

INVESTIGATION AND RESOLUTION PROCEDURES¹

FOR COMPLAINTS OF DISCRIMINATION, DISCRIMINATORY HARASSMENT,
SEXUAL VIOLENCE, SEXUAL HARASSMENT, GENDER-BASED HARASSMENT, DOMESTIC
VIOLENCE, DATING VIOLENCE, STALKING AND RETALIATION

EFFECTIVE MARCH 15, 2015²

¹ These Procedures are taken from the Equal Opportunity, Diversity and Affirmative Action Plan of the nine Massachusetts State Universities (Bridgewater State University, Fitchburg State University, Framingham State University, Massachusetts College of Art and Design, Massachusetts College of Liberal Arts, Massachusetts Maritime Academy, Salem State University, Westfield State University and Worcester State University). Certain information with respect to Bridgewater State University has been added.

² These Investigation and Resolution Procedures are effective as of March 15, 2015. Complaints made or claims reported prior to March 15, 2015 will generally be reviewed under the prior [Sexual Misconduct and Relationship Policy](#) or the [prior EO Plan](#), as applicable, unless otherwise determined by the EO Director, in his/her sole discretion, with respect to continuing or ongoing violations or other pertinent circumstances.

I. INTRODUCTION AND APPLICATION

It is the policy of the Massachusetts State Universities, including Bridgewater State University (the “University”), Fitchburg State University, Framingham State University, Massachusetts College of Art and Design, Massachusetts College of Liberal Arts, Massachusetts Maritime Academy, Salem State University, Westfield State University and Worcester State University (collectively, the “State Universities” and individually, “State University”), to provide each student, employee, and other person having dealings with the institutions an environment free from all forms of discrimination, discriminatory harassment, sexual violence, sexual and gender-based harassment, domestic and dating violence, stalking and retaliation as defined in the State Universities’ [Equal Opportunity, Diversity and Affirmative Action Plan](#) (“EO Plan”), including, but not limited to, the [Sexual Violence Policy](#) and/or each State University’s [Student Code of Conduct](#).

These Procedures are intended to provide a mechanism to investigate and resolve complaints of discrimination, discriminatory harassment, sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation. These Procedures are available to all students, faculty, librarians, staff, visitors, contractors, applicants for employment or admission, and others having dealings with the State Universities.

No community member may retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for filing a complaint under these Procedures or for otherwise exercising his or her rights or responsibilities under the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#) or the [Student Code of Conduct](#).

Complaints of the following prohibited behaviors may be made under these Procedures:

Discrimination or discriminatory harassment on the basis of:

- race
- color
- religion
- national origin
- age
- disability/failure to accommodate
- sex/gender
- sexual orientation
- gender identity
- gender expression
- genetic information
- marital/parental status
- veteran status

Any form of the following prohibited conduct:

- sexual violence
 - rape
 - sexual assault
 - sexual exploitation
 - incest
 - statutory rape
 - aiding in the commission of sexual violence
- sexual harassment
- gender-based harassment
- domestic violence
- dating violence
- stalking

Retaliation

The University has appointed a Director of the Office of Equal Opportunity (“EO Director”) to oversee its compliance with the [EO Plan](#). The EO Director handles discrimination,

discriminatory harassment, and retaliation complaints from and about students, applicants, employees, faculty, staff, and visitors to campus. The EO Director also oversees the University's compliance with the state and federal non-discrimination and equal opportunity laws.

The EO Director is the University's Title IX coordinator and is responsible for the University's compliance with Title IX of the Education Amendments of 1972 ("Title IX") and the administration of the [Sexual Violence Policy](#). In addition, the EO Director is charged with the responsibility for the University's compliance with Title II of the Americans with Disabilities Act of 1990, as amended, and Section 504 of the Rehabilitation Act of 1973.

Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment or retaliation may contact the EO Director at.

Director of the Equal Opportunity Office
Bridgewater State University
Boyden Hall, Room 207
131 Summer Street
Bridgewater, MA 02325
(508) 531-2744
EO@bridgew.edu

II. INVESTIGATION AND RESOLUTION PROCEDURES

Investigations of complaints are necessary to determine:

- whether a complaint alleges a violation of the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#), or the [Student Code of Conduct](#);
- whether prohibited conduct has occurred;
- whether there is an ongoing risk of harm for further prohibited conduct and, if so, what steps must be taken to prevent its recurrence;
- whether interim protective measures should be in place for the safety of the complainant or the community, or to redress the effects of prohibited conduct;
- whether the conduct warrants disciplinary action; and
- whether local or system-wide changes to policies, practices or training should be considered and implemented by the State Universities.

These Procedures have been designed to provide prompt, thorough, fair and impartial processes from investigation to final result. The proceedings pursuant to these Procedures will be conducted transparently and consistently with the State Universities' policies. The formal rules of process or evidence, such as those applied in criminal or civil courts, are not used under these Procedures.

The complaint investigation and resolution process is comprised of two processes, the **Informal Resolution Procedure** and the **Formal Investigation Procedure**, which are detailed below.

Deviations from the Informal Resolution Procedure or Formal Investigation Procedure shall not necessarily invalidate a decision, unless significant prejudice may result to a party or the University.

Note: While these Procedures identify certain University officers and employees who have particular roles and duties, each State University may designate other officers or employees to perform specific roles and/or duties set forth in these Procedures.

A. Informal Resolution Procedure

The Informal Resolution Procedure may not be used in an effort to resolve allegations of sexual violence, domestic violence, dating violence or stalking. If you seek to make such a complaint, the Formal Investigation Procedure in Section B will apply.

Where appropriate, the parties to a dispute may attempt to reach an informal resolution of the potential violation. The University encourages involved parties to request the intervention of the University to assist in an informal resolution by contacting the EO Director.

In conference with the others as necessary, the EO Director or designee will assess the request for informal resolution against the severity of allegations and the potential risk of a hostile environment or safety concern for other campus community members. If an informal resolution is appropriate, the EO Director or designee will notify the parties. The University will not ask a complainant to resolve a problem with a respondent without the involvement of the EO Director or designee.

The EO Director or designee will facilitate a dialog with the parties in an attempt to reach a resolution. At no time prior to the resolution of the matter shall either party question or confront the other, or engage a third party to do so, outside the presence of the EO Director or designee.

The matter will be deemed resolved when all parties expressly agree to an outcome that is acceptable to them and to the University. Every attempt will be made to conclude the Informal Resolution Process within sixty (60) days of the date of the complainant's request.

A complainant is not required to use the Informal Resolution Procedure before initiating the Formal Investigation Procedure. A party may withdraw from the Informal Resolution Procedure and initiate the Formal Investigation Procedure at any time.

B. Formal Investigation Procedure

Submission of Complaint and Initial Review

When a person believes that s/he has been harassed, discriminated or retaliated against, stalked or subjected to violence in violation of the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#) and/or the [Student Code of Conduct](#), s/he may file a written complaint, preferably using the [Complaint Form](#).³ Individuals are encouraged to file complaints directly with the EO Director, but complaints may also be filed with other offices, such as the the Office for Student Affairs, Human Resources, Residence Life and Housing, the Office of Community Standards, or Campus Police. Any complaint that is initially filed with other offices will be reported to the EO Director.

³ Individuals who believe they have been the victim of conduct prohibited by the [Sexual Violence Policy](#) also have options to report such incidents confidentially; victims are encouraged, but not required, to file complaints pursuant to these Procedures. Please see Section F of the Sexual Violence Policy for more information on reporting options.

In certain circumstances, the University may initiate the complaint Investigation and Resolution Procedures without the filing of a written complaint or the active participation of a complainant. Complaints may be generated upon receipt of a report by a complainant or by a third-party reporter, such as, but not limited to, a friend, spouse, family member, advisor, parent or coworker.

A complaint must be filed by the complainant or a University official, and the complaint must be in the words of the complainant or the University official. Complaints should contain all known facts pertaining to the alleged violation, the names of any known witnesses and others with knowledge of the allegations, and an identification of any documents or other evidence.

The EO Director or designee will determine if the complaint falls within the jurisdiction of these Procedures. At this point, the University will implement any necessary and/or appropriate interim protective measures, or monitor and/or revise any measures already in place. If the University determines that the complaint is not properly filed pursuant to these Procedures, it will provide written notice to the complainant (or third party reporter).

Investigation Process

If a complaint has been properly filed, or the University otherwise determines that an investigation is necessary, the University will assign the matter to an Administrative Investigator. The University may also designate other trained and knowledgeable University officials to assist with the investigation. Under circumstances where the University deems it necessary or appropriate, the University may also appoint an external investigator.

The Administrative Investigator will notify the respondent of the complaint, provide him or her with a copy of the complaint, and invite the respondent to submit a written response. See the model Notice to Respondent attached to these Procedures. If the respondent does not respond, or otherwise fails to participate in the investigation, the Administrative Investigator will complete the investigation on the basis of the other information obtained. Where a complaint is brought by a third party reporter, the Administrative Investigator shall attempt to meet with the potential complainant to discuss his/her participation in the investigation, and to gain additional information.

The investigation shall include, but is not limited to: an analysis of the allegations and defenses presented using the preponderance of the evidence (more likely than not) standard; consideration of all relevant documents, including written statements and other materials presented by the parties; interviews of the parties and other individuals and/or witnesses; and/or reviewing certain documents or materials in the possession of either party that the Administrative Investigator has deemed relevant. The Administrative Investigator may also review any available campus police investigation reports or the investigation reports of local law enforcement authorities.

In regards to complaints alleging sexual violence, domestic violence, dating violence or stalking, questions, statements, or information about the sexual activity of the complainant or alleged victim with any person other than the respondent is not relevant and will not be considered. Parties to such complaints are permitted to submit questions for the Administrative Investigator to ask of the other parties and witnesses, but the questions must be specifically about the allegations of the present complaint.

At the conclusion of the investigation, the Administrative Investigator shall prepare an Investigation Report for an administrative review. The Investigation Report shall: outline the investigatory steps undertaken; summarize the factual findings; state whether a policy violation has occurred based on the preponderance of the evidence; explain the rationale for the violation determination; and, if applicable, recommend a sanction(s). The Investigation Report will not be shared with the parties except upon request following the issuance of the Notice of Outcome, and then only in accordance with applicable law.

At any point during the investigation, a respondent may agree to the allegations and the recommended sanction.

Administrative Review

The EO Director or other designated University official(s) (the “reviewing body”) will conduct an administrative review of the Investigation Report. The purpose of the administrative review is to determine whether the investigation is prompt, fair, impartial and thorough. If the reviewing body determines the investigation is deficient, the reviewing body shall remand the matter back to an Administrative Investigator for further investigation.

If the reviewing body determines that the investigation is prompt, fair, impartial and thorough, the reviewing body will then consider whether the recommended discipline or sanction is consistent with University policy and practice. In determining discipline, the Administrative Investigator and the reviewing body may consider the respondent’s disciplinary history, if one exists. The Administrative Investigator and/or reviewing body may discuss sanctions with other University personnel as necessary, such as Human Resources, Student Affairs, Community Standards or upper-level administrators.

At any point during the administrative review, a respondent may agree to the allegations and the recommended sanction.

Notice of Outcome

At the completion of the administrative review, the University will notify the respondent of all sanctions imposed. If the sanctions imposed on the respondent include a separation from the residence halls or the University, and, in the opinion of the Administrative Investigator and/or reviewing body, the respondent poses a continued threat to the safety of the campus community, the sanctions may take effect immediately, and while an appeal is pending.

At the completion of the administrative review, the University will also contemporaneously issue a written Notice of Outcome to the complainant and the respondent. The Notice of Outcome shall include the following:

1. the factual findings of the investigation;
2. the policy violation determination and the rationale for the determination;
3. all sanctions that result from an allegation of sexual violence or other crime of violence;
4. the sanctions that directly relate to the complainant that arise from an allegation of discrimination, discriminatory harassment, non-violent sexual or gender-based harassment, and/or retaliation; and
5. the parties’ appeal rights.

If no appeal is filed by either party within five (5) days of their receipt of the Notice of Outcome, the results will become final and the University will proceed with the imposition of the recommended sanction(s).

A person making a complaint of sexual violence, domestic violence, dating violence or stalking may submit a victim impact statement. A respondent to such a complaint may submit a statement of mitigation or extenuation.

Option for Mediation of Formal Complaints

Mediation may not be requested or used in an effort to resolve allegations of sexual violence, domestic violence, dating violence or stalking.

During a formal investigation, at any time prior to the issuance of the Notice of Outcome, either party may request mediation of the complaint by contacting the EO Director/Title IX Coordinator. All parties must agree to mediation for this option to be used.

The purpose of mediation is to resolve the dispute to the satisfaction of all parties. When mediation is appropriate, the EO Director shall designate an impartial Mediator, who shall be mutually agreed upon and not unreasonably refused by the parties, and inform the parties in writing of the mediation process and schedule. Where practicable, a mediation session shall be conducted no later than thirty (30) days after agreed to by the parties. The timelines presented under these Complaint Investigation and Resolution Procedures shall be tolled pending the outcome of mediation. If successful in resolving the complaint, the Mediator shall reduce to writing the terms of the mediated resolution, which shall be signed by the parties. If mediation does not result in a resolution, all mediation discussions shall remain confidential and may not be used or introduced in this process or any other forum.

Timeframe

The University will make every attempt to conclude the Formal Investigation Process within sixty (60) days of the date of the submission of the complainant. If, for good cause, an investigation cannot be completed within 60 days, the University will provide the parties status updates at reasonable intervals until the investigation is completed.

C. Appeals

Either party may appeal the results of an investigation under these Procedures by submitting a written letter of appeal to the EO Director or designee within five (5) business days of the party's receipt of the Notice of Outcome. An appeal may be transmitted electronically to the EO Director or designee. Appeals may be submitted on the following grounds:

1. to allege a material procedural error within the investigation and resolution process that would substantially change the outcome; or
2. to consider new evidence that was not known at the time of the investigation that would substantially change the outcome.

Appeals will not be considered on any other basis.

Upon timely receipt of the appeal letter, the EO Director or designee shall transmit the Investigation Report and the appeal letter to the appropriate appellate officer or body for review. If the appealing party has presented an appeal on the basis of the grounds set forth above, the appellate officer or body, who shall not have participated in the investigation or administrative review, will review the appeal and make a determination to uphold, reverse or modify the decision. When necessary, the appellate officer or body may seek additional information and/or refer the matter back to the Administrative Investigator, prior to making an appellate determination.

Where practicable, within (30) days of receiving the appeal, the appellate officer or body shall contemporaneously issue a written decision to the parties in which it may uphold, reverse or modify the decision. All appellate decisions are final, provided that any corrective action and/or discipline imposed upon a unit member is subject to applicable collective bargaining agreements.

D. Possible Sanctions And Additional Remedies

For Employee Respondents. Disciplinary action taken against an employee shall be regarded as an administrative action, up to and including termination, subject to all provisions of applicable collective bargaining agreements or personnel policies.

For Student Respondents. A student who has been found to have violated the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#), and/or [Student Code of Conduct](#) may be subject to sanctions including, but not limited to:

- reprimand
- warning
- disciplinary probation
- loss of privileges
- relocation of residence
- restriction from facilities or activities
- temporary or permanent residence hall suspension
- fines and/or restitution
- disciplinary hold
- assessment
- educational program or project
- revocation of admission or degree
- withholding of degree
- suspension
- expulsion

In general, the sanction typically imposed for students for rape or non-consensual sexual intercourse is expulsion. The sanction typically imposed for students for non-consensual sexual contact, sexual exploitation, domestic violence, dating violence and stalking is suspension or expulsion. All student sanctions, however, are determined on a case-by-case basis in consideration of: the seriousness of the violation; sanctions typically imposed for similar violations; prior disciplinary history; and any other circumstances indicating that the sanction should be more or less severe.

Additional Remedies Following Finding of a Violation.

Where necessary, the University will provide additional measures to remedy the effects of a violation. These remedies are separate from, and in addition to, any protective interim measures that may have been provided or sanctions that have been imposed. If the complainant declined or did not take advantage of a specific service or resource previously offered as a protective

interim measure, such as counseling, the University will re-offer those services to the complainant as applicable or necessary.

In addition, the University will consider broader remedial action for the campus community, such as increased monitoring, supervision, or security at locations where the incidents occurred, increased or targeted education and prevention efforts, climate assessments/victimization surveys, and/or revisiting its policies and Procedures.

III. RELATED INFORMATION AND DEFINITIONS

For the purposes of these Procedures, the following terms are defined and used as follows:

Complainant. An individual who makes a complaint under these Procedures. The Complainant may also be the University under certain circumstances.

Respondent. An individual who is accused of violating the [EO Plan](#).

Day. A day shall mean a calendar day.

Discipline or Sanctions. The terms may be used interchangeably.

Advisors. Each victim, complainant or respondent to an investigation initiated under the Complaint Investigation and Resolution Procedures is entitled to have an advisor present during any meetings regarding the process (other than meetings between victims and University officials regarding accommodations or protective interim measures) and disciplinary proceedings. Except as otherwise required by law, the advisor may observe, but may not participate in any way whatsoever, including, without limitation, by asking questions or speaking during the meeting or proceeding. The advisor's role is to provide support and/or advice to the party. During meetings and proceedings, the advisor may speak with the party or pass notes in a non-disruptive manner. The University reserves the right to remove from the meeting or proceeding any advisor who disrupts the process, or who does not abide by the restrictions on their participation. In addition, please note that the University does not need to cancel or delay a meeting or proceeding simply because an advisor cannot be present. Further, the advisor is not permitted to attend a meeting or proceeding without the advisee.

The personal advisor for a complainant, a student respondent or a non-unit employee respondent can be any person, including an attorney. For respondents who are unit members, the personal advisor shall be a union representative or other University employee pursuant to the respondent's Weingarten rights. A respondent who is a unit member may choose as an advisor a person who is not a union representative or other University employee, but the unit member will not be allowed two advisors. If the advisor is an attorney, the University's legal counsel may also attend the meeting or proceeding.

Referrals to Title IX Coordinator. Complaints of sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking and retaliation will be referred to the Title IX Coordinator for evaluation. Before starting an administrative investigation, the Title IX Coordinator or his/her designee will determine whether the reported facts, if true, would violate the [Sexual Violence Policy](#) and/or the [Student Code of Conduct](#), and may consult with the complainant to obtain more information and discuss his/her options.

Interim Protective Measures. Upon review of a complaint, the University may determine that interim protective measures are necessary or appropriate. The University will implement interim measures as described in Section H of the [Sexual Violence Policy](#). Interim measures may also be instituted and/or modified at any point during the investigation and resolution process.

Off Campus Behavior. The University may investigate off-campus conduct alleged to violate the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#), and/or [Student Code of Conduct](#) when such conduct involves behavior by or toward a community member, which (1) occurs during University-sponsored events or the events of organizations affiliated with the University, including study abroad and outside internships; (2) negatively impacts a victim's access to education programs and activities; (3) adversely affects or disrupts the campus community; and/or (4) poses a threat of harm to the campus community.

Grade Disputes. While grade changes must generally be pursued through the academic grade change procedure, a complaint may proceed under these Procedures when a student alleges that a grade was improper because of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation. The remedy for policy violations in cases pursued under these Procedures may be determined and/or implemented in conjunction with Academic Affairs.

Amnesty. Students may be hesitant to report sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation out of concern that they, or witnesses, might be charged with violations of the University's drug/alcohol policies. While the State Universities do not condone such behavior, they place a priority on the need to address sexual violence and other conduct prohibited by the [Sexual Violence Policy](#). Accordingly, a University may elect not to pursue discipline against a student who, in good faith, reports, witnesses or possesses personal knowledge of sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation.

Conflicts of Interest. If any University official involved in the investigation, resolution or appeal process believes there is a potential or actual conflict of interest regarding their role, they must disclose this conflict in advance to the EO Director/Title IX Coordinator or designee. Likewise, if a complainant or respondent believes there is a conflict of interest present regarding any University official involved in the investigation, resolution or appeal process, s/he must disclose the conflict in advance to the EO Director/Title IX Coordinator or designee. If a valid conflict of interest exists, the University will take steps to remedy or eliminate the conflict.

Confidentiality of Process. These Procedures will be conducted as confidentially as reasonably possible to protect the privacy of all involved. The State Universities may share information about the allegations with parties, witnesses or others on a need-to-know basis, and shall share information with union representatives pursuant to Mass. Gen. Laws Chapter 150E, or as otherwise required by law. All with whom information is shared shall be advised of the confidential nature of the information and directed not to discuss it with anyone except an advisor or union representative. See Section F of the [Sexual Violence Policy](#) for more information about confidential reporting options.

Joint Investigation. In some circumstances a respondent's conduct may constitute a potential violation of other University conduct policies in addition to the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#) and/or the [Student Code of Conduct](#). To avoid duplicative

efforts, the University may undertake a joint investigation of the conduct under these Procedures. Based on the findings of the joint investigation, the respondent may be subject to disciplinary action for violations of the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#) and/or the [Student Code of Conduct](#), as well as other policy violations.

Preponderance of the Evidence. The standard of review used to evaluate all complaints. Under this standard, conclusions must be “more likely than not.” Accordingly, the fact-finder must find that it is more likely than not that the respondent violated the University’s [EO Plan](#), including but not limited to the [Sexual Violence Policy](#), [Student Code of Conduct](#) or other relevant University policy.

Notice of Meetings and Access to Information. Each party to an investigation will be provided timely notice of meetings at which such party or both parties may be present. The parties will be afforded the same and timely access to any information that the University is aware will be used at any meeting or hearing. Where appropriate or required by law, the University may redact the complainant’s name and other identifying information from any information provided to the respondent, including the specific charge and the complaint or related materials.

Training of Officials Who Participate in the Investigation and Resolution Process. Proceedings pursuant to these Procedures are conducted by officials who receive annual training on the issues of discrimination, discriminatory harassment and retaliation. Officials also receive training specific to matters of sexual and gender-based harassment, domestic violence, dating violence, stalking, as well as how to conduct an investigation that protects the safety of complainants, promotes accountability, and provides all parties with the same opportunities to be accompanied to meetings or proceedings by an advisor of their choice.

Refusal of Participation. In cases where a complainant or respondent (or both) refuses or fails to participate in the investigation and resolution process, the University may continue the process without the complainant and/or respondent’s participation. The failure of the respondent to participate in the investigation and resolution process will not prevent the University from imposing discipline or other sanctions when a violation is found.

Right to File an Outside Complaint. Individuals have the right to file charges of discrimination, discriminatory harassment, sexual violence, sexual or gender-harassment, domestic or dating violence, stalking or retaliation at any time with the appropriate government agency, with or without utilizing these Procedures. More information about filing an outside complaint can be found in the [Policy Against Discrimination, Discriminatory Harassment and Retaliation](#) and the [Sexual Violence Policy](#), both of which are contained in the [EO Plan](#).

Concurrent Criminal or Civil Proceedings. Persons may be accountable to both the State Universities and the state for conduct that constitutes potential violations of the [EO Plan](#), including but not limited to the [Sexual Violence Policy](#) and/or [Student Code of Conduct](#) and state or federal law. University investigations may be conducted before, after or simultaneously with civil or criminal proceedings, and University investigations are not subject to challenge on the grounds that civil or criminal charges involving the same conduct have been dismissed or reduced. When a person has been charged with a crime or a violation of civil law, the State Universities will neither request nor agree to special consideration for the individual solely because of his/her student status. Persons subject to parallel criminal charges shall be instructed that their statements and/or other information supplied by them may be subject to subpoena.

When a criminal investigation of an incident of sexual violence, sexual or gender-based harassment, domestic or dating violence, stalking or retaliation is also occurring, the University will not delay its investigation due to the criminal investigation, unless law enforcement requests to gather evidence. When law enforcement makes such a request, the University will typically resume its investigation within three to ten days.

Withdrawal of Complaint. The complainant may withdraw a complaint at any point during the investigation. The EO Director/Title IX Coordinator, or designee, however, may determine, in their discretion, that the allegations raised in the complaint warrant further investigation despite the complainant's desire to withdraw the complaint. See Section G(1) of the [Sexual Violence Policy](#) for more information on the circumstances under which the University may elect to proceed with an investigation of alleged sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation.

MODEL COMPLAINT FORM

**BRIDGEWATER STATE UNIVERSITY
COMPLAINT FORM
EQUAL OPPORTUNITY PLAN**

Please complete this form and submit it to the Director of the Office of Equal Opportunity/Title IX Coordinator, Bridgewater State University, Boyden Hall, Room 206, 131 Summer Street, Bridgewater, MA 02325 or by email to EO@bridgew.edu.

This form is used to report information necessary to initiate an investigation of alleged discrimination, harassment, sexual or gender-harassment, domestic or dating violence, stalking or retaliation pursuant to the Equal Opportunity, Diversity and Affirmative Action Plan (“EO Plan”) and/or the Student Code of Conduct.

It is unlawful to retaliate against a student, employee or any other person affiliated with the University for filing a complaint or for cooperating in an investigation of a complaint.

All parties to a complaint may have one personal advisor (for union employees this may be a union representative) assist them throughout the process as described in the EO Plan, including the complaint Investigation and Resolution Procedures.

Name: _____

Address: _____

Phone Number: _____ **Email Address:** _____

Relationship to BSU (e.g., student, employee, guest, other):

Person(s) against whom the allegation is made:

Basis of Complaint (indicate one or more below):

A. Discrimination or harassment on the basis of:

<input type="checkbox"/> Race	<input type="checkbox"/> Age	<input type="checkbox"/> Sex	<input type="checkbox"/> Gender
<input type="checkbox"/> Color	<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> National Origin
<input type="checkbox"/> Religion	<input type="checkbox"/> Genetic Information	<input type="checkbox"/> Gender Identity	<input type="checkbox"/> Gender Expression
<input type="checkbox"/> Veteran's Status	<input type="checkbox"/> Marital or Parental Status		

B. Type of alleged sexual violence or other prohibited conduct:

Sexual Assault:		
<input type="checkbox"/> Rape	<input type="checkbox"/> Non-consensual sexual intercourse	<input type="checkbox"/> Non-consensual sexual touching
<input type="checkbox"/> Sexual Exploitation	<input type="checkbox"/> Incest	<input type="checkbox"/> Statutory Rape
<input type="checkbox"/> Domestic Violence	<input type="checkbox"/> Dating Violence	<input type="checkbox"/> Aiding in Sexual Violence
<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Gender-Based Harassment	<input type="checkbox"/> Stalking
<input type="checkbox"/> Other		

C. Retaliation (e.g. based on filing of or participation in an earlier complaint or claim)

Description of Complaint. Please list the sequence of events, including dates, if possible, and any relevant facts, statements and evidence currently known to you (if additional space is needed, please attach additional sheets):

Please identify all witnesses to the acts or who may have information regarding your allegations.

Name:	Phone #:	Email or Address:

Please identify and attach any documents or other evidence regarding the alleged acts, such as emails, correspondence, text messages, social media posts, or other materials:

Has this complaint been reported to anyone else and whom?

What remedy are you seeking?

Please include any additional information here:

I affirm that the above information is complete, accurate and true and not a “false charge” as determined under the EO Plan to the best of my knowledge and belief. I understand that a copy of this document is required to be disclosed to the person(s) against whom this complaint is made. In addition, I understand that the information I have provided will be shared to the extent possible, only with people responsible for handling the University's response to this case.

I hereby submit this complaint under the EO Plan complaint Investigation and Resolution Procedures.

I have attached the following number of pages (not including this form):

Signature: _____

Date: _____

NOTICE TO RESPONDENT

Date: _____

To: _____, Responding Party

From: _____, Administrative Investigator

Subject: Complaint of Discrimination, Discriminatory Harassment, Sexual Violence, Sexual Harassment, Gender-Based Harassment, Domestic Violence, Dating Violence, Stalking and/or Retaliation

This is to notify you that on _____ a complaint alleging a violation of the University’s Equal Opportunity, Diversity and Affirmative Action Plan (“EO Plan”) and/or the Student Code of Conduct was filed against you with the University. A copy of the complaint is attached, as is a copy of the complaint investigation and resolution procedure. Please submit to me a written response to the complaint.

An Administrative Investigator will be contacting you to schedule an appointment to discuss this matter. Please be advised that it is unlawful to retaliate against a student, employee or any other person for filing a complaint or for cooperating in an investigation related thereto.

All reasonable efforts will be made to maintain confidentiality during the complaint procedure.

If you are an employee, any disciplinary sanctions imposed as a result of this investigation shall be regarded as an administrative action subject to all terms and conditions of applicable collective bargaining agreements or personnel policies.

All questions concerning this matter should be addressed to the Equal Opportunity Director/Title IX Coordinator at (508) 531-2744 or EO@bridgew.edu or Administrative Investigator at _____.

Finally, all parties to a complaint may have a personal advisor (for union employees this may be a union representative) assist them throughout the process, in accordance with Sexual Violence Policy, Student Code of Conduct and applicable collective bargaining agreements.