the accused during the disciplinary hearing;

- Be heard at the proceeding;
- Be assured that their irrelevant past sexual history will not be discussed during the hearing;
- Make a “victim impact statement” if the accused is found in violation of the code;
- Be informed in a timely fashion (60 days) of the outcome of the hearing;
- There is no appeal process the decision made is final.

Section 16.4: The Right to Law Enforcement and Campus Intervention

- Reports of sexual assault will be investigated and evaluated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported;
- Victims shall receive full and prompt cooperation and assistance of campus personnel in notifying the proper authorities;
- Victims shall receive full, prompt, and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence. “No contact” orders (e.g., Cease and Desist orders) shall be issued promptly and in writing to all parties to a reported sexual assault after the School receives notice of a complaint;
- Campus personnel shall take reasonable and necessary actions to prevent further unwanted contact by victims’ alleged assailants;
- Victims shall be notified of the options for and provided assistance in changing academic situations if such changes are reasonably available.

Note: Statutory Mandates

Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the School from carrying out its duties under law to report suspected offenses to the appropriate law enforcement authorities. Except as required by law, the School will take care not to identify the victim.

Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the School from issuing a Timely Warning when the School is aware of a reported sexual assault incident that potentially puts the campus community at risk. The School will take care not to identify the victim in such notices but may, in certain cases of continuing danger, identify the suspect, assailant or the address where the crime occurred.

SECTION 17.0: PROCEDURES FOR SURVIVORS OF SEXUAL VIOLENCE

Section 17.1: Evidence preservation:

To help local law enforcement to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed. *(The Title IX Coordinator does not have expertise in preserving evidence and therefore should not make any statements or guarantees in this area.)*

Section 17.2: Notifying Law Enforcement:

IT IS REQUIRED BY LOCAL AUTHORITIES THAT WE REPORT ALL CRIMES THAT TAKE PLACE ON SCHOOL PROPERTY. Victims have the right to notify law enforcement, and the School can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities but the School reserves the right to call the local authorities if a crime has taken place on School property.

SECTION 18.0: MTTI'S DISCIPLINARY PROCEEDINGS**IF AN INSTANCE OF SEXUAL VIOLANCE TAKES PLACE ON MTTI PROPERTY THEN THE FOLLOWING COULD TAKE PLACE ONLY AFTER LOCAL POLICE AUTHORITIES ARE INVOLVED:**

Proceedings is defined as (Per 2016 Campus & Security Handbook USDE)-All activities related to a non-criminal resolution of an institutional disciplinary complaint, including , but not limited to fact finding investigations formal or informal meetings and hearings. Proceedings doesn't include communications and meetings between officials and victims concerning accommodations or protective services.

The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects victim safety and promotes accountability.

Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process.

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: Violators may be subject to suspension and/or expulsion from MTTI. In such cases, the executive procedure of executive suspension also may be invoked.

The disciplinary processes available for victims of domestic violence, dating violence, sexual assault, and stalking are:

MTTI requires that the Institution's policy describe its procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking cases. Please note: The Title IX Coordinator is not expected to be a lawyer or police officer. The investigative and adjudication aspects of VAWA still need to be done in conjunction with local law enforcement and/or local domestic or sexual violence crisis centers. Students ARE NOT required to report any victimization to the school, police or local crisis center. This is just a statement explaining

that should a student report victimization to the school, investigative and adjudication will be to the best of the Title IX Coordinators abilities and those abilities do not include those that can better be performed by professionals with those skills. *At present, the United States Department of Education will not have approved trainers or training for at least two years as explained by James Moore on April 13, 2015 at the PCCS conferment in Philadelphia.* We do not want to minimize the important of proper investigation and adjudication on behalf of the victim and felt this statement was needed. Any student who wants a properly done investigation and adjudication should know this information.

Section 18.1: Prompt, Fair and Impartial

All proceedings must be prompt, fair and impartial from initial investigation to final result. A proceeding is defined in the proposed regulations as “all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings or hearings.” The proposed regulations require that the Code of Conduct:

- Have designated and reasonably prompt timeframes for the major stages of the grievance process that apply equally to the parties of the complaint, including the investigation and complaint resolution;
- Be conducted by officials (which could include an attorney) who receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and the procedure to conduct an investigation that protects the safety of victims and promotes accountability;
- Include a statement of the standard of evidence that will be used during the proceeding. VAWA does not prescribe a particular evidentiary standard, but OCR guidance directs the ‘preponderance of the evidence standard’ for Title IX purposes; The proposed regulations indicate that the process should:
- Allow for an extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- Be consistent with the institution’s policies and transparent to the accuser and accused;
- Include timely notice of meetings at which the accuser or accused, or both, may be present;
- Provide the accuser, the accused, and appropriate officials timely access to any information that will be used after the fact-finding investigation and during informal and formal disciplinary meetings and hearings;
- Be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused; and
- Include in the results (which is defined as any initial, interim and final decisions by any official or entity authorized to resolve disciplinary matters within the institution) any sanctions imposed by the institution and must include the rationale for the result and the sanctions. Result will replace “outcomes,” “resolution” and “final determinations” in statute regulations.

SECTION 19.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS

MTTI will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 30 days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 45 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 60 days of receipt of the complaint.

Results are final there is no appeal process.

(Results definition—a consequence, effect or outcome of something.)

If local law enforcement is brought in, the timeframe will be explained by them.

Section 19.1: Burden of Proof

The burden of proof in all cases is “the preponderance of the evidence” – whether it is “more likely than not” that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

Section 19.2: Extensions

All deadlines and time requirements in the Code may be extended for good cause as determined by Title IX Coordinator. Both the respondent and the complainant will be notified in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

Section 19.3: Evidence

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The School Official presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The MTTI official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

Section 19.4: Meeting/Hearing

- Both the complainant and the alleged offender must be given equal opportunity to have others present during a disciplinary proceeding including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. MTTI cannot limit the parties' choice of an advisor but may establish restrictions regarding the **extent** to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- For example: Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally.
- Similarly, if the school permits one party to submit third-party expert testimony, it must do so equally for both parties.
- An advisor is defined in the proposed regulations as “any individual who provides the accuser or the accused support, guidance or advice.”

Section 19.5: Parties' Rights to Advisors

The respondent and complainant may be assisted during disciplinary hearings and related meetings, by an advisor of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the student conduct body. The respondent and complainant are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the President. Advisors for the respondent and complainant may not present evidence or question witnesses.

Section 19.6: Notification of Findings

Within five (5) class days after the adjournment of the hearing, the student conduct hearing body shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any school official who is determined by the President to have a legitimate interest in the result. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions).

Section 19.7: Sanctions

MTTI considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from MTTI. In such cases, the Exceptional Procedure of EXECUTIVE SUSPENSION also may be invoked.

Section 19.8: Retaliation

No member of the school community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participate in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to Title IX Coordinator.

SECTION 20.0: SEXUAL ASSAULT RISK REDUCTION STRATEGIES

MTTI believes that keeping yourself safe from harm begins with reducing the risk of something bad happening.

Section 20.1: Psychological Prevention:

- Trust instincts. If you feel uncomfortable about a person or situation, remove yourself from the situation immediately.
- Learn to be assertive. Enforce your rights without violating the rights of others. Be assertive but not defensive. When you become defensive you become more Vulnerable.
- Don't be predictable; remember that many sexual assaults are planned. If you must walk alone, walk a different route each time so that you don't have a fixed pattern.
- Don't be afraid to make a scene if you are confronted.
- If You Sense You Are In Trouble:
- Move away from the potential threat if possible.
- Join any group of people nearby; cross the street and increase your pace.
- If a threatening situation is imminent, and people are close by to help, yell, scream, blow a whistle or make a commotion in any way you can to get their attention. Remember that people are more likely to respond to shouts of "Fire" and "Call 9-1-1" than to shouts of "Rape."

Section 20.2: Stalking-Definition

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress

Course of Conduct

Engaging in two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.

Substantial Emotional Distress

Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Reasonable Person

A reasonable person under similar circumstances and with similar identities to the victim.

- Substantial Emotional Distress
- Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking - Policy

MTTI does not tolerate any form of violence or harassment on school property. This policy applies to all students and employees regardless of sexual orientation or gender identity. If a student of MTTI becomes a victim of stalking MTTI will support the student by helping to refer him/her to any outside resources needed to ensure for the safety of the student. ***IF A STALKING SITUATION OR THREAT OF ONE TAKES PLACE ON MTTI PROPERTY LOCAL POLICE AUTHORITIES WILL BE CALLED IMMEDIATELY.***

SECTION 21.0 STALKING- REPORTING POLICIES & PROCEDURES;

Section 21.1: Filing a Complaint with MTTI

A student may report sexual misconduct, including sexual harassment, sexual assault, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking to the following offices:

Criminal Complaint

- Emergency-911
- Seekonk, MA Police-508-336-8123
- East Providence, RI Police-401-435-7600

Institutional Complaint

- Title IX Office –Sharon Ring 508-336-6611 x 102, Corrie Vacher 508-336-6611 x 126, Ali Ring 508-336-6611 x 111, Eddie Ring 508-336-6611 x 101, Joan Perry (Evening) 508-336-6611 x 100.

A student may file a complaint with the Title IX Coordinator. The Title IX Coordinator is able to refer a student for academic accommodations and health care services.

Section 21.2: Filing a Complaint with a State and/or Federal Agency

A student who is not satisfied with MTTI’s handling of a complaint, may also file a complaint with federal and state agencies. Attached is an Appendix listing the agencies and their respective contact information.

Section 21.3: Dual Filing - Filing a Complaint with MTTI and a State and/or Federal Agency

In addition to filing a complaint with MTTI, the Complainant may file a complaint with the appropriate State or Federal agency at any point during the process.

Section 21.4: Role of the Student Title IX Office in the Complaint Process:

The Title IX Coordinator shall oversee the complaint process and accommodations for the student:

- Sharon Ring (508) 336-6611x105,
- Corrie Vacher (508) 336-6611x126,
- Ali Ring 508-336-6611 x 111,
- Eddie Ring 508-336-6611 x 101,
- Joan Perry (Evening) 508-336-6611 x 100.

MTTI IS REQUIRED BY LOCAL AUTHORITIES TO REPORT ALL CRIMES.

SECTION 22.0: CONFIDENTIALITY AND REPORTING PROTOCOL

MTTI does NOT have an on campus a Sexual Assault Center, Victim Advocacy Office, A Woman’s Health Center or a licensed and pastoral counselors those individuals a survivor could talk to in confidence.

If a crime of sexual misconduct has occurred, including dating violence, domestic violence, sexual assault, or stalking, the MTTI ENCOURAGES ACCURATE AND PROMPT REPORTING OF THESE CRIMES TO STATE AND LOCAL POLICE AGENCIES. However, it can be difficult for a victim to come forward after such an event, if a student reports an incident to a staff member of MTTI:

Section 22.1: Reporting to a Staff Member of MTTI

Non –professional Counselors and Advocates (Non-Responsible Employees)-Individuals who work at the school, including front desk staff, can generally talk to a victim without revealing any personally identifying information about an incident to the School. A victim can seek assistance and support from these individuals without triggering an investigation that could reveal the victim’s identity or that the victim has disclosed the incident.

While maintaining a victim’s confidentiality, these individuals or their office should report the nature, date, time, and general location of an incident to the Title IX Coordinator. This limited report-which includes no information that would directly or indirectly identify the victim-helps keep the Title IX Coordinator informed of the general extent and nature of the incident at the school or event so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the victim to ensure that no personally identifying details are shared with the Title IX Coordinator Following is contact information for these non-professional counselors and advocates:

- Non-Administrative Staff
- Career Placement

Responsible Employees- A “responsible employee” is a School employee who has the authority to redress domestic, dating or sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the School to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A “responsible employee” could possibly be in most cases the instructors since that is who the students spend most of their time with. But, could also be anyone in administrative or admissions staff.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged incident shared by the victim and the School will need to determine what happened-including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the School’s response to report. A responsible employee should not share information with law enforcement without the victim’s consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations-and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the School will consider the request, but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employees will not pressure a victim to make a full report if the victim is not ready to but as stated the School is legally obligated to report all crimes committed on school property to local authorities.

Section 22.2: Requesting Confidentiality

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the victim. However, the School is required by local authorities to report all crimes that have taken place on School property. If the school honors the request for confidentiality, a victim must understand that the School's ability to meaningfully investigate the incident and pursue disciplinary action against the accused may be limited. Although rare, there are times when the School may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The School has designated the following individual(s) to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued the Title IX Coordinator, will consider a range of factors, including the following:

The increased risk that the accused will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence or other violence complaints about the same accused individual;
- whether the accused has a history of criminal arrests/warrants or records from a prior school indicating a history of violence;
- whether the accused threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence or other violence was committed by multiple perpetrators;
- whether the sexual violence or other violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the school possesses other means to obtain relevant evidence of the sexual violence or other violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action and/or call for assistance from local law enforcement. If none of these factors are present, the school will try to respect the victim's request for confidentiality. If the school determines that it cannot maintain a victim's confidentiality, the School will inform the victim prior to starting an investigation and/or calling the local law enforcement and will, to the extent possible, only share information with people responsible for handling the School's response and/or local police. The School will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety place.

The School will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus (see portion of policy identifying these);
- Provide support in the form of referring the victim to an agency that is able to assist in security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements. MTTI will assist in course schedules (including for the accused pending the outcome of an investigation) or adjustments for assignments or tests; and inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The School may not require a victim to participate in any investigation or disciplinary proceeding. Because the School is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the School to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; and/or revisiting its policies and practices. If the School determines that it can respect a victim's request for confidentiality, the School will also take immediate action as necessary to protect and assist the victim.

Other Confidential Avenues:

- Off-Campus Counselors and Advocates
- Crisis Services and off-campus healthcare providers will generally maintain confidentiality unless a student signs a consent or waiver form.

<p><u>On-Campus</u></p> <p>Title IX Office: Sharon Ring 508-336-6611 x 102 Corrie Vacher 508-336-6611 x 126 Ali Ring 508-336-6611 x 111 Eddie Ring 508-336-6611 x 101 Joan Perry (Evening) 508-336-6611 x 100.</p> <p><u>Local Authorities:</u></p> <p>Emergency.....911 Seekonk Police.....(508) 336-8123 E. Providence Police...(401) 435-7600</p>	<p><u>Off-Campus</u></p> <p>BATTERED WOMAN SHELTERS AND PROGRAMS:</p> <p>New Hope 140 Park Street P.O. Box 4100 Attleboro, MA 02703 800-323-4673 (hotline) 877-222-0083 (toll free line) (508) 226-4015</p> <p>Women’s Center of Rhode Island P.O. Box 603300 Providence, RI 02906 (401) 861-2760</p> <p>Blackstone Shelter P.O. Box 5643 Pawtucket, RI 02862 (401) 723-3057</p>
---	---

Section 22.3: Reporting

The school encourages anyone who is a victim or witnesses a crime on MTTI property to report the crime to a school official or the Title IX Coordinator. If a student is not comfortable speaking with someone then s/he can complete a Reporting Form. The Reporting Form will notify school officials and will serve as a notice to the School for the purpose of triggering an investigation. Any student who wishes to complete a Reporting Form can do so by downloading the form from www.mtti.edu (Appendix B). If you would like to report anonymously you can drop the form in an envelope at the front desk or mail it to the school.

- **Academic Accommodations:** MTTI is committed to ensuring the safety and well-being of the victim. A student who has been a victim of sexual misconduct may request an academic accommodation after a report of sexual misconduct. Any individual who makes a request will receive an appropriate and reasonable accommodation. Possible requests include the ability to withdraw from or retake a class without penalty or access academic support such as tutoring services. Pursuant to Title IX, in most cases of sexual violence or sex discrimination, MTTI will endeavor, to the extent practicable, to change the schedule or accommodations of the accused student prior to changing the schedule or accommodations of the victim.
- **Interim Measures:** In situations where it is necessary, MTTI will take immediate steps to protect victims pending the final outcome of an investigation. These steps include the accommodations listed above in addition to issuing no contact orders. Pending resolution

of the complaint, the accused may be prohibited from contacting the victim and may be placed on suspension or denied access to campus. Also, MTTI may change the course schedule of the accused.

Victims should report to a Title IX Coordinator:

- Sharon Ring 508-336-6611 x 102 sring@mtti.edu
- Corrie Vacher 508-336-6611 x 126 cvacher@mtti.edu
- Ali Ring 508-336-6611 x 111 aring@mtti.edu
- Eddie Ring 508-336-6611 x 101 ering@mtti.edu
- Joan Perry (Evening) 508-336-6611 x 100 jperry@mtti.edu
1241 Fall River Avenue, Seekonk, MA.

Section 22.4: Scope

Who: This policy applies to all members of the MTTI community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). And off-site activities in which the students, staff and faculty participate are covered by the policy which could include but not limited to externship sites and shadow sites. The policy applies to these parties regardless of sexual orientation or gender identity.

What: This policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking. Please refer to the Definitions section for a complete list of terms and prohibited acts.

Where: This policy covers conduct that takes place on MTTI property. This includes any building or property owned or controlled by MTTI and used in direct support of, or in a manner related to, the school's educational purposes between the hours of 8:30 a.m. and 9:30 p.m. Monday-Wednesday, Thursday and Friday 8:00 a.m.-4:30 p.m. In the case of a Monday holiday evening courses may take place on a Thursday evening from 6:00 p.m.-9:30 p.m.

Programs: Automotive Technician, Medical Assistant (MA), Medical Billing & Coding (MBCOA), Computer Service Networking Technician (CSNT), Building Property & Trades (BPT), Motorsports & Power Equipment (MPP), Heating and Ventilation Technician (HVAC), Marine & Personal Fitness Training (PFT).

(This policy covers all programs offered at MTTI)

Confidentiality: MTTI is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. While MTTI encourages victims to report an incident of sexual misconduct, there are many options available for students to speak with someone about what happened while maintaining confidentiality.

If a student is victimized off school property the student may certainly talk to someone at the school for guidance. However, the school cannot investigate or adjudicate this type of incident as the perpetrator is not a student and outside the scope of this policy.

SECTION 23.0: PROCEDURES FOR SURVIVORS OF STALKING

Section 23.1: Evidence preservation:

If any physical occurrences has happened during a stalking incident to help local law enforcement to best preserve evidence, victims should avoid showering, washing, changing clothes, combing hair, drinking, eating, or doing anything to alter physical appearance until after a physical exam has been completed. *(The Title IX Coordinator does not have expertise in preserving evidence and therefore should not make any statements or guarantees in this area.)*

Section 23.2: Notifying Law Enforcement:

IT IS REQUIRED BY LOCAL AUTHORITIES THAT WE REPORT ALL CRIMES THAT TAKE PLACE ON SCHOOL PROPERTY. Victims have the right to notify law enforcement, and the School can assist in notifying law enforcement if victims choose. Victims may also choose to decline to notify authorities but the School reserves the right to call the local authorities if a crime has taken place on School property.

SECTION 24.0: MTTI'S DISCIPLINARY PROCEEDINGS

IF AN INSTANCE OF STALKING TAKES PLACE ON MTTI PROPERTY THEN THE FOLLOWING COULD TAKE PLACE ONLY AFTER THE LOCAL POLICE AUTHORITIES ARE INVOLVED:

Proceedings is defined as (Per 2016 Campus & Security Handbook USDE)-All activities related to a non-criminal resolution of an institutional disciplinary complaint, including , but not limited to fact finding investigations formal or informal meetings and hearings. Proceedings doesn't include communications and meetings between officials and victims concerning accommodations or protective services.

The institutional disciplinary procedures will provide a fair, prompt, and impartial process from investigation to final result. The investigation and any hearing will be conducted by those who receive annual training on issues related to VAWA crimes, how to conduct an investigation, and a hearing process that protects victim safety and promotes accountability.

Parties are entitled to the same opportunities to have an advisor of their choice present at any hearing and related meetings. There is no limit to the choice of an advisor; however, the parties are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee during the proceeding, and cannot present evidence or cross-question witnesses. Parties will be informed simultaneously in writing of the outcome of the process.

Following a final determination of an institutional disciplinary procedure for cases of rape, acquaintance rape, dating violence, domestic violence, sexual assault, or stalking, the following sanctions or protective measures may be imposed: Violators may be subject to suspension and/or expulsion from MTTI. In such cases, the executive procedure of executive suspension also may be invoked.

The disciplinary processes available for victims of domestic violence, dating violence, sexual assault, and stalking are:

MTTI requires that the Institution's policy describe its procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, and stalking cases. Please note: The Title IX Coordinator is not expected to be a lawyer or police officer. The investigative and adjudication aspects of VAWA still need to be done in conjunction with local law enforcement and/or local domestic or sexual violence crisis centers. Students ARE NOT required to report any victimization to the school, police or local crisis center. This is just a statement explaining that should a student report victimization to the school, investigative and adjudication will be to the best of the Title IX Coordinators abilities and those abilities do not include those that can better be performed by professionals with those skills. *At present, the United States Department of Education will not have approved trainers or training for at least two years as explained by James Moore on April 13, 2015 at the PCCS conferment in Philadelphia.* We do not want to minimize the importance of proper investigation and adjudication on behalf of the victim and felt this statement was needed. Any student who wants a properly done investigation and adjudication should know this information.

Section 24.1: Prompt, Fair and Impartial

All proceedings must be prompt, fair and impartial from initial investigation to final result. A proceeding is defined in the proposed regulations as "all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings or hearings." The proposed regulations require that the Code of Conduct:

- Have designated and reasonably prompt timeframes for the major stages of the grievance process that apply equally to the parties of the complaint, including the investigation and complaint resolution;
- Be conducted by officials (which could include an attorney) who receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and the procedure to conduct an investigation that protects the safety of victims and promotes accountability;
- Include a statement of the standard of evidence that will be used during the proceeding. VAWA does not prescribe a particular evidentiary standard, but OCR guidance directs the 'preponderance of the evidence standard' for Title IX purposes; The proposed regulations indicate that the process should:
- Allow for an extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay;
- Be consistent with the institution's policies and transparent to the accuser and accused;

- Include timely notice of meetings at which the accuser or accused, or both, may be present;
- Provide the accuser, the accused, and appropriate officials timely access to any information that will be used after the fact-finding investigation and during informal and formal disciplinary meetings and hearings;
- Be conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused; and
- Include in the results (which is defined as any initial, interim and final decisions by any official or entity authorized to resolve disciplinary matters within the institution) any sanctions imposed by the institution and must include the rationale for the result and the sanctions. Result will replace “outcomes,” “resolution” and “final determinations” in statute regulations.

SECTION 25.0: ESTABLISHING TIME FRAMES FOR THE REVIEW PROCESS

MTTI will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within 30 days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with all involved parties and gathering of evidence, is usually completed within 45 days of receipt of the complaint.

Results of the complaint, via either a formal hearing or waiver of hearing are typically issued within 60 days of receipt of the complaint.

Result are final there is no appeal process.

(Results definition-a consequence, effect or outcome of something.)

If local law enforcement is brought in, the timeframe will be explained by them.

Section 25.1: Burden of Proof

The burden of proof in all cases is “the preponderance of the evidence” – whether it is “more likely than not” that the sex discrimination, dating violence, domestic violence, sexual assault, or stalking occurred. If the evidence presented meets this standard, then the respondent must be found responsible.

Section 25.2: Extensions

All deadlines and time requirements in the Code may be extended for good cause as determined by Title IX Coordinator. Both the respondent and the complainant will be notified

in writing of the delay, the reason for delay, and provided the date of the new deadline or event. Extensions requested by one party will not be longer than 5 business/school days.

Section 25.3: Evidence

Evidence to be presented by complainant(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The School Official presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The MTTI official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

Section 25.4: Meeting/Hearing

- Both the complainant and the alleged offender must be given equal opportunity to have others present during a disciplinary proceeding including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. MTTI cannot limit the parties' choice of an advisor but may establish restrictions regarding the **extent** to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- For example: Any school-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally.
- Similarly, if the school permits one party to submit third-party expert testimony, it must do so equally for both parties.
- An advisor is defined in the proposed regulations as "any individual who provides the accuser or the accused support, guidance or advice."

Section 25.5: Parties' Rights to Advisors

The respondent and complainant may be assisted during disciplinary hearings and related meetings, by an advisor of their choice. The respondent and complainant may present witnesses and may produce other evidence for consideration by the student conduct body. The respondent and complainant are responsible for presenting evidence on their own behalf. Advisors may speak privately to their advisee, respondent or complainant, during the proceeding. Either party may request a brief recess to consult with their advisor which will be granted at the discretion of the President. Advisors for the respondent and complainant may not present evidence or question witnesses.

Section 25.6: Notification of Findings

Within five (5) class days after the adjournment of the hearing, the student conduct hearing body shall submit written findings of fact, conclusions regarding the charge(s), and imposition of a sanction, if any, to the respondent and any school official who is determined

by the President to have a legitimate interest in the result. In the case of sexual misconduct and violations involving dating violence, domestic violence, sexual assault, or stalking, both the complainant and respondent shall also receive simultaneous notice of the results and sanctions imposed (and the rationale for the result and sanctions).

Section 25.7: Sanctions

MTTI considers dating violence, domestic violence, sexual assault, and stalking as extremely serious violations and subject to SUSPENSION and/or EXPULSION from MTTI. In such cases, the Exceptional Procedure of EXECUTIVE SUSPENSION also may be invoked.

Section 25.8: Retaliation

No member of the school community shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a Title IX complaint, serves as a witness, or assists or participate in a Title IX proceeding in any manner. Participants who experience retaliation should report the incident to Title IX Coordinator.

SECTION 26.0: MASSACHUSETTS AND RHODE ISLAND DEFINITIONS

The definitions for Domestic Violence, Dating Violence, Stalking and Consent are defined below per Massachusetts State Law/and or used in this policy and Rhode Island State Law.

Section 26.1: Massachusetts Definitions

In Massachusetts the definitions for dating violence, domestic violence, sexual assault, stalking and consent are as follows:

Domestic Violence, Dating Violence and/or Stalking

Sexual discrimination and harassment can also take the form of domestic violence, dating violence and/or stalking. These are crimes under Massachusetts law and are strictly prohibited at MTTI. By law, MTTI is required to track reports of these crimes involving MTTI students. Please be advised that Massachusetts law defines these crimes as follows below.

The primary domestic violence law in Massachusetts is Massachusetts General Laws Ch. 209A, titled the Domestic Relations Abuse Prevention Law. This law includes situations of abuse involving unmarried persons in dating or other relationships, as set forth below. "Abuse" is defined by M.G.L. Ch. 209A, Â§ 1 as: "the occurrence of one or more of the following acts between family or household members:

- attempting to cause or causing physical harm;
 - placing another in fear of imminent serious physical harm;
 - causing another to engage involuntarily in sexual relations by force, threat, or duress."
- "Family or household members" are defined as "persons who:

- are or were married to one another;
- are or were residing together in the same household;
- are or were related by blood or marriage;
- having a child in common regardless of whether they have ever married or lived together;
or
- 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."

Domestic Violence

Domestic violence is defined as a pattern of coercive and controlling behaviors and tactics used by one person over another to gain power and control. This may include verbal abuse, financial abuse, emotional, sexual, and physical abuse. Domestic violence occurs in heterosexual, as well as same-sex partnerships, and crosses all ethnic, racial and socio-economic lines.

Sexual Assault

Sexual assault and rape are crimes of violence and control, using sex acts as a weapon. Rape and sexual assault are not sexually motivated acts; rather, they stem from aggression, rage, sexism, and the determination to exercise power over someone else. Rape is also a legal term that is defined in Massachusetts by three elements: penetration of any orifice by any object; force or threat of force; against the will of the victim. Sexual assault is often more broadly defined as any sexual activity that is forced or coerced or unwanted.

Stalking

Stalking is defined and criminalized by Massachusetts General Laws Ch. 265, § 43 (a):

"Whoever 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 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 and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than \$1,000, or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that

transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Consent

In Massachusetts, it is illegal to have sex under any circumstances with someone who is incapable of giving consent due to incapacity or impairment; incapacity or impairment may be caused by intoxication or drugs, or because a victim is underage, mentally impaired, unconscious, or asleep. For purposes of this policy, consent is an explicitly communicated, reversible, mutual agreement to which all parties are capable of making a decision. The legal age of consent in Massachusetts is 16.

The definitions for Domestic Violence, Dating Violence and Stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 are as follows:

Domestic Violence

“Domestic Violence” means a “felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim,
- a person with who the victim shares a child in common,
- a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grand monies (under VAWA), or
- any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.”

Dating Violence

“Dating Violence” means “violence committed by a person:

- -who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- -where the existence of such relationship shall be determined based on a consideration of the following factors:
 1. the length of the relationship;
 2. the type of relationship; and
 3. the frequency of interaction between the persons involved in the relationship.”

Stalking

“Stalking” means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- -fear for his or her safety or the safety of others; or
- -suffer substantial emotional distress.”

Section 26.2: Rhode Island Definitions

In Rhode Island the definitions for dating violence, domestic violence, sexual assault and stalking are as follows:

Dating Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with a victim. The existence of such a relationship is determined based on consideration of the length and type of relationship and the frequency of interaction between the persons involved

Domestic Violence

Rhode Island General Statutes define domestic violence as any of the following crimes when committed by one family member or household member against another or by people who are in a substantive dating relationship.

- physical assault
- sexual assault
- trespass
- kidnapping
- vandalism
- stalking
- violation of a protective order
- homicide

Sexual Assault

Sexual assault is the legal term for rape, and it also encompasses other behaviors beyond forced sexual intercourse. Sexual assault can be any unwanted sexual contact, such as unwanted touching, fondling, or groping of sexual body parts. It can be committed by the use of threats or force or when someone takes advantage of circumstances that render a person incapable of giving consent, such as intoxication.

There are specific definitions for the degrees of sexual assault and legal definitions can vary from state to state. [Rhode Island law](#) defines these as:

- 1st Degree Sexual Assault -- sexual penetration of any orifice of the victim's body by a body part or object, achieved through force, threat of force or coercion.
- 2nd Degree Sexual Assault -- physical contact of a sexual nature without consent, with a victim's genitals or buttocks or a woman's breasts.
- 3rd Degree Sexual Assault -- sexual activity between one party who is 18 years of age or older and one who is under 16 years of age. (Sixteen is the age of consent in Rhode Island)
- Nonconsensual sexual activity takes place when the victim does not or cannot (because the victim is incapacitated) give intelligent, knowing and voluntary consent.
- Consent is a voluntary agreement to engage in sexual activity.
- Past consent does not imply future consent.
- Silence or absence of resistance, by itself, does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time.
- Coercion, force, or threat of force invalidates consent.

Stalking

Stalking means a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for his or her safety or the safety of others; or
- suffer substantial emotional distress

TITLE 11 Criminal Offenses

CHAPTER 11-59 Stalking

SECTION 11-59-1

§ 11-59-1 Definitions. – For the purpose of this chapter:

(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(2) "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. History of Section. (P.L. 1992, ch. 201, § 1; P.L. 1992, ch. 382, § 1; P.L. 1993, ch. 358, § 1; P.L. 1994, ch. 250, § 1; P.L. 2002, ch. 183, § 1.)

Section 26.3: Registered Sex Offenders Information for Massachusetts & Rhode Island

Massachusetts and Rhode Island both offer information on where to obtain a current list of registered sex offenders.

Massachusetts-

<https://sorb.chs.state.ma.us/sorbpublic/recaptcharEntry.action? p=Eki fno0tPeUaM-L-E011zNWZVrzIumzPtgS7bCH0l5T0wwuHojyO1v7bwSBHCvqp8FzsbYmQMvcifxiTXD5o snDFNM-Y1Z>

Rhode Island- <http://publicrecords.onlinesearches.com/view/lid/170998>

SECTION 27.0: BYSTANDER INTERVENTION

What is a bystander? A person present but not directly involved in an event, who has the capacity for moral decisions and is therefore responsible for rational thought and action.

Section 27.1: Bystander-Focused Prevention of Sexual Violence

Research on the causes of sexual violence and evaluation of prevention efforts indicates that bystanders (also referred to as witnesses, defenders, or upstanders) are a key piece of prevention work.

Section 27.2: Common Components of Bystander Intervention

- **Awareness.** A key first step is to heighten awareness so individuals and groups are better able to identify instances of sexual violence.
- **Sense of Responsibility.** A sense of responsibility gives the bystander motivation to step in and take action. Bystanders are much more likely to help friends than strangers, and are more likely to help strangers if they see them as part of a group they identify with (like supporting the same sports team).
- **Perceptions of norms.** Perceptions of peer norms about helping (whether you think your friends are likely to help), and perceptions of authorities' (like teachers') attitudes are related to bystander attitudes. People often mistakenly think others are less supportive of doing something to address sexual violence than they actually are. Studies show links between perceptions of helping, trust, and commitment among community members; trust in campus authorities; and their willingness to take action as a bystander.
- **Weighing pros and cons.** People weigh the costs and benefits of getting involved in a risky situation. These include threats to their own safety, negative consequences for their relationships with others, and the potential to change the outcome of a risky situation or to help a victim.

- **Confidence.** People who feel more confident in their ability to help are more likely to take action. A consistent research finding is that prevention programs, particularly in-person educational and skill workshops, increase individuals' sense that they can take effective action.
- **Building Skills.** People need to know what to do and how to do it. Population survey data shows that many people are at a loss for specific ways to help. Survivors tell us that friends and family do not always do things that are useful or supportive, and these negative or unhelpful responses make coping with and recovering from abuse much harder. Some of the promise of bystander intervention training is that it can give motivated community members skills to intervene in ways that protect their own safety and are truly supportive to victims.
- **Context.** Bystanders also need safety nets for themselves – resources they can call upon and community policies that support intervention.
- **Delivery Methods • In person, skill-building curricula.** Workshops of varying lengths are the most researched prevention training for potential bystanders. Some of the first programs were Katz's Mentors in Violence Prevention Men's Project. Bringing in the Bystander™ Green Dot One and Berkowitz's Moynihan mainly addresses sexual violence but also includes segments related to relationship abuse.¹² ¹³ has an intensive training curriculum called SEEDS for college students that is also now being implemented and evaluated in high schools.¹⁴ Foubert's ¹⁵ has programs for men and for women that train them to be active bystanders, again with more of a focus on sexual assault.¹⁶

(*NOTALONE.GOV*)

Section 27.3: How to Help as a Bystander.

MTTI expects all members of the campus community to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Educating and engaging bystanders are effective ways to help prevent acts of sexual misconduct. Bystanders can help in several different ways, including direct intervention, seeking assistance from an authority figure or calling State or local law enforcement.

If you see an act of sexual misconduct: It is important to understand that no individual has the right to be violent, regardless of whether people are in a relationship. Recognizing when acts of sexual misconduct are occurring is the first step to intervening. Required campus education and training programs give a full synopsis on recognizing when sexual misconduct is taking place. If you make the decision to intervene, do so safely—violence does not stop violence, and, if you cannot stop the act with your words, call law enforcement. Do not be afraid to ask an instructor or other students for help.

If a victim confides in you: It is important to let the victim tell their story. Listen respectfully, and help them explain and identify what has happened to them. Do not contradict them or play “devil’s advocate” even if parts of the story don’t immediately make sense or even if

you would have made other choices when presented with the same scenario or challenges. Help the victim identify others in their network who they can confide in. Ask the victim what they need to feel safe, encourage them to seek medical attention and counseling, and encourage them to report the act if they feel comfortable doing so. The first people that a victim talks to can have a significant impact on the person and their ability to report and get through an ordeal. Be a supportive, kind, understanding and nonjudgmental person and you can be a positive force for this victim in seeking the help they require to move forward.

Section 27.4: Off School Property Violence

If a student is victimized off school property the student may certainly talk to someone at the school for guidance however the school cannot investigate or adjudicate this type of incident as the perpetrator is not a student and outside the scope of this policy

Section 27.5: Overview of Resources Available for Support

After an allegation that an act of sexual violence has occurred, including any act of dating violence, domestic violence, sexual assault, or stalking, the School offers students a range of protective measures.

- **Resources for Immediate Assistance:** The information below provides contacts for the Title IX Coordinator who can provide an immediate confidential response in a crisis situation. Also provided are emergency numbers for off- campus safety, law enforcement, and other first responders.
- **Confidential Resources:** MTTI encourages all members of the school community to report any incidents of sexual misconduct; however, there is no trained confidential staff located at MTTI. The Title IX Coordinator could help advise a student of several outside resources available to students who are not yet ready to report an incident. The Title IX Coordinator can also help a victim obtain needed resources, explain reporting options, and assist in navigating the reporting process. Off Campus resources are resources where the victim may disclose confidentially with counseling, advocacy, health, mental health, or sexual-misconduct-related resources. On-Campus and Off-Campus resources are listed below.

<p>On-Campus Title IX Office: Sharon Ring 508-336-6611 x 102 Corrie Vacher 508-336-6611 x 126 Ali Ring 508-336-6611 x 111 Eddie Ring 508-336-6611 x 101 Joan Perry (Evening) 508-336-6611 x 100.</p>	<p>Off-Campus National Sexual Assault Hotline 1-800-656-HOPE Day One (Providence)-Sexual Assault & Trauma Ctr-1-800-494-8100 New Hope (Attleboro) 1-800-323-4673 Seekonk Police-911-(508) 336-8123</p>
---	--

- **Community Resources:** These are resources located off-campus in the local community offering intervention services and counseling.

Seekonk, MA & East Providence, RI Campuses- Police, Fire & EMS- 911
MTTI Seekonk, MA Police Department-Routine 508-336-8123, Emergency 911
MTTI Seekonk, MA Fire Department-Routine 508-336-8510, Emergency 911
MTTI East Providence, RI Police Department-Routine-401-435-7600, Emergency 911
MTTI East Providence, RI Fire Department Routine-401-435-7683, Emergency 911

- **Resources for Ongoing Assistance:** The information below provides contacts for trained off-campus advocates who can provide on-going counseling, advocacy, and support following an incidence of sexual misconduct.

National Sexual Assault Hotline 1-800-656-HOPE
 Day One (Providence)-Sexual Assault & Trauma Ctr-1-800-494-8100
 New Hope (Attleboro) 1-800-323-4673
 Seekonk Police-911-(508) 336-8123

SECTION 28.0: TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

Section 28.1: What warrants a "timely warning" or "emergency notification"?

Timely Warnings shall be issued whenever a Clery Crime that is considered to represent a serious or continuing threat to students and employees is reported to local police agency and has occurred within the School’s Clery Geography. Whenever a timely warning is sent it may be sent to the entire Campus Community or to the relevant population if technology allows.

Emergency Notifications shall be issued when a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurs on the campus. As appropriate, emergency notifications may be targeted at only a segment or segments of the campus community that is at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Who decides? The President, Vice President, Assistant Director or Title IX Coordinators shall confirm the existence of a situation that may warrant a warning or notification and determine if a timely warning or emergency notification is warranted and the extent of the notification as appropriate. In addition to criminal incidents, emergency notifications may be issued in situations such as, but not limited to:

- Safety Related Issues:
- An incident that occurs on any of our campuses that affects the personal safety and security of our population.
- An incident that occurs in close proximity to the campus that may potentially affect the personal safety and security of our student, faculty and staff population.

- Health Related Issues:
- Diagnosis of a serious or life threatening communicable/infectious disease.
- Evidence of bio terrorism.

An immediate notification for a confirmed emergency or dangerous situation may not be issued if doing so will compromise efforts to: assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

Section 28.2: How will a Timely Warning or an Emergency Notification be Communicated?

For Safety Related Issues: The means of communication will be chosen by the President or Vice President or the designee based upon the nature of the incident. Possible means of communication are:

- E-mail to all and/or faculty/staff
- Postings around the MTTI buildings, as applicable to the incident. Postings can be emailed as attachments to various offices as indicated below
- Delivery of hard copy notification to all instructors.
- Post to web portal

Action Plan: The action plan may consist of some or all of the following:

- Give a picture of the assailant (if available) to all staff or just to staff located near the doors.
- Lock all doors except for the front doors (students will be able to exit those doors but not enter). Students will be asked to stay in the building until told otherwise.

An explanation will be given to staff & students an example may be “There is a domestic dispute so we are taking extra precautions and restricting the entrance to the school to better monitor people coming in.”

For Health Related Issues: The means of communication will be chosen by the President or Vice President or the designee based upon the nature of the incident. Possible means of communication are:

- Letters to faculty and staff, if appropriate.
- E-mails to faculty and staff, if appropriate.

SECTION 29.0 PREVENTION EDUCATION & AWARENESS PROGRAMS

MTTI will offer education programs to promote the awareness of sexual violence, domestic violence, dating violence, stalking and consent. These education programs are for all incoming students and new employees. These education programs will include: a statement that these crimes are prohibited at the School; where to locate MTTI’s Violence Against Women (VAWA) Policy & Procedures and the definitions for consent, domestic violence, dating violence, sexual

assault, and stalking located in the policies & procedures. Filing a complaint and the contact information for the Title IX Coordinators.

Section 29.1: Prevention & Awareness Program

This program is to prevent dating violence, domestic violence, sexual assault, and stalking. It will also include Bystander Intervention and Risk Reduction.

Specifically at MTTI, new students will sign off in the orientation book that they have been made aware of MTTI's Violence Against Women (VAWA) Policies & Procedures which they can locate at www.mtti.edu under Student Resources-VAWA. At orientation they will also be made aware of MTTI's Policy prohibiting the offences of domestic violence, dating violence, sexual violence, stalking and consent and the definitions of those which they can review in MTTI's Violence Against Women (VAWA) Policies & Procedures. They will be made aware that there are systems in place if they would like to report a crime by completing a "Reporting Form" and will be made aware of the process to make a formal complaint.

New employees will be given a copy of MTTI's written Violence Against Women Act policies at their new employee orientation. These policies include a statement that these crimes are prohibited on MTTI property; definitions of consent, domestic violence, dating violence, sexual assault, and stalking.

- The Prevention & Awareness Program will also include:
- Bystander Intervention
- Risk Reduction

The Prevention & Awareness Programs will be conducted by New Hope Rape Crisis Center and or/Title IX Coordinators at MTTI.

APPENDIX A

Division of Human Rights

State Headquarters

Massachusetts

617-727-7440

www.mass.gov/mod

Rhode Island

County Government Office

180 Westminster Street #201

Providence, RI

United States Department of Labor

Office of Federal Contract Compliance Program (OFCCP)

201 Varick Street, Room 750

New York, NY 10014

Tel: (212) 337-2006

Fax: (212) 620-7705

United States Equal Opportunity Commission

EEOC National Headquarters

131 Main Street NE, Fourth Flr., Suite 4NW02F Washington, D.C. 20507

Tel: (202) 663-4900

Fax: (202) 663-4912

Office for Civil Rights

OCR National Headquarters

U.S. Department of Education

Office of Civil Rights, Customer Service Team

Mary E. Switzer Building

330 C. Street, S.W.

Washington, DC 20202

Tel: 800-421-3481

Fax: 202-205-9862