

Playing It Safe

A Guide for
Keeping Safe
at Harvard



HARVARD UNIVERSITY
POLICE DEPARTMENT

2018 Annual Security Report



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Chief's Greeting



Dear Friends:

The Harvard University Police Department (HUPD) is committed to maintaining a safe and secure campus by providing quality policing in partnership with the community. Together, the Department and the community can work to create an environment free from the distraction of criminal activity and disorder, for the pursuit of education and scholarship that brings people to Harvard University. Although reported crime at Harvard is low (and about 93% of it is property crime), it is important for students, faculty, staff, and visitors to remember that we are located in an urban setting and must contend with many of the crime and safety issues that exist in any city. Preserving the safety and security of the University is the combined responsibility of the entire community.

If after reading "Playing it Safe", you have any questions about your safety or security or want to talk to an HUPD officer, feel free to stop by any of our substations or our headquarters at 1033 Massachusetts Avenue, sixth floor. By taking the time to familiarize yourself with our resources and by using the information provided in this booklet, you will be actively assisting us in maintaining a safe and secure campus for all students, faculty, and staff.

Sincerely,

Francis "Bud" Riley

Chief of Police



About the Harvard University Police Department



Overview

The mission of the Harvard University Police Department (HUPD) is to maintain a safe and secure campus by providing quality policing in partnership with the community. The HUPD pursues this mission within the University context of free expression, rigorous inquiry, vast diversity, and pursuit of distinction. The HUPD honors these traditions and seeks success by means that are moral, constitutional, and respectful of individual rights and community interests. HUPD's headquarters is located at 1033 Massachusetts Avenue, on the sixth floor.

The HUPD is responsible for the safety and security of more than 19,000 students, 14,000 faculty and staff members, and 700 buildings in an open and accessible environment. The HUPD is a full-service police department (comprising a Patrol Division, Criminal Investigation Division, and Dignitary Protection Unit) that includes police officers, detectives, civilian communication dispatchers, and support and administrative personnel.

Some core functions of the Department are: responding to criminal incidents; checking on the well-being of students, faculty, and staff; responding to disturbances; providing escorts; taking reports of lost and stolen property;

responding to lockouts; investigating suspicious activity; responding to alarms; and investigating trespassers or unwanted guests.

HUPD officers are sworn special State Police officers with deputy sheriff powers; this gives them the authority to make arrests for criminal offenses committed on campus and for any "breach of the peace" on city streets in Cambridge, Somerville, and Boston, though HUPD ordinarily travels only those streets within our campus. Officers receive the same academy training as officers from Cambridge. With the exception of certain crimes, such as homicide, the HUPD has primary jurisdiction over all crimes occurring on campus.

HUPD does not have a formal memorandum of understanding with other local police forces regarding the investigation of alleged criminal incidents, but the Department maintains a close working relationship with Cambridge Police, Boston Police, Massachusetts State Police, and Somerville Police and will coordinate with them at times in order to ensure the most appropriate response to criminal incidents occurring both on campus and the areas immediately adjacent to campus. Officers have the authority to enforce state and local laws and University policies.

Security officers do not have the power the arrest.



Harvard University Police Department

About the Harvard University Police Department

Responsibilities to the Community

- To protect life and safeguard property
- To create a safe and secure environment for the entire Harvard University community
- To prevent crime, control criminal behavior, maintain order, and reduce fear of crime
- To accomplish all police objectives legally and constitutionally, guided by HUPD values and mindful at all times of the rights of individuals and the interests of the community
- To create partnerships with Harvard and community groups, service agencies, institutions, and other criminal justice agencies
- To identify and solve problems
- To listen to community concerns
- To establish and support crime prevention programs
- To respond to calls for service
- To investigate crimes
- To apprehend those who commit crimes
- To help to convict persons charged with crimes

Preparing the Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (The Clery Act) requires all institutions of higher education to provide students and employees with information about their security policies and procedures and statistics on reported incidents of certain crimes ("Clery Crimes").

Harvard's annual statistics include Clery Crimes that occurred within Harvard's Clery Geography, meaning: on campus, in or on non-campus buildings or property, or on public property, as those terms are defined in the Clery Act.

In addition to its Cambridge and Longwood campuses, Harvard University also maintains five additional campuses:

- Arnold Arboretum – Boston, Massachusetts
- Concord Field Station – Bedford, Massachusetts
- Harvard Forest – Petersham, Massachusetts
- Center for Hellenic Studies – Nafplion, Greece
- David Rockefeller Center for Latin American Studies – Santiago, Chile

The annual crime statistics report includes information requested and obtained from the following sources in addition to the HUPD: Cambridge Police, Boston Police, Massachusetts State Police, Somerville Police, police departments in other jurisdictions where applicable, and non-police Campus Security Authorities. "Campus security authorities" are defined by federal law as university officials who have "significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities. Reporting for the purposes of the Clery Act does not require initiating an investigation or disclosing identifying information about the alleged victim.



About the Harvard University Police Department

All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by HUPD. HUPD submits the annual crime statistics published in this brochure to the U.S. Department of Education. The statistical information gathered by the Department of Education is available to the public on its website. All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by HUPD. HUPD submits the annual crime statistics published in this brochure to the U.S. Department of Education. The statistical information gathered by the Department of Education is available to the public on its website.

All policy statements included in this report pertain to all campus locations except as noted in Appendix 4.

On-Campus Criminal Investigations

With respect to conduct that takes place on campus, HUPD officers investigate criminal complaints filed by community members and pursue investigations to their most reasonable conclusion. Detectives from the Criminal Investigation Division may conduct follow-up investigations, with support when necessary from a number of law enforcement partners, including the Massachusetts State Police, Boston Police, Cambridge Police, Somerville Police, federal agencies, District Attorneys' offices, and victim-witness programs.

One of HUPD's central concerns is the interests of the victim. The HUPD recognizes the importance of confidentiality and of protecting the identity of the victim to the extent possible in the course of an investigation. In criminal matters, the victim's preferences may greatly influence the way in which a case is processed.

Regardless of whether a criminal case is pursued through the courts, the University may use its internal disciplinary processes and procedures to address behavior that is alleged to have violated Harvard's expectations for conduct.

Off-Campus Criminal Investigations

When a student is involved in an off-campus incident involving disorderly or criminal behavior, HUPD officers may assist the local police department in its investigation. On a regular basis the Cambridge and Boston Police also share with the HUPD incident reports that involve off-campus disorderly behavior or criminal activity committed by Harvard students. The HUPD shares those reports with the appropriate school or department for follow-up, potentially including disciplinary action.



About the Harvard University Police Department

Certain officially recognized student organizations own or control non-campus property, though none have non-campus housing facilities. If Cambridge or Boston Police are called by a citizen to respond to an incident involving Harvard students taking place at one of these locations, or on other private property, they typically will invite HUPD to respond with them or they will notify HUPD after they have responded to inform HUPD of any disorderly behavior or criminal activity. However, the Cambridge and Boston Police Departments do this out of courtesy and are not obligated to notify or involve the HUPD when they respond to a call involving private property. However, the Cambridge and Boston Police Departments are not obligated to notify or involve the HUPD when they respond to a call involving private property.

Community-Oriented Problem-Solving (COPS) Philosophy

To fulfill its mission of maintaining a safe and secure campus, the Department has adopted a community-oriented problem-solving (COPS) philosophy. The core components of the Department's COPS philosophy are:

- **Prevention**
- **Partnerships**
- **Problem solving**

Officers are committed to preventing crime and disorder and focus their efforts on eliminating the underlying causes of those problems. To do this officers actively engage in partnerships with the community to address and solve problems. Partnerships are the foundation of effective problem solving and crime prevention. Through these partnerships and collaborative problem solving, officers deal with problems, prevent crime, and help maintain a community free of disorder.



To help build, maintain, and strengthen these partnerships within the University community, the Department is divided into the six geographic-based teams listed below. Officers are then further assigned to specific buildings, departments, and schools within their patrol areas. Officers are expected to engage in both formal and informal community outreach at locations and with students, faculty, staff, and visitors on a daily basis.

- Allston
- Longwood
- North Yard
- Radcliffe
- River
- Yard

The HUPD operates substations where community members can register their laptops or bicycles, file a police report, or talk to an officer about any safety issues that they have. Each substation posts its own hours of operation. Location of substations:

- 90 Smith Street (Longwood Campus)
- 29 Garden Street, ground floor
- Wexner Building (Harvard Kennedy School), ground floor
- Mather House, first floor



About the Harvard University Police Department

Community Outreach

As part of the Department's Community-Oriented Problem-Solving philosophy, HUPD officers are assigned small geographic areas of responsibility and are tasked with building relationships with the community. As those relationships grow, officers become familiar with problems specific to their area through the increased communication and interaction with community members. The HUPD feels community members are more likely to trust officers whom they see on a repetitive basis, and who engage them on occasions that are not incident-based.

Community members who see HUPD officers as fellow members of their community - and not just enforcement officials - are far more likely to share information on criminal activity or other problems with them than they would with someone who is a stranger, albeit one who wears a uniform. Therefore, officers are encouraged to form relationships with the community above and beyond answering calls for service. These conversations present an opportunity for officers to solicit information about ongoing problems and concerns, thereby facilitating officers' problem-solving efforts.

The Department assigns individual officers to geographically-based community-policing teams. The officers (assigned by shift - 7:00 AM to 3:00 PM, 3:00 PM to 11:00 PM, and 11:00 PM to 7:00 AM) are the primary contact for those locations. The officers serve as a resource to deal with ongoing problems or issues that arise in their areas. To assist in facilitating the integration of the officer into the community the Department has created facebook pages for each team. The facebook page includes the officer's shift assignment and their email address. The facebook pages can be found at <http://www.hupd.harvard.edu/facebook>.

If your school, house, department, or location want to arrange for an officer to come out and conduct a safety talk or a bicycle/laptop registration, please contact one of the sergeants assigned to your team in order to arrange the meeting.

Professional Conduct

The HUPD's relationship with the community is vital to achieve our mission. All community members should expect to be treated in a courteous and professional manner by members of the Department. Occasionally questions arise regarding professional conduct. The Department does not tolerate unprofessional or rude conduct by our employees, and expects all employees to provide an appropriate level of service. The quality of our service is dependent in part on feedback from the community, and the Department has an extensive process in place to respond to complaints.

We also wish to recognize instances where our employees have been especially helpful or have exceeded expectations in the service that they have provided. The community is encouraged to bring to the Department's attention both compliments and questions of professionalism by contacting one of the following individuals in a timely manner:

- **The On-duty Supervisor at 617-495-1786**
(available 24 hours a day)
- **The Office of the Chief at 617-495-1780**
(Monday through Friday, 9:00 am to 5:00 pm)

Additionally, community members can commend or make a complaint against an officer online at <http://www.hupd.harvard.edu/professional-conduct>. Community members may include their name and email address or may submit reports anonymously. Anonymous complaints will be investigated but the investigation may be limited if the complainant cannot be reached to answer follow-up questions.



Calling the HUPD / Reporting a Crime



Reporting Crime, Emergency or Suspicious Activity

Students, faculty, and staff are strongly encouraged to report all criminal and suspicious activity to the HUPD in an accurate and timely manner. Harvard community members should remember that reports may be made on behalf of another, when, for example, the victim of a crime does not elect to or is unable to make such a report. Timely reporting of information assists us in intervening in potential criminal activity and apprehending suspects. Please do not delay in calling. Criminal offenses should be reported to HUPD promptly so that the Department can determine whether a Timely Warning notice is necessary and so that the information can be included in the annual disclosure of crime statistics.

To reach the HUPD in an emergency, call **617-495-1212**. Community members are strongly encouraged to store **617-495-1212** in their cell phone speed dial list.

If a community member calls 911 from an on-campus phone, the call will go to either the Cambridge Police or the Boston Police depending on their location. As the HUPD maintains a good working relationship with both departments, they

will generally inform the HUPD of the 911 call. Community members who call 911 from a cell phone will be connected with the Massachusetts State Police, which then will transfer the call to the appropriate jurisdiction, unless the incident occurred on state-owned property (the area around the Charles River and the Fenway).

Reports of criminal and suspicious activity also may be made to Campus Security Authorities, such as deans of students or Title IX coordinators.

Response to Reported Incidents

In the event of a reported crime or emergency, there will be a public safety response to your location, either by the HUPD alone or a joint response. Dispatchers are available to answer calls 24 hours a day at **617-495-1212**. In response to a call, the HUPD will take appropriate action, either dispatching an officer or asking the victim to come to the HUPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record if a case goes to court. HUPD incident reports involving Harvard students, faculty or staff may be forwarded to the relevant School or Department for review and potential referral to the appropriate disciplinary process. At its discretion, the HUPD may conduct further investigation into an initial report. Additional information obtained from any such investigation also may be forwarded to the relevant School or



Harvard University Police Department

Calling the HUPD / Reporting a Crime

Department. If assistance is required from the Cambridge Police, Boston Police, Massachusetts State Police, or Somerville Police, or from the Boston, Cambridge or Somerville Fire Departments, then the HUPD will contact the appropriate unit. In the event of a reported sex offense, initial responders, including HUPD, will make sure the survivor is aware of the wide variety of available resources.

Blue Light Phones

Police assistance phones are located at outdoor locations throughout the campus; they have blue lights above them for easy identification. These phones should be used to report suspicious activity, crimes in progress, or any emergency situation. The dispatcher will identify the location of the phone being used and will dispatch police and other security personnel as necessary.

If You See Something, Say Something

In order for the HUPD to maintain a safe and secure environment for the students, faculty, and staff of the University, it needs the help of the community. The HUPD cannot do it alone! We need you to serve as our eyes and ears. You are in a better position than HUPD to identify behavior and activities that are out of the ordinary in your residence or workplace. When you do identify suspicious behavior we need you to call the HUPD at **617-495-1212** immediately. Don't delay!

You should trust your instincts. If something doesn't seem right, it probably isn't. Don't ignore it or keep it to yourself. Call us – even if you are unsure about what is occurring. We are not encouraging community members to intervene or take actions on their own. We just need you



to alert us to the situation. We will then dispatch officers immediately to investigate and take appropriate action.

By being vigilant and looking out for each other, students, faculty, and staff can do their part to assist the HUPD in keeping the University safe and secure. Whatever hesitation you might have about calling the HUPD is far outweighed by the benefit of alerting us of potential criminal behavior.

What Is Suspicious Behavior?

Signs of behavior that might be suspicious:

- A person trying to enter a residence without the proper access card
- A person running and looking about furtively, as if he or she were being watched or chased
- A stranger carrying property at an unusual hour or location, especially if the items are computers or other electronic equipment, office machinery, or locked bicycles
- A person going door-to-door in an office building or a residential area
- Any person forcibly entering a locked vehicle or building



Calling the HUPD / Reporting a Crime

- Transactions being conducted from vehicles, especially near schools or parks. These may be illegal drug sales or sales of stolen property.
- One or more persons sitting in a parked car closely scanning the surrounding area
- Any person (especially a juvenile or female) being forced into a vehicle
- A person exhibiting unusual mental or physical symptoms
- Unusual noises, including gunshots, screaming, sounds of fighting, barking dogs, or anything suggesting foul play, danger, or illegal activity

It is important to remember that people aren't suspicious, behavior is. When in doubt, call! If you witness any suspicious activity, call the HUPD immediately at **617-495-1212**.

Anonymous Reporting

Community members can report criminal or suspicious activity anonymously either by calling a twenty-four hour automated voice mail system at **617-496-2700** or by reporting online at www.hupd.harvard.edu/anonymous-reporting.

This telephone number can be used to report domestic violence and sexual assaults, drug usage and dealing, or any other criminal activity, though should not be used during emergencies. The information provided in any anonymous report should be as detailed as possible. The purpose of an anonymous report is to allow the University to keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

Voluntary Confidential Reporting

Community members who have been the victim of a crime but do not want to pursue action within either the University system or the criminal justice system may want to consider asking an HUPD officer to file a report on the details of the incident without revealing their identity. As with an anonymous report, the purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to enhance the future safety of the victim and others in the community. This allows the University to keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

Other Resources for Confidential Support at Harvard

Counseling and Mental Health Services (CAMHS), part of Harvard University Health Services, provides comprehensive outpatient care for a variety of concerns.

Harvard Chaplains are a professional community of more than thirty chaplains, representing many of the world's religious, spiritual and ethical traditions, who share a collective commitment to serving the spiritual needs of the students, faculty and staff of Harvard University.

CAMHS providers and Harvard Chaplains are not considered to be campus security authorities for Clery Act purposes and are not required to report crimes for inclusion in the annual disclosure of crime statistics. They may, if and when they deem it appropriate, inform those they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.



Behavioral Assessment and Consultation Team (BACT)



BACT

The Harvard University Behavioral Assessment and Consultation Team (BACT) was created in the fall of 2012. The creation of the team formalized the process that had been used in the past to handle disruptive, disturbing or threatening behaviors that could affect the campus. The team is intended as a multidisciplinary resource to provide University officials and others with expertise and counsel when confronted with a situation that could present a risk to the safety of the campus. BACT is an interdisciplinary team consisting of subject matter experts from law enforcement, mental health services, academic services, human resources, student affairs, employee assistance, and legal counsel.

Mission

BACT employs a proactive, collaborative, coordinated, and fact-based process. Working in concert with the school or department, BACT brings its expertise to the identification, assessment, consultation, intervention, and management of situations that pose, or may potentially pose, a threat to the safety and well-being of the campus community.

Purpose

BACT is not an administrative, treatment or disciplinary body; rather it is designed to provide expertise, information, recommendations, and referrals to those dealing with threatening or disruptive situations. It does not adjudicate, discipline or impose sanctions against any member of the University, nor does it provide or mandate treatment.

Early Intervention is Essential

Working with University administrators to support the safety and well-being of the campus community is a responsibility of all members of the Harvard community. Campus safety is enhanced when community members identify behaviors of concern and report them promptly. Early identification of concerns allows the University to intervene more effectively to address behaviors that pose risks to the learning, working, and living environment of Harvard University.

How to share your concern

If you are aware of an emergency or immediate safety concerns, call the Harvard University Police Department immediately at **617-495-1212**.



Behavioral Assessment and Consultation Team (BACT)

If you are concerned about threatening behavior or a disturbing situation that is NOT an emergency event, contact your school or department administration or the University's BACT staff person, Steven Catalano at the **617-495-9225** or steven_catalano@hupd.harvard.edu.

For additional information on the BACT please visit <http://www.hupd.harvard.edu/bact-team>.

Active Shooter Safety Guidelines

Since the tragic events at Virginia Tech, Northern Illinois, Aurora Colorado, and Newtown Connecticut, many students, faculty, and staff have asked the Harvard University Police Department what they should do in the event of an "active shooter" incident on campus. Even though active shooters on college and university campuses are extremely rare, the HUPD understands that these incidents provoke a lot of fear and anxiety. In the spring of 2013 the HUPD began providing training to community members on how to respond to an active shooter on campus.

Because most incidents are over within minutes, students, faculty, and staff must be prepared to deal with the situation until first responders arrive. These situations are unpredictable. However, there are a few steps that one can take immediately. As these situations evolve quickly, quick decisions could mean the difference between life and death. If you are in harm's way, you will need to decide rapidly on the safest course of action based on the scenario that is unfolding before you.

In an active shooter situation, you should quickly determine the most reasonable way to protect your own life. You should:

- 1. Run:** If there is an accessible escape path, attempt to evacuate the premises.
- 2. Hide:** If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.
- 3. Fight:** As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.

To see "run, hide, fight" demonstrated please view the Department of Homeland Security's "Options for Consideration" active shooter training video at <https://www.dhs.gov/video/options-consideration-active-shooter-preparedness-video>.

For additional information on the HUPD's active shooter safety guidelines please visit www.hupd.harvard.edu/active-shooter-safety-guidelines.

If you are interested in arranging a presentation on the Harvard University Police Department's Active Shooter Safety Guidelines please contact Steven G. Catalano, the Special Advisor to the Chief of Police, at **617-495-9225** or by email at steven_catalano@hupd.harvard.edu.



Crime Awareness



Timely Warnings

The HUPD provides timely warnings (called “Community Advisories”) to the University community when a situation occurs within Harvard’s Clery Geography and represents a serious or continuing threat. Decisions to disseminate a warning will be decided on a case-by-case basis in light of all the facts surrounding the crime and the continuing danger to the campus community. The purpose of the warning is to aid in the prevention of similar crimes by alerting the community about the incident and providing information on the actions people can take to diminish their chances of being victimized.

The amount and type of information presented in the warning will vary depending on the circumstances of the crime. If there is certain information that could compromise law enforcement efforts, it may be withheld from the timely warning notice. An effort will always be made to distribute a warning as soon as pertinent information is available so that the warning is a preventive tool, not solely a description of the incident.

Timely Warning Notices are typically issued for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:



[Harvard University Police Department](#)

major incidents of arson, aggravated assault, and murder/non-negligent manslaughter, robbery, and sex offenses. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the HUPD. For example, if an alleged assault occurs between two students who have a disagreement, there may be no on-going threat to other Harvard University community members and a Timely Warning Notice would not be distributed. Cases involving sexual assault are often reported long after the incident occurred, in which case there is no ability to distribute a “timely” warning notice to the community. Thus, whether to issue a Timely Warning Notice based on a reported sex offense will be determined on a case by case basis depending on when and where the incident occurred, when it was reported, and the amount of information known by HUPD. Similarly, HUPD will assess reports of property crimes and will distribute a Timely Warning Notice in the event of a pattern of crime that poses a serious or continuing threat to the community. The Chief of Police or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Timely Warning Notice is warranted. Timely Warnings also may be posted for other crime classifications and locations, as deemed necessary. Timely Warning Notices will be

Crime Awareness

issued to students and employees in a manner that is timely, that withholds the names of the victims as confidential, and in a manner that aids in the prevention of future similar crimes.

Timely Warning Notices are typically written and distributed by staff in the Office of the Chief of Police. Harvard Public Affairs & Communications (HPAC) is also authorized to distribute Timely Warning Notices, at the discretion of the Chief of Police or designee. Timely Warning Notices are distributed to the Harvard University community via blast email and posted on the HUPD website. Because many members of our community travel between the Cambridge and Longwood campuses, as a courtesy, Timely Warning Notices covering a crime on one campus will be sent to both campuses.

Harvard is not required to issue a Timely Warning with respect to crimes reported to Counseling and Mental Health Services (CAMHS) providers or to Harvard Chaplains .

To view current and archived advisories please visit: <http://security.harvard.edu/pages/advisories>.

Emergency Management Framework

Harvard University's schools, departments, and senior leadership maintain a variety of emergency management plans that are designed to provide the framework for managing incidents, no matter the type, scale or complexity. While these plans do not cover every conceivable contingency situation, they do supply guidelines and procedures to cope with most campus emergencies.

Harvard's emergency management structure is designed to be scalable to the needs of the emergency, consisting of school and department

emergency management teams and a university-wide Crisis Management Team. School and department teams are called upon in emergency situations to provide local leadership and implement University policies, where necessary. In the event of a campus-wide emergency, executive leadership is provided by the Crisis Management Team.

Emergency Communications

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the University and HUPD have at their disposal a wide variety of communication tools including:

- **MessageMe** –University's high speed, community-wide mass notification system
- www.harvard.edu/emergency - a special website activated at the time of major emergencies
- **617-496-NEWS (6397)** - an automated notification line available in the event of an emergency
- **617-432-6666** - an automated notification line specific to the Longwood campus
- School and University websites
- Social Media
- Email
- **Face to Face Communication**

MessageMe is the University's primary tool for emergency notifications to members of the campus community. By default, all campus members will receive an email alert. Members can choose to add SMS and personal email accounts as additional contact paths for alerts. MessageMe is focused on streamlining community communications, allowing crisis support leaders to immediately and simultaneously send messages to the University community via the community members' preferred contact methods: phone, text messaging, and email.



Crime Awareness



Emergency Notification System	Primary Message Creator	Backup Message Creator	Authority for approving & sending Message	Primary Message Sender	Backup Message Sender
PRIMARY					
MessageMe Mass Notification	HUPD	HPAC	HUPD and HPAC	HUPD	HPAC
Blast Email	HUPD	HPAC	HUPD and HPAC	HUPD	HPAC
Voice Messaging 617-496-NEWS (6397)	HPAC	N/A	HPAC	HPAC	N/A
Voice Messaging Longwood 617-432-6666	Campus Operations	N/A	Campus Operations	Campus Operations	N/A
Social Media	HPAC	N/A	HPAC	HPAC	N/A
SECONDARY					
Website	HPAC	N/A	HPAC	HPAC	N/A
Fire Alarms	HUPD	N/A	HUPD	HUPD	N/A
Public Address Systems, where available	HUPD	Building Manager	HUPD/ Building Manager	HUPD	Building Manager

In the event of a failure in technology, the University may communicate using face-to-face communication. Members of the larger community, such as parents or campus neighbors, may receive information about emergencies on campus from local/national media and/or a campus-wide email and the Harvard website. Harvard Community members are automatically added to MessageMe with their primary email address as the default contact path. Users of MessageMe are requested to add to or update their contact information annually at the start of the academic year by logging onto www.messageme.harvard.edu. Currently, there are approximately 90,000 MessageMe users in the system, 27,000 of which have added SMS or other email addresses as additional contact paths.



Crime Awareness

To sign up for the MessageMe system, go to www.messageme.harvard.edu. Users of MessageMe are requested to update their contact information annually at the start of the academic year by logging onto www.messageme.harvard.edu. Although members of the Harvard community are not required to sign up for the MessageMe service, currently, there are more than 34,000 MessageMe subscribers.



Harvard University uses some or all of the communication tools listed above to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on campus.

HUPD is responsible for confirming (with the assistance of key campus administrators, local first responders or the National Weather Service) if there is a significant emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Harvard University community.

Select members of HUPD and/or Harvard Public Affairs & Communications (HPAC), under the direction of the University's Crisis Management Team, will, without delay and taking into account the safety of the community, determine the content of any emergency notification as well as the appropriate segment of the community to receive it and will initiate the MessageMe system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Subsequent follow up notifications will be sent through MessageMe and the other communication tools listed above as needed.

Emergency Evacuations

Emergency evacuation plans have been created for buildings on campus as well as for major outdoor areas of campus such as the Harvard Yard and the Business School campus. Building evacuation drills are conducted throughout campus annually in dormitories, academic, and office buildings. Evacuation drills are both announced and unannounced based on building occupancy. Each drill is documented including its date, time, location and any pertinent information that will help improve future evacuations. Building evacuation maps are posted prominently within each building.

During the Evacuation:

When a fire alarm is activated, everyone must evacuate. Stop what you are doing immediately and head toward an emergency exit. Do not delay evacuation. Occupants should shut their doors behind them as they leave. Follow exit signs to nearest fire stairwell or exit discharge; do not use elevators. Once outside, occupants are required to report to their emergency evacuation meeting location to be accounted for. Occupants must follow instructions of HUPD and the Fire Department, as they are legally in charge of the building during their response to the alarm. Occupants with disabilities or other special needs who require additional assistance may shelter in place if in a fully sprinkled building, conduct a horizontal evacuation to a safer area on the same floor, or shelter in a fire-rated stair well. First responders should be informed as to the location within the building of any occupants in need of assistance. Once the building has been cleared, occupants will be permitted to re-enter.



Crime Awareness

When Evacuation is Not Possible

In a fire or fire alarm situation, always check doors to see if they are hot or warm to the touch before you open them. If heat or smoke prevents you from evacuating, return to your room and use towels or other cloth items to seal around the door. Hang a white object in the window and reclose the window (if it opens) as much as possible. Do not reopen your window (if it opens) unless forced to do so by smoke. After you have sealed your door, immediately call 911 and advise emergency responders of your location and situation. Wait for help to arrive.

Sheltering In Place

Because sheltering in place may be the protective action recommendation for several emergencies with differing risks, and because sometimes the initial recommendation is to shelter in place followed by relocation, there is no single set of shelter in place procedures. Based on the type of emergency, such as Tornado, Hostile Intruder, or Hazardous Material Release Outside, you should consult each relevant section for guidance. Emergencies change as they progress. The questions to ask yourself are: Am I safer inside or outside? Where am I safest inside? Where am I safest outside?

Post Incident:

At the completion of the incident, the Fire/Rescue Department or other appropriate emergency official(s) should release the building to the facility leadership. The facility should be pronounced all clear, or clear with conditions for re-occupancy. The facility leadership should



Crime Awareness

then communicate the all clear or the clear with conditions to the area entrance monitors in person. It is recommended that facility managers also communicate the reason the fire alarm/emergency evacuation occurred to help increase occupant awareness in the building.

Additional Drills and Exercises

In conjunction with other emergency agencies, the University conducts numerous emergency response exercises each year, including table top and field exercises. Monthly testing of the Emergency Notification System is also conducted. These tests are designed to assess and evaluate the emergency response plans and capabilities of the institution. These tests may be announced or unannounced. For each test, the University documents a description of the exercise, the date and time, and whether it was announced or unannounced. General information about the emergency response and evacuation procedures is publicized each year in conjunction with at least one test per calendar year, as part of the University's Clery Act compliance efforts.

More information on the University's emergency preparedness and response efforts as well as evacuation guidance can be found at www.harvard.edu/emergency and ehs.harvard.edu.

Public Police Crime Log

The HUPD produces a written daily crime log that is available to the public, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f), 34CFR668.46 as part of the Higher Education Act of 1965 ("The Clery Act") and Massachusetts General Laws Chapter 41, Section 98F. The purpose of the daily log is to provide information about valid complaints of criminal and other significant incidents

occurring on campus to members of the University community, which might be relevant for their safety and security.

Information from the HUPD log can be found in three locations. There are two official logs, which contain sixty days of incidents reported to the HUPD. The first is kept at HUPD headquarters, 1033 Massachusetts Avenue, 6th floor and the second is kept at the HUPD Longwood substation at 90 Smith Street, Roxbury. The official logs are updated as new information becomes available. In addition, the HUPD also posts an electronic version of the log at <http://www.hupd.harvard.edu/public-police-log>. Although the HUPD



Crime Awareness

attempts to make the electronic version of the log as accurate as possible at the time of posting, it is not the official police log.

Clery Act Criminal Statistics

The Clery Act is a federal law that requires colleges and universities to disclose annual information about campus crime. Each year the University files a report of campus crime statistics with the United States Department of Education. Crime statistics for the past three calendar years are maintained on the HUPD website.

For each calendar year, the statistics reflect the number of reported incidents of certain crimes, as defined by the Clery Act, which occurred within Harvard's Clery Geography. These crimes include: homicide, manslaughter, sex offenses (including rape, fondling, incest and statutory rape), domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, and arson that occurred on or near campus for the previous three calendar years. Also included are arrests and disciplinary referrals for drug law violations, liquor violations, weapon violations, and bias-related crimes.

The Clery statistics include crimes reported directly to the HUPD, to local law enforcement agencies, and to "campus security authorities." As stated above, "campus security authorities" are defined by the Clery Act as university officials who have "significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings." Professionally licensed mental health and religious counselors are exempt from reporting requirements.



Please find the criminal statistics for all of Harvard's campuses in Appendix 1.

Because the Clery Act is a federal law, its definitions are not identical to those found in Massachusetts law. For the purposes of reporting crime statistics, HUPD uses the definitions set forth in Appendix 2. The definitions under Massachusetts law for certain crimes are set forth in Appendix 3.

For additional information on the Clery Act please visit www.ed.gov/admins/lead/safety/campus.html.

Your Role in Preventing Crime



Crime Prevention Education and Security Awareness

In addition to the daily informal face-to-face contacts they have while on patrol, HUPD officers perform more formalized community outreaches as well. Officers present safety and security information at community meetings, make presentations at student and new employee orientations, teach self-defense classes, register laptops and bicycles, and initiate informal contact with students, faculty, and staff while patrolling on foot, bicycles, and motorcycles, and while eating in the dining halls.

HUPD officers are approachable and committed to keeping the Harvard community safe and secure by providing students, faculty, and staff direction and steps they can take to maintain their own safety and the security of others and to familiarize them with the Department and the many services that it offers.

HUPD, in conjunction with the various Harvard Schools, offers approximately 200 crime prevention and security awareness educational programs each year. These programs address topics such as personal safety, alcohol and drug abuse awareness and the prevention of sexual assault, domestic violence, dating violence and

stalking set forth above. As part of these security awareness programs, students and employees are encouraged to be responsible for their own security and the security of others.

A common theme of all awareness and crime prevention programs is to encourage students, faculty, and staff to be aware of their responsibility for their own security and the security of others.

Persons interested in having an officer to come out and conduct a safety talk and/or a bicycle/laptop registration, please email cops@hupd.harvard.edu in order to arrange the registration and/or meeting.

Community's Role in Maintaining a Safe and Secure Campus

It is important for students, faculty, and staff to remember that we are located in an urban setting and must cope with many of the crime and safety issues that exist in any city. The safety and security of the University is the combined responsibility of the entire community. Safety is a two-way street and the community must take precautions to protect itself.



Your Role in Preventing Crime

Community members need to utilize services, not just be aware of them. Each of you must assume a personal responsibility by taking precautions to prevent yourself from becoming a victim. The more people are looking out for one another, the more effective we will be at collectively protecting our community.

Programs Designed to Inform HU Community Members about the Prevention of Crimes

Theft Prevention

The Harvard University Police Department is committed to providing the Harvard community with a safe and secure environment but it is important to remember that we are in an urban setting. Although reported crime at Harvard is low, more than 90% of it is property crime.

Theft is a crime of opportunity. If you do not take precautions to protect your property then you increase the risk that it could be stolen. Theft is the most difficult crime for the HUPD to stop, but the easiest crime for you to prevent.

You should take the following precautions to safeguard your property:

- When you leave your room or office, even for a moment, make sure always keep your doors and windows are locked. Do not prop open or disengage the locking system on the door or windows.
- Never leave your purse, wallet, book bag, laptop, cell phone, iPod, or other property unattended even for a moment in a public setting. If you must leave your property, leave it with someone you know, not a person studying or working in the area. Before you walk away from your property: “stop, think and secure.”
- Never allow anyone you do not know to enter a locked building when you

are entering or exiting. Do not let people “piggyback” with you! If someone does enter that you don’t recognize please call the HUPD at **617-495-1212** immediately. Do not confront them or ignore them.

- Do not hang your pocketbook or bag over the back of your chair while you are in a dining establishment or other public place. Do not place your pocketbook or bag under the table out of sight.
- Keep an updated list of all personal property that has serial numbers, especially your personal electronics and bicycles. Please note the MAC addresses on any technology with access to the internet. This information may help detectives with their investigation.
- Download the “Find my iPhone” (Macs and iPods) app.
- Register your bicycle at www.hupd.harvard.edu/bicycle-registration.
- Register laptops with the LoJack for Laptops program at www.hupd.harvard.edu/laptop-theft-prevention.
- When locking your bicycle, use a steel “U” lock rather than a cable lock. Lock the frame and tire together to a stationary object. If the bike has an easily removable seat, we recommend you remove the seat and take it with you.
- If you are the victim of a theft, report it immediately to the HUPD at **617-495-1212**. We are available 24 hours a day. No crime is too small to report to us.

What to Do If You Have Been a Victim of Theft

The Harvard University Police Department regrets that you have been the victim of a theft while working, going to school, or visiting Harvard University. The HUPD realizes that this



Your Role in Preventing Crime

may be a difficult time for you. In an effort to mitigate further risk to your personal accounts we have created the following checklist of personal and financial security. When your financial institutions receive timely notification regarding the loss of your property, they are in a better position to prevent fraudulent activity on your accounts. If you have any further questions regarding next steps to take, please do not hesitate to contact the Harvard University Police Department at **617-495-1212**.

- File a police report with the Harvard University Police Department. The HUPD can be reached at **617-495-1212**.
- If physical keys were stolen, inform the owner of that property so that the lock(s) may be rekeyed.
- Call your financial institutions and cancel all applicable credit/debit cards. Request new cards with new numbers to ensure protection of your accounts.
- If your wallet was stolen and contained checks, call your banking institution to receive further instructions to protect your account.
- If your health insurance card was in your wallet, call your health insurance provider and request a new card.
- Consider all of the accounts that may automatically deduct money from your accounts. Remember to update those accounts where appropriate.
- If you have any membership cards in your wallet, (i.e. gym, supermarket, etc.) notify the applicable companies and request replacement cards.
- Call the appropriate department or registry of motor vehicles and request a new license or identification card with a new number.
- Replace any applicable government issued cards such as your social security card, military identification card, or passport.
- Contact the three major credit bureaus (Equifax, Experian, and Transunion) and ask them to put a fraud alert on your account. If you are not applying for a job or new credit, ask them to place a freeze. They will give you a personal identification number that will be needed to lift it. After 60 days, you should run a free credit report to verify your account. For more information, please visit the website: www.consumer.ftc.gov.
- In the event that you filed a report with the HUPD please note the case number and date.

Bicycle Registration

Students, faculty, and staff are strongly encouraged to register their bicycles. Registration is free for all students, faculty, and staff (faculty and staff may register their families' bicycles also).

Registration serves as a deterrent to theft and can help aid in the recovery of stolen bicycles. The serial number is recorded and an identifying sticker is placed on your bicycle. You will need to provide the HUPD with the bicycle's serial number, manufacturer, model, and color.

The HUPD offers you two ways to register your bicycle. You may register it in person by bringing it to HUPD headquarters at 1033 Massachusetts Avenue, to 180B Longwood Avenue (Longwood Campus), or to other substations, or by watching for notices of periodic bike registrations conducted at various locations throughout the University. You may also register your bicycle online by visiting www.hupd.harvard.edu/bicycle-registration, after which a registration sticker to be attached to your bicycle will be mailed to you.



Your Role in Preventing Crime

To reduce the chance that your bike will be stolen, use two locks, each with a different locking mechanism. For more information, visit http://www.cambridgema.gov/~media/Files/CDD/Transportation/CitySmart/cs_how_to_lock_a_bike.pdf?la=en.

Laptop Theft Prevention

On average approximately 90 laptops are stolen on the University's campus each year. Laptop theft is often a crime of opportunity. Students, faculty, and staff are strongly encouraged to take appropriate precautions to prevent the theft of their laptop computer and to register their laptops to assist the police in recovering the laptop in the event that the laptop is lost or stolen.

- Never leave your laptop unattended in public places, even "just for a minute." Remain in physical contact with it at all times (take it into the restroom if you must). Do not leave your laptop alone!
- Lock offices or dorm rooms where the laptop is stored.
- Lock the laptop in a cabinet in a locked office or dorm room.
- Use a security device such as a steel cable lock or alarm.
- Write down the MAC (Media Access Control) address of your network card.
- Document serial and model numbers of your laptop and accessories (such as hard drives and mice) and keep them in your files or store them on HUPD's online registration system www.hupd.harvard.edu/laptop-theft-prevention.
- Register your laptop through the manufacturer's product registration program.
- Back up your data, either online or via an external drive and store the drive some place other than your carrying case.



- Install laptop tracking and recovery software such as LoJack for Laptops.
- Contact the HUPD at **617-495-1212** to file a theft report immediately if your laptop is stolen on campus.

Laptop Registration & Recovery

The HUPD offers you two ways to register your laptop: online on the HUPD website, a free service provided by the HUPD or through Absolute Software's LoJack for Laptops. The HUPD maintains a database that stores the make, model, and serial number of your laptop. In the event of the loss or theft of the laptop, the HUPD will be able to provide you with that information, which could help facilitate the recovery of the laptop. To register your laptop online please visit www.hupd.harvard.edu/laptop-theft-prevention.

If you choose to use LoJack for Laptops, the company will work with HUPD and local police to try to recover your laptop if it is stolen. The technology they use is embedded in most PCs, making it very difficult to detect and remove. It allows you to remotely display a message and lock your device so that no one else can log on and search your files, photos or passwords. You can also remotely delete files, photos, passwords, emails, financial data and records, and can use GPS, WiFi or IP to display your device's general location on a map.

For additional information on LoJack for Laptops please visit <http://www.hupd.harvard.edu/laptop-theft-prevention> or email lojackforlaptops@harvard.edu.





Harvard University-wide Sexual and Gender-Based Harassment Policy

Harvard prohibits domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and is committed to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community. To that end, the University has adopted the following policy, along with accompanying procedures for institutional disciplinary action.

Policy Statement

Harvard University is committed to maintaining a safe and healthy educational and work environment in which no member of the University community is, on the basis of sex, sexual orientation, or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination in any University program or activity. Gender-based and sexual harassment, including sexual violence, are forms of sex discrimination in that they deny or limit an individual's ability to participate in or benefit from University programs or activities.

This Policy is designed to ensure a safe and non-discriminatory educational and work

environment and to meet legal requirements, including: Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in the University's programs or activities; relevant sections of the Violence Against Women Reauthorization Act; Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in employment; and Massachusetts laws that prohibit discrimination on the basis of sex, sexual orientation, and gender identity. It does not preclude application or enforcement of other University or School policies.

It is the policy of the University to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual's ability to participate in or benefit from the University's programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this Policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at the School or unit.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Retaliation against an individual for raising an allegation of sexual or gender-based harassment, for cooperating in an investigation of such a complaint, or for opposing discriminatory practices is prohibited. Submitting a complaint that is not in good faith or providing false or misleading information in any investigation of complaints is also prohibited.

Nothing in this Policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the University's educational mission.

Definitions

Sexual Harassment

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, graphic, or physical conduct of a sexual nature, when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo); or (2) such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the University's education or work programs or activities (hostile environment).

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute discrimination on the basis of sex.

A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Sexual

violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment. In addition, the following conduct may violate this Policy:

- **Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties**
- **Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipient(s)**
- **Sexual advances, whether or not they involve physical touching**
- **Commenting about or inappropriately touching an individual's body**
- **Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits, or continued employment**
- **Lewd or sexually suggestive comments, jokes, innuendoes, or gestures**
- **Stalking**

Other verbal, nonverbal, graphic, or physical conduct may create a hostile environment if the conduct is sufficiently persistent, pervasive, or severe so as to deny a person equal access to the University's programs or activities. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Unwelcome Conduct

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

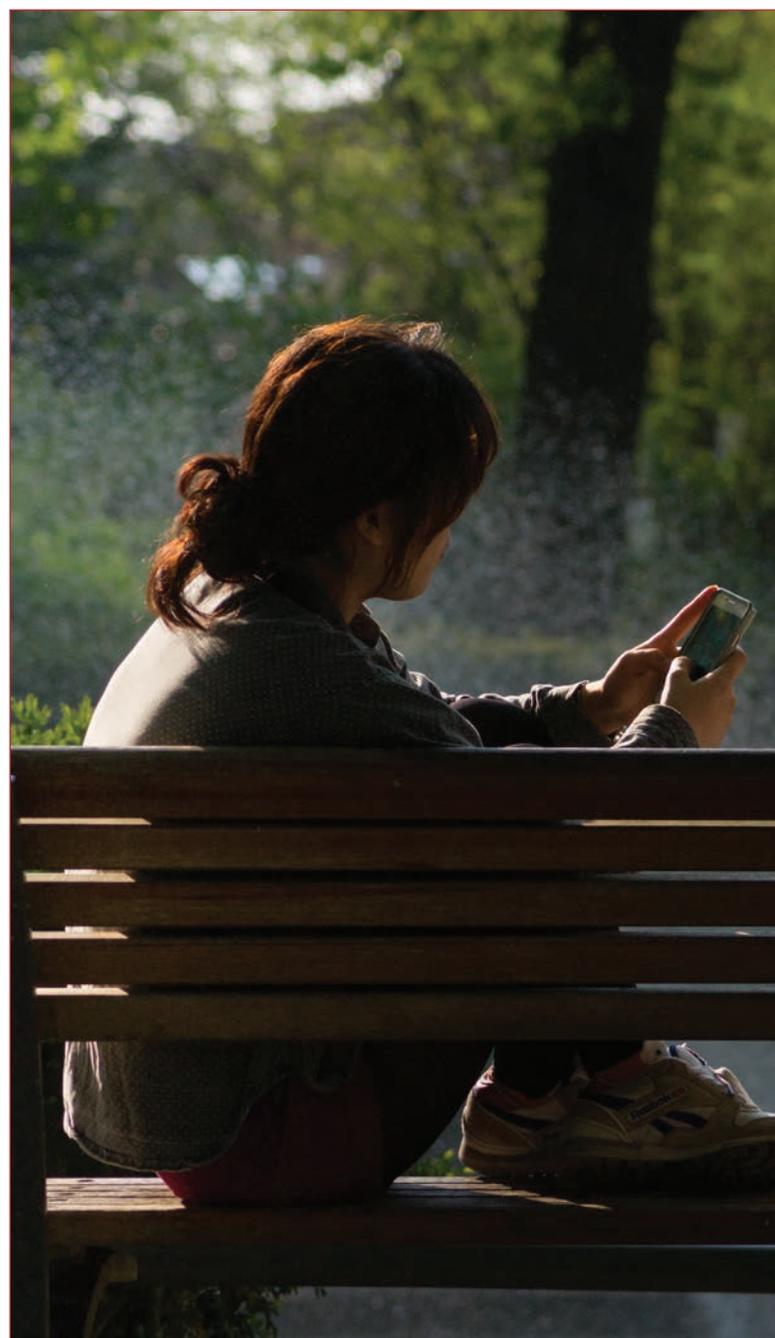
Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not,

however, diminish the Respondent's responsibility for sexual or gender-based harassment under this Policy.

Gender-Based Harassment

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

person's ability to participate in or benefit from the University's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

Jurisdiction

This Policy applies to sexual or gender-based harassment that is committed by students, faculty, staff, Harvard appointees, or third parties, whenever the misconduct occurs:

- 1. On Harvard property; or**
- 2. Off Harvard property, if:**
 - a) the conduct was in connection with a University or University-recognized program or activity; or**
 - b) the conduct may have the effect of creating a hostile environment for a member of the University community.**

Monitoring and Confidentiality

A variety of resources are available at the University and in the area to assist those who have experienced gender-based or sexual harassment, including sexual violence.

Individuals considering making a disclosure to University resources should make sure they have informed expectations concerning privacy and confidentiality. The University is committed to providing all possible assistance in understanding these issues and helping individuals to make an informed decision.

It is important to understand that, while the University will treat information it has received with appropriate sensitivity, University

personnel may nonetheless need to share certain information with those at the University responsible for stopping or preventing sexual or gender-based harassment. For example, University officers, other than those who are prohibited from reporting because of a legal confidentiality obligation or prohibition against reporting, must promptly notify the School or unit Title IX Coordinator about possible sexual or gender-based harassment, regardless of whether a complaint is filed. Such reporting is necessary for various reasons, including to ensure that persons possibly subjected to such conduct receive appropriate services and information; that the University can track incidents and identify patterns; and that, where appropriate, the University can take steps to protect the Harvard community. This reporting by University officers will not necessarily result in a complaint; rather, the School or unit Title IX Coordinator, in consultation with the Title IX Officer, will assess the information and determine what action, if any, will be taken. Information will be disclosed in this manner only to those at the University who, in the judgment of the Title IX Officer or School or unit Title IX Coordinator, have a need to know.

Should individuals desire to discuss an incident or other information only with persons who are subject to a legal confidentiality obligation or prohibition against reporting, they should ask University officers for information about such resources, which are available both at the University and elsewhere. University officers are available to discuss these other resources and to assist individuals in making an informed decision.



Violations of other Rules

The University encourages the reporting of all concerns regarding sexual or gender-based harassment. Sometimes individuals are hesitant to report instances of sexual or gender-based harassment because they fear they may be charged with other policy violations, such as underage alcohol consumption. Because the University has a paramount interest in protecting the well-being of its community and remedying sexual or gender-based harassment, other policy violations will be considered, if necessary, separately from allegations under this Policy.

If You Believe an Incident of Sexual Assault, Domestic Violence, Dating Violence, or Stalking Has Occurred

If you are in immediate danger and need help or want to speak to a specially trained officer about your situation, call the HUPD at **617-495-1212**. When you report an incident to HUPD, you will be provided with immediate physical protection and transportation to a medical facility if necessary. You are not making a commitment to file charges or to testify in court. If you are uncertain whether a situation constitutes a criminal offense and/or a violation of the University's Sexual and Gender-Based Harassment Policy (which covers sexual assault, domestic violence, dating violence and stalking), you should consult with either the HUPD, the Office of Sexual Assault Prevention and Response (OSAPR), a Title IX Coordinator, the University Title IX Office, Office of Dispute Resolution (ODR), and/or University Health Services (UHS). You may also reach out to a staff member at your School, Department or Unit, or another helping resource to get support and information.

You are strongly encouraged to report instances of sexual assault, domestic violence, dating violence, or stalking to HUPD, though you have the right to choose not to make a report. Upon request, other University officials will assist you in notifying HUPD and/or local police. If you report that you have been the victim of dating violence, domestic violence, sexual assault or stalking, whether on or off campus, you will be provided with a written explanation of your rights and options as well as resources and services available both at Harvard and in the community. If you believe an incident of sexual assault, domestic violence, dating violence, or stalking has occurred, the HUPD strongly recommends that you:

- Call the HUPD at **617-495-1212** (Cambridge Campus) or **617-432-1212** (Longwood Campus) to report the incident. (You may also, if you prefer, report the offense to a local police department, such as Cambridge, Boston, or Somerville even if the incident occurred on campus. The Cambridge Police Department's Sexual Assault Unit may be reached directly by calling 617-349-3381. The Boston Police Department's Sexual Assault Unit may be reached directly by calling 617-343-4400. The Somerville Police Department's Family Services Unit may be reached directly by calling 617-625-1600 ext. 7237.) HUPD can arrange for an officer to transport you to Harvard University Health Services (HUHS), whether or not you decide to file a police report. You may call and request transportation to HUHS without divulging that you have been the victim of such an offense. Simply request a medical transport to UHS and an officer will respond.
- Call the Office of Sexual Assault Prevention and Response (OSAPR) at **617-495-9100**. OSAPR provides 24-hour-a-day, confidential support and information to student survivors



of, and others affected by sexual violence over the phone or in person. The OSAPR staff is trained to provide options, listen supportively, and provide referrals to services on and off campus. When applicable, these reported incidents will also be included in the Clery Act annual crime statistics, though without any identifying information.

- Preserve any physical evidence that may be necessary to prove that an incident of sexual assault, domestic violence, dating violence, or stalking occurred or to obtain a protective order. Both the HUPD and HUHS can advise and assist you in the preservation of such evidence. It is important that you not bathe, douche, smoke, change your clothes or clean the area where you were assaulted if the assault took place within the past 72 hours. Try to write down everything you can remember about the alleged perpetrator, including a physical description, the use of force or threats, and any information you remember concerning the person's identity. You should also save copies of email, text messages, instant messages, social networking pages, pictures, logs or any other documents that could be helpful in an investigation of the incident.
- Seek medical and/or counseling assistance at HUHS. Even if you do not choose to obtain forensic evidence collection, health care providers can treat injuries and take steps to address concerns about pregnancy or sexually transmitted diseases.
- Seek information and access resources by contacting your School or Unit's Title IX Coordinator or the University Title IX Office. The University Title IX Office is responsible for coordinating Harvard's compliance with Title IX and can inform you about the University's Policy against sexual and gender-based harassment (which includes

sexual assault, domestic violence, dating violence and stalking), the procedures to file a formal complaint, and resources and options available both within the Harvard University community and beyond. Title IX Coordinators within your School or Unit are available to explain and implement interim measures (individualized supports that help individuals access their work or studies). The University Title IX Office can be reached at 617-496-0200 and is located at 44R Brattle Street 2nd Floor, Cambridge. To find your local School or Unit Title IX Coordinator, please visit: titleix.harvard.edu/coordinators.

- File a formal complaint with the Office for Dispute Resolution (ODR). ODR is a neutral body that impartially investigates and resolves sexual and gender-based harassment complaints against students, staff, and, with most Schools, faculty. ODR investigations are handled by professional investigators working with the involved Schools and Units. Any member of the Harvard community may visit ODR to request information or advice, including assistance in seeking an informal resolution or in filing a formal complaint. ODR can be reached at (617) 495-3786 and is located at 44R Brattle Street 2nd Floor, Cambridge.

HUPD Response to a Reported Incident of Sexual Assault, Dating Violence, Domestic Violence, or Stalking

You can expect the following to occur when you report an incident to the HUPD:

- The HUPD's Sensitive Crime Unit, which includes detectives from the Criminal Investigation Division and selected patrol officers, will be assigned to the case. All members of the Unit have been trained in the



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

investigation of sexual offenses and other sensitive crimes and the impact of the crime on the victim.

- A uniformed or non-uniformed officer, by request, will respond to your location to assist you in obtaining medical treatment, assure your safety, and obtain a description of the alleged perpetrator.
- You will be interviewed (you may specifically request a female officer). A friend or counselor may be with you during the interview. All statements you make may be used during any subsequent legal proceedings. The officer will ask you for the location and time of the incident, a description of the alleged perpetrator, and a description of any injuries.
- You may request a medical examination (at the Beth Israel Deaconess Medical Center Rape Crisis Intervention Program, if appropriate) to ensure that you have suffered no physical injury and to complete a medical report that can be used in a court proceeding if charges are pressed. The examination will be conducted by a Sexual Assault Nurse Examiner (SANE.) Having a forensic medical examination does not mean you must pursue criminal charges.
- If an HUPD officer responds to your location and has reason to believe that you or another family or household member has been abused or is in danger of being abused, the officer must:
 - * Remain on the scene a reasonable time to prevent further abuse.
 - * Assist the abused person in obtaining medical treatment by providing or obtaining transportation.
 - * Assist the person in locating and getting to a safe place.



- * Give the abused person a written explanation of his/her rights and options, reading it in English and, whenever possible, in the victim's native language.
- * Assist the person in applying for a restraining order (including activating the emergency judicial response system when the court is closed for business). Inform the person that the abuser, if arrested, is eligible for bail and may be promptly released.
- Your identity will be maintained in confidence. Although a Timely Warning ("Community Advisory") about the incident may be circulated in cases that present a serious or continuing threat to the Harvard community, HUPD withholds victims' names as confidential. Every effort will be made to maintain confidentiality and to respect the legitimate privacy concerns of all involved individuals.



- You will be given information about both internal and external resources, including how to bring a formal complaint within the University.

Options for Further Action

Interim Measures from the University

Interim measures designed to support and protect a person who reports having experienced sexual or gender-based harassment (including without limitation sexual assault, domestic violence, dating violence or stalking) may be implemented upon request and as appropriate by the relevant School or unit, working with the Title IX Coordinator or local Title IX Coordinator. Consistent with School or unit policy, interim measures might include modifications to academic, living, transportation, and working situations, including implementation of protective measures, for example, restrictions on contact; course-schedule or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus. The availability of such interim measures is the same regardless of whether the victim chooses to report the incident to campus police or local law enforcement, pursue a formal complaint with the University, do both, or do neither.

Requests for interim measures should be made to the University Title IX Officer or the Title IX Coordinator for the relevant School or unit which can be found at <http://titleix.harvard.edu/coordinators>.

Protective Orders

The University complies with Massachusetts law in recognizing Abuse Prevention Orders (obtained pursuant to M.G.L. Chapter 209A) and other valid orders of protection from Massachusetts or any other state. Any Harvard person who obtains an order of protection from domestic or dating abuse, harassment, stalking or sexual assault

from any state in the country should provide a copy to the HUPD and to their Title IX Coordinator. The HUPD will: (1) attempt service of protective orders on defendants; and (2) arrest persons who are in violation of protective orders if there is a violation on campus. Additionally, HUPD will accept copies of active protective orders previously served so that information regarding the victim and the defendant are made part of HUPD's record management system and can be shared with all HUPD officers. Any person holding a protective order may meet with an HUPD officer to develop a safety action plan, the goal of which is to reduce risk of harm to the person while on campus or coming and going from campus. Each case is assessed independently. In coordination with other University offices, HUPD will help to put in place safety measures that may include, but are not limited to the use of a temporary escort, special parking arrangements, changing classroom location, supervisor, work location, and/or allowing a student to complete assignments from home, depending on the course. The University cannot apply on behalf of someone else for an abuse prevention order, no contact order or restraining order but can assist a person in obtaining such an order.

The University also may issue an institutional no contact order if deemed appropriate. Violators of an institutional no contact order are subject to discipline.

Criminal Prosecution

If you have experienced an incident of sexual assault, domestic violence, dating violence, or stalking you may want your assailant identified, apprehended, and prosecuted in court. If you choose to proceed in this manner, notify the HUPD immediately for assistance and guidance.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

For an understanding of the rights of a crime victim in the Commonwealth of Massachusetts, please refer to the Victim Bill of Rights (M.G.L. Chapter 258B) or visit <http://www.mass.gov/mova/docs/victim-bill-of-rights/victim-bill-of-rights-brochure-english.pdf> to download a summary. The Massachusetts Office for Victim Assistance at <http://www.mass.gov/mova/advocacy-assistance/resources/> also has created a guide for crime victims; the guide can be accessed directly at: <http://www.mass.gov/mova/docs/aftermath-of-crime.pdf>.

Information on Pursuing an Informal Resolution or Formal Complaint with the University Pursuant to Harvard University's Sexual and Gender-Based Harassment Policy and Subsequent Proceedings

Regardless of whether you choose to pursue criminal prosecution, you may decide to initiate a formal complaint under Harvard's Sexual and Gender-Based Harassment Policy (which includes, without limitation, sexual assault, domestic violence, dating violence and stalking), set forth above http://titleix.harvard.edu/files/title-ix/files/harvard_student_sexual_harassment_procedures.pdf.

If you are considering this option, you are encouraged to consult your School or unit Title IX Coordinator, the University's Title IX Officer, or the Office For Sexual and Gender-Based Dispute Resolution (ODR). Individuals may come to ODR for information or advice, including whether certain conduct may violate the policy, to seek informal resolution, or to file a formal complaint.

You may, if you choose, contact another School or University officer, who will refer the matter as appropriate.

Individuals can access the Policy as well as procedures for formal complaints at: <https://odr.harvard.edu/resources>.

Procedures for Handling Complaints

- The procedures for handling complaints involving students can be found in Appendix 5 and at <https://titleix.harvard.edu/procedures> under the "Students" tab.
- The procedures for handling complaints involving Harvard employees (other than faculty) can be found in Appendix 6 and at <https://titleix.harvard.edu/procedures> under the "Staff" tab.
- The procedures for handling complaints involving Harvard faculty can be found in Appendix 7 and at <https://titleix.harvard.edu/procedures> under the "Faculty" tab.
- When allegations are asserted against other Harvard appointees or third parties, the School or unit Title IX Coordinator, in consultation with other Harvard officers, will determine whether some or all of the allegations will be handled at the School or unit level, or whether Harvard's Office for Sexual and Gender-Based Dispute Resolution will conduct all or part of any investigation.

Below is a short summary of the procedures for informal resolutions and the formal complaint process for complaints involving students, staff, and in some cases, faculty.



Informal Resolutions

Informal Resolutions

Some incidents of sexual or gender-based harassment may be resolved through an informal process without a full investigation. Upon determining that informal resolution is appropriate, the Title IX Officer or designee, the School or unit Title IX Coordinator, or an ODR Investigator will attempt to aid the parties in finding a mutually acceptable resolution.

Formal Complaints

Filing a Complaint and Initial Review:

- The Formal Complaint process begins by filing a written complaint with ODR that describes allegation(s) of sexual and gender-based harassment. The Complainant is the person bringing the Complaint and the Respondent is the person against whom the Complaint is brought.
- An Investigative Team reviews the allegations to determine whether they fall within the scope of the Policy. Based on the information gathered, the Investigative Team will determine whether the information, if true, would constitute a violation of the Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigative Team consists of an ODR Investigator and, at the option of the Respondent's School or unit, a Designee who is a representative of the School or unit and trained to assist in investigations.

Opening the Complaint for Investigation:

Following the decision to begin an investigation, the Investigative Team will notify the Respondent in writing of the allegations and will provide

a copy of the Policy and these procedures. The Respondent will have one week in which to submit a written statement in response to the allegations.

The Investigation: The Investigative Team reviews the evidence and conducts individual interviews with the Complainant, the Respondent, and other witnesses identified by the respective parties. Both parties will have timely notice for all interviews. The Complainant and the Respondent will have an opportunity to respond to all information used by the Investigative Team in reaching a conclusion.

Personal Advisors: Both parties may have an advisor of their choice. Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice. During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break. An attorney may serve as a personal advisor.

Final Report: At the conclusion of the investigation, the Investigative Team will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of the Policy. The Investigative Team will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigative Team will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the School to eliminate any harassment, prevent its recurrence, and address its effects. The investigation will be completed and the final report provided to the Complainant, the Respondent, the School Title IX Coordinator, and the appropriate officer in the School or unit, ordinarily within six weeks of receipt of the complaint.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Appeal

- **Grounds for Appeal - The Complainant and the Respondent may appeal the decision of the Investigative Team based on the following grounds: 1. A procedural error occurred, which may change the outcome of the decision; or 2. The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.**
- **Appellate Panel - The appeal will be considered by an impartial panel selected from a committee of faculty and senior administrators who have received appropriate training. Unless the Investigative Team's findings or conclusions are changed through an appeal, the Investigative Team's findings of fact and its decision as to whether a Policy violation occurred are final.**

All proceedings conducted pursuant to the Sexual and Gender-Based Harassment Policy shall be prompt, fair, and impartial from the initial investigation to the final result. Those investigating a complaint will receive annual trainings on issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. Individuals at local School and unit disciplinary boards also will receive training consistent with requirements under Title IX and the Violence Against Women Act. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused.

The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused.

As outlined above, at the conclusion of an investigation under Harvard's Sexual and Gender-Based Harassment Policy, findings of fact will be issued and a determination will be made as to whether there was a violation of the policy, using a preponderance of the evidence standard. Following this determination, the relevant School or unit will consider the imposition of discipline through its own processes and notify the parties as appropriate. Complaints will be resolved promptly, though time frames may be extended for good cause with notice to the parties of the delay and the reasons for the delay. Interim measures, as described above, may be considered or implemented at any time before, during or after the proceedings.

Disciplinary sanctions for actions that are found to have violated Harvard's Sexual and Gender-Based Harassment Policy (including without limitation



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

sexual assault, domestic violence, dating violence or stalking) will vary depending on the nature and severity of the offense. For students, possible sanctions are: admonition, probation, requirement to withdraw, dismissal or expulsion (these sanctions are consistent across Harvard's Schools, though the precise terminology may vary slightly; the sanctions listed here use the terminology of Harvard College). For employees, the possible sanctions generally include warning, probation, suspension or termination.

Both the accuser and the accused will receive simultaneous notification, in writing, of: the result of any institutional proceeding regarding a violation of Harvard's Sexual and Gender-Based Harassment Policy; any available appeal procedures; any change to the results prior to their becoming final; and the final results.

In addition, Harvard University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Harvard against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for the purposes of this paragraph.

Further, Harvard may, in its discretion, disclose the final results of an internal disciplinary proceeding involving a student who is an alleged perpetrator of any crime of violence or a nonforcible sex offense if it has been determined as a result of that proceeding that the student committed a violation of Harvard's rules or policies with respect to that conduct. The disclosure may include the student's name, the violation committed, and the sanction imposed.

Such disclosures do not constitute a violation

of the Family Educational Rights and Privacy Act ("FERPA").

Privacy Concerns

The University protects the confidentiality of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking. As a general matter, HUPD does not publish the name of crime victims nor does it include identifiable information regarding victims in the HUPD crime log, in campus Timely Warnings, or online. Harvard shares personally identifiable information only with those who have a specific need to know and maintains as confidential information relating to any interim measures to the extent that maintaining such confidentiality would not impair Harvard's ability to provide the interim measures.

In addition, in accord with Massachusetts General Laws Chapter 41, Section 97D and Chapter 265, Section 24C, HUPD will not publish, disseminate or otherwise disclose the name of any alleged victim of rape or assault with intent to rape, and will maintain all reports of rape and sexual assault (or attempts to commit those offenses) or abuse perpetrated by family or household members in a manner that will ensure their confidentiality. When applicable, however, reported incidents will be included in the Clery Act annual crime statistics, though without any identifying information.

Under M.G.L., Chapter 112, Section 12A1/2, when a victim of rape or sexual assault is seen at University Health Services, UHS is required to forward a confidential report to the Police Chief or Commissioner in the jurisdiction in which the alleged assault occurred. This report will not include the victim's name, address, or other identifying information, but will describe the general area where the attack occurred. When applicable, these reported incidents also will be included in the Clery Act annual crime statistics.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Students may opt out of public disclosure of directory information (as defined by the Family Educational Rights and Privacy Act, or “FERPA”) by requesting what is known as a “FERPA Block.” Students who wish to put in place a “FERPA Block” must inform an appropriate School official, usually the School’s Registrar, in writing, of that decision. Employees who would like assistance in keeping their identifiable information confidential should contact Human Resources.

Resources for Advice and Counseling

The University and various social service providers in Cambridge and Boston offer a range of counseling and support services for victims of sexual assault, domestic violence, dating violence, or stalking . If you choose not to take advantage of these resources immediately, you should find a friend, counselor, or other support person to comfort you and to help you deal with the experience. That person should be with you throughout the crisis situation and follow up, and should help you regain a sense of control over events.

Harvard Resources

HUPD, OSAPR, University Title IX Office, Title IX Coordinators, and UHS are well trained to aid students, faculty, and staff who are victims of sex offenses, domestic violence, dating violence, or stalking. In addition, officers in each School and unit are available to help. Students can identify these individuals through their Dean’s offices or offices for student affairs. The University-wide Title IX Coordinators and the School and unit Title IX Coordinators can speak with you about

your options, support services, and how to file a formal complaint under the University Sexual and Gender-based Harassment Policy. Each School has Title IX Coordinators designated to serve students, faculty, and staff. To identify a Title IX Coordinator for your School or unit, please visit: <http://titleix.harvard.edu/coordinators>. Harvard faculty and staff can find assistance and support at their Dean’s offices, the offices of human resources at each school or department, or the Central Administration’s Office of Human Resources. The Harvard International Office is available to help students, faculty and staff with visa and immigration concerns.

Harvard University Police Department (HUPD)

617-495-1796

<http://www.hupd.harvard.edu/personal-and-violent-crime>

Office of Sexual Assault Prevention and Response (OSAPR)

617-495-9100

<http://osapr.harvard.edu/>

Title IX Office

617-496-0200

<http://titleix.harvard.edu>

Office for Sexual and Gender-Based Dispute Resolution

617-495-3786

<http://odr.harvard.edu/>

Harvard University Health Services (HUHS)

617-495-5711

www.huhs.harvard.edu

Behavioral Health, HUHS

617-495-2323

<http://huhs.harvard.edu/services/behavioral-health>



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Counseling & Mental Health Services, HUHS

617-495-2042

<http://huhs.harvard.edu/services/counseling-and-mental-health>

RESPONSE (peer counseling for Harvard College students)

617-495-9600

<http://osapr.harvard.edu/links/response-peer-counseling>

Harvard Chaplains

617-495-5529

www.chaplains.harvard.edu

Harvard Employee Assistance Program (for Harvard University staff and faculty)

877-327-4278

<http://hr.harvard.edu/employee-assistance-program>

Harvard International Office

617-495-2789

<http://www.hio.harvard.edu/>

External Resources

Beth Israel Deaconess Medical Center, Center for Violence Prevention and Recovery

617-667-8141

<http://www.bidmc.org/violenceprevention>

Boston Area Rape Crisis Center (BARCC)

617-492-8306

24 Hour Hotline: 617-492-7273

Monday - Friday: 9:00 a.m. to 5:00 p.m.

www.barcc.org

Cambridge Health Alliance Victims of Violence Program (VOV)



617-591-6360

<http://www.challiance.org/cha-services/victims-of-violence.aspx>

Middlesex County District Attorney's Office Adult Sexual Assault Unit

617-591-7740

www.middlesexda.com

Additional Resources for Domestic Violence, Dating Violence, and Stalking Victims

If you are a victim of abuse and need treatment or referral, call SafeLink, a Massachusetts statewide multilingual, 24-hour service hotline at

877-785-2020. For more resources on domestic violence, please visit:



Harvard University Police Department

Sexual Assault, Domestic Violence, Dating Violence, and Stalking

- **The Harvard University Police Department**
[www.hupd.harvard.edu/
domestic-violence](http://www.hupd.harvard.edu/domestic-violence)
- **The Massachusetts Office for Victim Assistance** <http://www.mass.gov/mova/>
- **Jane Doe Inc.**
www.janedoe.org
- **The National Domestic Violence Hotline**
<http://www.thehotline.org/>
- **The Rape, Abuse and Incest National Network**
www.rainn.org
- **The Department of Justice**
[https://www.justice.gov/ovw/
sexual-assault](https://www.justice.gov/ovw/sexual-assault)
- **The U.S. Office of Civil Rights**
[www.ed.gov/about/offices/list/ocr/index.
html](http://www.ed.gov/about/offices/list/ocr/index.html)

Prevention and Awareness Programs and Campaigns

The University provides primary prevention and awareness programs for incoming students and new employees as well as ongoing prevention and awareness campaigns for current student and employees. Among other things, they describe Harvard's Sexual and Gender-Based Harassment Policy (which prohibits sexual assault, domestic and dating violence and stalking), explain the meaning of the terms used in the Policy, and provide information on the actions that can be taken, both within and outside the University, if an incident occurs. (Appendices 2 and 3 provide definitions from the Clery Act and the Massachusetts General Laws for certain terms, including "sexual assault," "domestic violence," "dating violence" and "stalking.")

These prevention and awareness programs and campaigns are led by individual Harvard Schools, by the Title IX Office, the Office for Sexual and Gender-Based Dispute Resolution ("ODR") and by the Office of Sexual Assault Prevention and Response ("OSAPR"), which offers a variety of written materials, workshops, and other activities to heighten awareness and promote risk reduction, including safe and positive options for bystander intervention. These programs and campaigns are intended to be culturally relevant, inclusive of diverse communities and identities, responsive to community needs, and informed by research. Among other things, they take into account environmental risk and protective factors on multiple levels.

Undergraduate Students

All incoming undergraduate students attend mandatory sexual assault workshops. HUPD officers attend these workshops, which are led by peer educators trained and supervised by OSAPR, to help students make a personal connection to the Department and encourage reporting. The workshops are all-gender inclusive, but students also have the option to attend a supplemental LGBTQ-focused workshop. In the workshops, students participate in a discussion of relevant topics including Harvard policies, bystander intervention, risk reduction, experiences of survivors, and resources for survivors, including reporting options.

Graduate and Professional Students

The Title IX Office provides the Deans of Students and Title IX Coordinators at each of the graduate and professional schools with a common



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curriculum on prevention and awareness for use in their incoming student orientation programs. During these programs, students receive information on: reporting options after experiencing sexual harassment, sexual assault, domestic violence, dating violence, or stalking; support resources on campus; confidentiality; and the University Sexual and Gender-Based Harassment Policy and Procedures. OSAPR also has a full-time educator who provides research-based programming on prevention, risk reduction, and bystander intervention.

Ongoing Resources

The following resources have been developed to provide ongoing education for the University community:

- Title IX Office <https://titleix.harvard.edu/>
- Office of Sexual Assault Prevention & Response <https://osapr.harvard.edu/>

New staff hired by the University are enrolled in an online training module that covers sexual and gender-based harassment, including sexual assault, dating violence, domestic violence, and stalking. Topics include: applicable federal and local laws about sexual harassment, sexual assault, domestic violence, dating, violence, and stalking; the University Policy and Procedures; reporting options; the confidentiality of campus resources; expectations of supervisors and other responsible employees; information about consent; risk reduction strategies; and bystander intervention strategies.

Safety and Self-Defense Classes

The HUPD offers various safety and self-defense classes. The classes are taught by HUPD officers and are open to all members of the Harvard University community. The purpose of the classes are to empower students, faculty, and staff to

combat various types of assaults by providing them with realistic self-defense tactics and techniques. The classes cover safety awareness, risk reduction, and risk avoidance and provide attendees with the knowledge to make educated decisions about safety and resistance.

Safety and Self-Defense Classes Offered by HUPD:

- Basic Safety and Awareness
- Basic Safety and Awareness for Children
- Self-defense
- Practical

Basic Safety and Awareness

This is a presentation offered upon request to all Harvard University community members. Harvard University is set in an urban environment, and this presentation is to familiarize the audience with basic safety and awareness methods and encourage them to play a role in keeping our campus safe. This presentation can be tailored for the audience in content and length. In the past these have been utilized in a large part of orientations for students and staff. However we often provide speakers regularly for staff or department meetings.

Basic Safety and Awareness for Children

This class is offered upon request to pre-K to K aged children. This course was designed by and is taught by HUPD officers. The course will review basic safety and awareness principles for young children. Topics include, but are not limited to: “stranger danger”, knowing who to call in an emergency, what constitutes an emergency, etc. Typically this course is taught at the childcare centers, but is open to requests from the Harvard community.



Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Self-Defense

This course is open to all Harvard affiliates/partners. The course will meet once for 3-4 hours. The course is taught by HUPD officers and tailored towards violence both women and men could encounter. The course will review basic safety and awareness principles and introduce basic options for physical self-defense.

Practical

The basic self-defense course is a prerequisite to this course. This is a one-time course lasting approximately 3-4 hours depending on the number of participants. In this course, students will review previously learned techniques and then have the opportunity to apply them in real life scenarios. This portion of the course is the most popular among our participants. Space is limited to 20 participants and on a first come first serve basis. A small waiting list will be maintained for cancellations.

For information about safety and self-defense classes being offered visit www.hupd.harvard.edu/safety-and-self-defense-classes.

For additional questions please contact the Safety and Self-Defense Coordinator at hupdselfdefense@hupd.harvard.edu.

Hate Crimes

The HUPD is committed to protecting the state and federal civil rights of all individuals within the Harvard community. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes designed to infringe upon a person's civil rights will be treated seriously and given high priority. The HUPD will use every necessary resource to identify the perpetrators rapidly and decisively, and to arrest and prosecute them while at all times taking into consideration the victim's desire on how to proceed.

If you feel that you have been the victim of a hate crime or bias-related incident, please contact the HUPD immediately at **617-495-1212** to report the incident.

For additional resources please visit: www.mass.gov/eopss/hate-crimes-reporting.html.

Criminal Forms of Harassment

The HUPD takes reports of harassment involving members of our community very seriously and investigates each report fully.

There are three types of harassment under Massachusetts General Laws:

1. Annoying telephone calls
2. Criminal harassment
3. Stalking

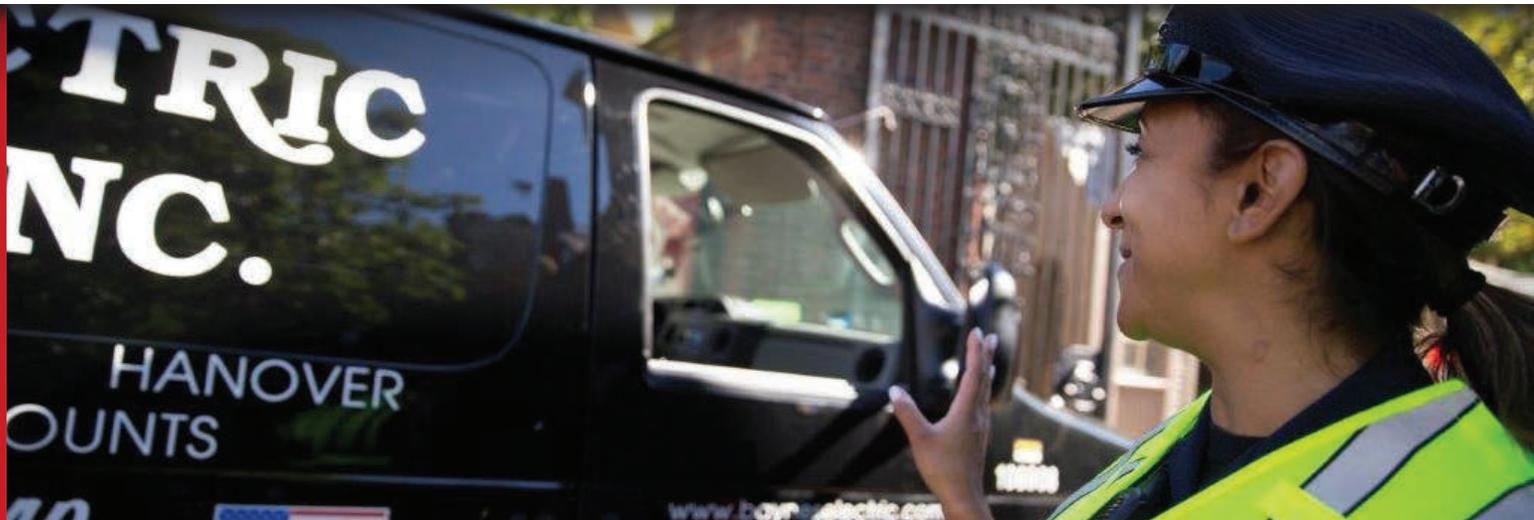
These criminal forms of harassment can take the form of personal contact, mail, telephone calls, email, facsimiles, and internet communication. The specific action taken in any particular case depends on the nature and gravity of the conduct reported, and may include intervention, mediation, and the initiation of disciplinary processes or criminal prosecution, when appropriate. Where harassment is found to have occurred, HUPD will act to stop the harassment, prevent its recurrence, and hold those responsible accountable for their actions.

At all times, the investigation will be conducted in a way that respects, to the extent possible, the privacy of all the persons involved. If you feel that you are being harassed or threatened in any way, it is important that you call the HUPD immediately at **617-495-1212**.

For additional information on harassment please visit: www.hupd.harvard.edu/harassment.



Alcohol and Other Drug Policies



Alcohol and Other Drug Policies

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, the following information serves as a notification to the Harvard community about: University policy; federal and state law; legal and University sanctions; health risks; and resources relating to the use of alcohol and drugs.

Harvard expects its students and employees to maintain an environment that is safe and healthy. The University is not, and cannot be considered, a sanctuary from existing federal, state and local laws. The unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on Harvard property or as a part of any Harvard activity are violations of University rules as well as the law. Possession, use, or distribution of certain non-prescription drugs, including marijuana, amphetamines, heroin, cocaine, and non-prescription synthetics; procurement or distribution of alcohol by anyone under 21 years of age; and provision of alcohol to anyone under 21 years of age are violations of the law and of Harvard policy. The University also holds its students and employees responsible for the consequences of their decisions to use

or distribute illicit drugs or to serve or consume alcohol. The Harvard University Police Department (HUPD) will enforce Massachusetts underage drinking laws and federal and state drug laws.

Harvard Standards of Conduct and Disciplinary Sanctions

For Students:

As stated above, Harvard University, consistent with the laws of the Commonwealth of Massachusetts, prohibits the consumption, possession, use and sale, and the provision or serving of alcoholic beverages by and to persons less than 21 years of age. In addition, Harvard University, consistent with state and federal law, prohibits the consumption, possession, use, and sale of illicit drugs, including the misuse (sharing, buying, or using in a manner different than prescribed) of prescription drugs. These policies and laws are enforced by HUPD.

Students should consult their School handbooks for other applicable policies and disciplinary procedures related to student conduct regarding alcohol and drugs, as well as state and federal laws concerning hazing, firearms, and other important concerns. When cases involving drugs and alcohol come to the attention of their School, the School may take disciplinary action as appropriate.



Harvard University Police Department

Alcohol and Other Drug Policies

Students who receive Pell and certain other federal grants also should be aware that they must report any conviction of a drug-related offense to the U.S. Department of Education within ten days of the conviction if the offense occurred during the period covered by the grant.

For Employees:

The Harvard University Personnel Manual states as follows:

The University's policy on drugs and alcohol in the workplace is designed to address the University's concern for the health and well-being of its employees, and to ensure that the Harvard community complies with the federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. Penalties for violations of these policies, or for violations of the laws regarding controlled substances or alcohol, range from warning to permanent separation from the University depending on the seriousness of the infraction and the degree to which violation of the policy adversely affects the well-being of the community or the fulfillment of the University's educational mission. The Harvard University Personnel Manual can be found here: <https://hr.harvard.edu/staff-personnel-manual>.

This policy applies to every Harvard employee, including temporary and less-than-half-time (LHT) employees.

- **Controlled Substances**

Employees may not consume, manufacture, distribute, dispense, or be under the influence of controlled substances in the workplace, including in vehicles provided by Harvard, at any worksite or location at which University duties are being performed by Harvard employees, or as part of any other Harvard activities. Common examples

of controlled substances include, but are not limited to: cocaine, marijuana, and heroin.

The University will take disciplinary action against violators, consistent with Harvard policy, and federal, state and local laws. Such disciplinary action may include satisfactory participation in a substance abuse treatment, counseling or education program as a condition of reinstatement or continued employment; suspension; termination of employment; and referral for prosecution.

- **Reporting Requirements**

The Drug-Free Workplace Act requires that employers who are engaged in activities funded by federal grants or contracts notify the relevant federal agency of convictions under the criminal drug laws for violations occurring in the workplace. To ensure Harvard's compliance with this federal law, an employee must report any criminal drug statute conviction for a violation occurring in the workplace to their immediate supervisor, department director, dean, vice president or human resources officer within five days of the conviction. Within ten days of learning of such a conviction of any individual engaged in work under federal grants or contracts, Harvard is required to notify the relevant federal agency. Upon notification of a conviction, supervisors should immediately contact their local human resources office.

Alcoholic Beverages

Harvard University, consistent with the laws of the Commonwealth of Massachusetts, prohibits the consumption, possession, use and sale, and the provision or serving of alcoholic beverages by and to persons less than 21 years of age.

All University employees are prohibited from consuming alcohol or being under the influence of alcohol during work hours or in the workplace (except that it will not be a violation of this policy



Alcohol and Other Drug Policies

for an employee to engage in the responsible consumption of alcohol at approved social functions held during work hours or in the workplace, provided that the use of alcohol has been permitted in these circumstances.) Under no circumstances may a Harvard employee consume or be under the influence of alcohol while operating Harvard vehicles or equipment. The consumption of alcohol will not constitute a mitigating circumstance when it contributes to the violation of University policies.

Vice Presidents, deans, and heads of administrative units have the authority and responsibility to govern the use of alcohol in areas they control, and to require measures to ensure that at events where alcohol will be served only individuals of legal age will have access. Those hosting such events must take reasonable steps to ensure that the acquisition, distribution and consumption of alcohol otherwise complies with applicable law and University policy.

Federal, State and Local Laws and Sanctions

In addition to disciplinary sanctions imposed by the University, all students, faculty, and staff should be aware that federal, state, and local laws treat the illegal use, possession, sale, distribution, or manufacture of drugs or alcohol as serious crimes. Penalties range according to the type of substance, amount in possession and/or distributed, and the number and type of previous violations. Conviction can lead to imprisonment, fines, assigned community service and the loss of student grants and loans. Courts do not lift prison sentences in order to allow those convicted to attend college or continue their jobs. While a number of examples are included below, students and employees should be aware that not

all alcohol and drug related crimes and penalties are listed here.

Alcoholic Beverages:

Cities and towns in Massachusetts prohibit public consumption of alcohol and impose fines for violations. The Massachusetts Department of Conservation and Recreation prohibits public consumption of alcohol in its parks; likewise, the Metropolitan District Commission, which has jurisdiction over land along the Charles River, also prohibits public consumption of alcohol. In addition, many cities and towns in Massachusetts, including Boston, have local ordinances and regulations that prohibit public consumption of alcoholic beverages on private property without the property owner's consent. Under Massachusetts law, a person who violates ordinances regarding public consumption of alcohol is subject to arrest without a warrant.

Massachusetts laws punish sale or delivery of alcoholic beverage to persons under twenty-one with a fine of up to \$2,000 and six months imprisonment, or both. It is also against the law in Massachusetts for persons under 21 years of age to purchase or attempt to purchase alcoholic beverages, or to make arrangements to purchase or procure such beverages. The law prohibits willfully misrepresenting one's age or transferring, altering, defacing, or otherwise falsifying identification offered as proof of age, with the intent of purchasing alcoholic beverages. These violations are punishable by fines of up to \$300 and may include imprisonment.

In addition, a social host may under certain circumstances be held liable for injuries caused by a guest who, having consumed alcohol on the host's premises does harm to himself or herself or



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to a third party. If the guest is under 21 and the host knew or reasonably should have known that he or she was furnishing alcohol to a minor, or that he or she was allowing a minor to possess alcohol on the host's premises, the host will be held responsible for injuries or damage to the minor or to third parties caused by the minor's alcohol-influenced actions. Further, even if the guest was not a minor, a social host will be liable for injuries to third parties if the host knew or should have known that the guest was intoxicated, but nevertheless gave him or her, or permitted him or her to take, an alcoholic drink.

In Massachusetts, anyone, including drivers and passengers, possessing an open container of an alcoholic beverage in the passenger area of any motor vehicle is subject to a fine of between \$100 and \$500. A first conviction of driving under the influence of alcohol will result in a fine of \$500–\$5,000, a one-year revocation of the person's driver's license, up to two and a half years in prison, and mandatory alcohol rehabilitation. Additional offenses are punishable by more stringent sanctions.

Controlled Substances:

Massachusetts has varying criminal penalties relating to controlled substances or drugs. In general, violations involving narcotic and addictive drugs and drugs with high potential for abuse carry heavier penalties. A full list of controlled substances as defined by Massachusetts law can be found here: <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXV/Chapter94C/Section31>.

The possession, use, or distribution of controlled substances also is prohibited under the federal Controlled Substances Act. There are strict

penalties for drug convictions, including mandatory prison terms for many offenses. A full list of controlled substances as defined under federal law can be found here: <https://www.deadiversion.usdoj.gov/schedules/#list>.

- **Possession, Manufacture and Distribution:** Possession of controlled substances is illegal without valid authorization. While penalties for possession of a controlled substance are generally less than those for its manufacture and/or distribution, under both Massachusetts and federal law, illegal possession with intent to manufacture or distribute is subject to the same penalties as illegal manufacture or distribution. Further, illegal possession of relatively large quantities of any controlled substance ordinarily will be considered possession with intent to distribute. "Manufacture" of a controlled substance includes production, preparation, propagation, compounding, conversion, or processing, while "distribution" is the actual or attempted transfer of a controlled substance.

Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and require that the full minimum term be served. Note that researchers of controlled substances are subject to registration requirements as possession of controlled substances is illegal unless pursuant to a valid prescription or authorized by appropriate registration.

Sale and possession of "drug paraphernalia" also is illegal in Massachusetts. Under federal and state



Alcohol and Other Drug Policies

law, participation in drug-related criminal activity can result in seizure or forfeiture of personal property and other assets utilized in conjunction with or stemming from the proceeds of the illegal activity. In addition, conviction of a drug-related offense may entail civil fines and denial or revocation of certain licenses and benefits.

Persons convicted of drug possession under state or federal laws also are ineligible for federal student grants and loans and/or for participation in federally sponsored research grants or contracts for up to one year after the first conviction, and up to five years after the second; those convicted of distributing drugs lose these benefits for five years after the first conviction, for ten years after the second, and permanently after the third.

Please note that although Massachusetts law now permits adults aged 21 or older to possess and consume marijuana under certain circumstances, federal law still prohibits the possession, use, or distribution of marijuana, including for medical purposes. Thus, even if possession or use of marijuana would be permitted under Massachusetts law, it remains prohibited on Harvard property or as part of a Harvard activity.

- **Additional Criminal Penalties Under Massachusetts Law**
In Massachusetts, offenses subject to particularly severe punishments include: (1) second or subsequent convictions for manufacture or distribution of controlled substances; (2) illegal manufacture, distribution, or possession of, with intent to manufacture or distribute, phencyclidine (PCP), cocaine, or methamphetamine;

(3) “trafficking” in marijuana, cocaine, heroin, morphine or opium (defined as manufacture, distribution, cultivation, possession with intent to manufacture or distribute, or importation into the state of more than 50 pounds of marijuana or 14 grams of cocaine or heroin); (4) distribution or possession with intent to distribute controlled substances to persons under 18 years of age; and (5) second or subsequent offenses of driving under the influence of alcohol or drugs.

The Massachusetts Controlled Substances Act also provides penalties for being



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present at a place where it is known that heroin is kept and for being “in the company of” a person known to possess heroin. Anyone in the presence of heroin thus runs the risk of a drug conviction.

- **Additional Criminal Penalties Under Federal Law Under the federal Comprehensive Drug Abuse Prevention and Control Act, more commonly known as the Controlled Substances Act, the distribution of any controlled substance by a person at least 18 years old to a person under 21 years of age is punishable by twice the penalty (for a first offense) or three times the penalty (for a second offense) otherwise provided, and includes a mandatory minimum one-year prison term (except for a first offense involving less than 5 grams of marijuana) and mandatory life imprisonment without release for a third conviction. These increased penalties also apply to distribution of any controlled substance in or within 1,000 feet of a school, college, playground, or public housing facility, and within 100 feet of a youth center, public swimming pool, or video arcade. Severe penalties apply for those convicted of engaging in a “continuing criminal enterprise” to violate the Controlled Substances Act. Engaging in a “continuing criminal enterprise” means that a person: (1) commits a felony under the Act; (2) that felony is undertaken with 5 or more others “managed” by the person; and (3) the person obtains substantial income or resources from the felonious conduct.**

Federal law also increases prison sentences for manufacture and distribution of controlled substances if death or serious bodily injury results from

their use. In addition, under the Anti-Drug Abuse Act of 1988, a person who intentionally kills someone or causes the intentional killing of an individual in the course of manufacturing, distributing, importing or exporting large amounts of certain controlled substances or in the course of a continuing criminal enterprise may be sentenced to death. Any person who intentionally kills or causes the intentional killing of a law enforcement official while committing a federal drug felony or attempting to avoid apprehension, prosecution, or service of a prison sentence for such a felony also may be sentenced to death.

Health Risks Associated with Alcohol and Drug Use

Alcohol use, even in low doses, significantly can impair judgment and coordination. Low to moderate doses increase the incidents of aggressive acts, including spouse and child abuse. Moderate to high doses can severely alter a person’s ability to learn and remember information. Very high doses can cause respiratory depression and death. Repeated use can lead to dependence. Sudden cessation of use can produce withdrawal symptoms and can be life-threatening. Long-term use of large quantities can lead to permanent damage to vital organs such as the brain and liver. Women who drink alcohol during pregnancy may give birth to infants



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with fetal alcohol syndrome. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

The abuse of drugs/controlled substances can result in a wide range of health problems. Illicit drug use can result in drug addiction, death by overdose, death from withdrawal, seizure, heart problems, liver disease, and chronic brain dysfunction. Other problems associated with illicit drug use include psychological dysfunctions such as memory loss, thought disorders (i.e. hallucinations, paranoia, and psychosis) and psychological dependency. Women who use drugs during pregnancy may give birth to infants who are drug-addicted and may have health complications.

Commonly Abused Drugs and Their Effects

The following is a non-exhaustive list of some of the health effects of particular controlled substances.

Narcotics (including Heroin):

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

Depressants (including Barbiturates, Tranquilizers):

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

Stimulants (including Cocaine, Methamphetamine):

- Increased heart and respiratory rate,

elevated blood pressure, decreased appetite

- Blurred vision, dizziness, insomnia, anxiety
- High doses can cause physical collapse, irregular heartbeat, stroke, and possible death

Hallucinogens (including LSD, PCP, Mushrooms):

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

Cannabis (including Marijuana, Hashish):

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

The health consequences of alcohol abuse and substance use may be immediate and unpredictable, such as fatalities associated with alcohol poisoning and drug overdose, or more subtle and long term, such as liver and brain damage associated with the prolonged use of alcohol.

In addition to health related problems, alcohol abuse and substance use are associated with financial difficulties, interpersonal conflicts, domestic violence, deterioration of the family structure, accidental injuries or fatality, and may significantly impact academic and work performance.

For more detailed descriptions of commonly-abused drugs, including specific health effects and treatment options, refer to the National Institute on Drug Abuse: <https://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.



Alcohol and Other Drug Policies

Resources for Harvard Students and Employees

Educational Programs for Undergraduates

The Office of Alcohol & Other Drug Services (AODS) has developed a comprehensive substance abuse prevention program that seeks to reduce the negative consequences associated with alcohol and drug use for Harvard University students. Through educational programs, intervention services, policy initiatives and coordination with treatment providers, AODS collaborates with students and staff to promote the health and safety of all members of the Harvard community. Programs and services include mandatory alcohol education for all incoming freshmen and student-athletes, training for residential staff, student-leaders, and members of various student clubs and organizations, a robust peer education program, and evidence-based interventions for students who present at-risk for Substance Use Disorder.

For additional information on drug and alcohol abuse education programs visit the AODS website at www.aods.harvard.edu.

Resources for Advice and Counseling

Because of the considerable health risks involved in drug and alcohol use, resources are available to assist the Harvard community in understanding and dealing with drug and alcohol abuse problems. As noted above, students can learn about the dangers of substance abuse and get information about treatment and counseling options from the Office of Alcohol & other Drug Services (AODS). The Behavioral Health and Counseling and Mental Health offices at Harvard University Health Services (HUHS) offer assistance to both employees and students; employees also may learn about the dangers of substance abuse and obtain information about treatment

and counseling options available to the Harvard community through the Office of Wellness and Health Communication of the University Health Services, and Harvard's Employee Assistance Program (EAP). The Harvard University Police Department is available to assist any member of the University community in an emergency; emergency health services are also available at HUHS.

Harvard Resources

Harvard University Health Services (HUHS)
617-495-5711
www.huhs.harvard.edu

Office of Alcohol and Other Drug Services (Harvard University students), HUHS
617-496-0133
www.aods.harvard.edu

Behavioral Health, HUHS
617-495-2323
<http://huhs.harvard.edu/services/behavioral-health>

Counseling & Mental Health Services, HUHS
617-495-2042
<http://huhs.harvard.edu/services/counseling-and-mental-health>

Employee Assistance Program
877-EAP-HARV (877-327-4278)
<https://hr.harvard.edu/employee-assistance-program>

University Police Department
Urgent: 617-495-1212
Longwood: 617-432-1212
Business: 617-495-1215
<https://www.hupd.harvard.edu/>
Online contact form:
<https://www.hupd.harvard.edu/contact-us>



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External Resources

Alcoholics Anonymous

617-426-9444

www.aa.org

Al-Anon/Children of Alcoholics

508-366-0556

www.ma-al-anon-alateen.org

Women for Sobriety

215-536-8026

www.womenforsobriety.org

Smart Recovery Self-Help Network

781-891-7574

www.smartrecovery.org

Narcotics Anonymous

866-624-3578

www.na.org

Cocaine Anonymous

781-551-6677

www.ca.org



Missing Persons and Fire Safety



Missing Persons

As required under federal law, all Harvard Schools immediately will refer to the Harvard University Police Department any missing persons report involving a student who lives in on-campus housing. If any member of the Harvard community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify HUPD at **617-495-1212**. If HUPD determines that the student has been missing for more than 24 hours, then, within the 24 hours following this determination, the School or HUPD will: (1) notify an appropriate external law enforcement agency, unless the local law enforcement agency was the entity that made the determination that the student is missing; (2) contact anyone the student has identified as a missing person contact under the procedures described below; and (3) notify others at the University, as appropriate, about the student's disappearance. In addition to identifying a general emergency contact person, students residing in on-campus housing have the option annually to identify confidentially a separate person to be contacted by Harvard in the event that the student is determined to be missing for more than 24 hours. Students are not required to designate a separate individual for this purpose and if they choose not to do so then Harvard will assume that they have chosen to treat their general emergency contact as their missing person contact. Students who wish to identify a confidential missing person contact should notify their School's Registrar. A student's confidential missing person contact

information will be accessible only by authorized campus officials and by law enforcement in the course of an investigation, and may not be disclosed outside of a missing person investigation. In addition, if it has been determined that a student who is under 18 years of age and not emancipated has been missing for more than 24 hours, then the School or HUPD will contact that student's custodial parent or guardian, in addition to notifying any additional contact person designated by the student. Students are reminded that they must provide the Registrar with emergency contact information and/or confidential missing person contact information if they have not already done so.

Sex Offender Registry

Students, faculty, and staff members can obtain information on registered sex offenders living and working in the immediate area by contacting the Cambridge Police Department, Boston Police Department, or the Somerville Police Department. General information about the Commonwealth of Massachusetts Sex Offender Registry Board can be found at <http://www.mass.gov/eopss/agencies/sorb/> or by calling **978-740-6400**.

Fire Safety

The Higher Education Opportunities Act of 2008 requires that all institutions that maintain on-campus student housing facilities publish an annual fire safety report that provides information on campus fire safety practices and standards, and maintain a fire reporting log.



Access to and Security of Facilities



The University's fire safety report can be found at <http://www.ehs.harvard.edu/programs/higher-education-opportunity-act-heoa>.

Most campus facilities are open to community members and visitors during normal business hours. HUPD officers and security guards conduct routine security and safety patrols of the academic and administrative buildings to monitor conditions and report any unusual circumstances.

However, residences are secured 24 hours a day and require University identification or key access to gain entry. HUPD officers and security guards monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Schools, residences, and administrative buildings typically assign responsibility for their maintenance and security to building superintendents or managers. Harvard also contracts with Securitas, a private security agency, to provide services.

In the event that your local building security is not able to meet your needs, such as in case of a lockout, the HUPD is available to assist you. Feel free to call **617-495-1215** for assistance. If you have questions about accessibility for persons with mobility impairments, please contact the

University Disability Coordinator at **617-495-1859** or **617-495-4801 (TTY)** or by email at disabilityservices@harvard.edu.

Security Considerations Used in the Maintenance of Campus Facilities

Harvard University maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated. As necessary, HUPD works closely with Harvard Campus Services to enhance security and to make sure that maintenance issues, such as replacing burned out lights and repairing malfunctioning door locks, are addressed.

The HUPD encourages community members to be vigilant while walking throughout campus and surrounding areas both during the day and at night and to take the appropriate precautions, such as walking with others and utilizing the various available transportation options described below. Students, faculty, and staff also may call the HUPD at **617-495-1212** if they believe they are in danger while waiting for transportation due to the hour or circumstance. The HUPD will assist with transportation whenever appropriate.



Safety Escorts and Transportation



Cambridge Campus

Shuttle Bus

617-495-0400 (fully accessible)

The University Shuttle Service operates fixed route bus service during the academic year (except on university recognized holidays and semester breaks) providing safe, convenient, and reliable transportation throughout the Cambridge and Allston campuses. The service is free to members of the Harvard community. Scheduled service runs from 5:15 a.m. to 3:45 a.m. Monday through Friday, and 5:15 a.m. to 4:50 a.m. Saturday, and Sunday.

Shuttle Tracker

Shuttle Tracker is an online service and mobile device application that continuously displays the location of Harvard University shuttles and animates their motion against a detailed map of recognizable University buildings and landmarks. For additional information on Shuttle Tracker please visit www.shuttle.harvard.edu.

TransLōc now offers mobile apps for iPhone and Android. Harvard Transportation encourages all passengers to download an app for additional features and mobile access.

Daytime Van Service

617-495-0400 (fully accessible)

The Daytime Van Service is designed for persons who, because of mobility impairment or medical condition, find it difficult or impossible to use the regular shuttle bus. This service operates year round throughout the Cambridge and Allston campuses and is available to all faculty, staff and students.

All faculty, visiting appointments, staff, alumni, and guests of Harvard wishing to request use of the van service must be approved by contacting the Office of the Disability Coordinator at disabilityservices@harvard.edu. After approval, rides are by appointment only.

Please call **617-495-0400** for more information or to schedule a ride. After 7 p.m., fully accessible shuttle vans are available through the Evening Van Service. Reservations are not required for the Evening Van Service.



Safety Escorts and Transportation

Evening Van Service

617-495-0400 (fully accessible)

The service operates between 7:00 p.m. and 3:00 a.m., seven days a week throughout the academic year. No advance arrangements are needed. However, the last request for a ride must be received by 2:30 a.m. After Commencement until classes start, the service operates from 7:00 p.m. until 12 a.m. last call at 11:30 p.m.

You can request a ride by using the Harvard Evening Van App.

For more information please call 617-495-0400.

Harvard University Campus Escort Program (HUCEP)

617-384-8237

HUCEP teams of students, who are trained and supervised by the HUPD, provide walking escorts to students, faculty, and staff during the academic year and cover the Yard, River, and Quad areas. Teams are identified by their brightly colored vests, labeled HUCEP. Escorts respond to calls for service through the HUCEP hotline (**617-384-8237** or **617-38-HUCEP**), and can be flagged down by students, faculty, and staff in need of an escort. Escort teams also are encouraged to ask solo walkers if they would like an escort to their destination. The hours of operation for HUCEP are 10:30 p.m. - 3:00 a.m., Thursday through Saturday.

Longwood Campus

Walking Escort Service

**HMS/HSDM 617-432-1379,
HSPH 617-432-1040**

The walking escort service is available 24 hours a day. When you call, a security guard will escort you anywhere on the Harvard Longwood Campus or to the nearest MBTA stop. Please call ahead as it may take as long as fifteen minutes for your escort to arrive. Please wait for your escort once you have called.

Taxi Escort Service

The Taxi Escort Service is a complimentary service available to HMS Quad-based students, faculty, staff, and students living off campus, as well as all HSPH students, faculty, and staff. The service is available from 9:00 p.m. to 3:00 a.m., seven days a week. Students, faculty, and staff are required to show their HUID or Harvard Longwood Campus Temporary ID. Escorts can be arranged at the NRB 1st floor security desk for HMS and HSDM, and FXB lobby for HSPH. Taxis will take you within one mile of the Longwood Campus at no charge (you are responsible for additional mileage past one mile.)

Shuttle Bus

617-632-2800

The Harvard Longwood Campus shuttle (M2) is managed by MASCO and operated by Paul Revere Transportation Company. The service runs between Vanderbilt Hall and the Johnston Gate, Monday through Saturday. All Harvard University students, faculty, and staff with a valid HUID card ride the bus for free. Faculty (without an HUID) and employees of Harvard-affiliated hospitals must purchase tickets at the M2 ticket offices.

For schedule information and ticket sale locations visit: www.masco.org/directions/m2-cambridge-harvard-shuttle.



Appendices



Appendix 1

Clery Act Criminal Statistics

Appendix 2

Definitions of Crimes for Clery Act Criminal Statistics

Appendix 3

Certain Definitions Under Massachusetts Law

Appendix 4

Specific Policies for Separate Campuses

Appendix 5

Procedures for Handling Complaints Involving Students Pursuant to the Sexual and Gender-Based Harassment Policy

Appendix 6

Procedures for Handling Complaints Involving Staff Pursuant to the Sexual and Gender-Based Harassment Policy

Appendix 7

Procedures for Handling Complaints Involving Faculty Pursuant to the Sexual and Gender-Based Harassment Policy

Appendix 1 — Cambridge Campus Clery Act Criminal Statistics

Criminal Offenses	2015						2016						2017					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	34	0	2	36	33	1	27	0	1	28	24	3	33	0	1	34	21	7
Fondling	6	0	12	18	4	0	10	0	6	16	5	0	10	0	4	14	4	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	1	0	12	13	0	0	0	0	10	10	0	0	2	0	13	15	0	0
Aggravated Assault	0	0	16	16	0	0	2	0	21	23	0	0	5	0	26	31	1	0
Burglary	42	0	0	42	15	0	70	0	0	70	46	0	47	1	0	48	24	0
Motor Vehicle Theft	4	0	10	14	0	0	1	0	6	7	0	0	6	1	6	13	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	8	0	9	17	7	0	2	0	0	2	2	0	3	1	9	13	2	0
Dating Violence	13	0	0	13	11	0	26	0	0	26	16	0	9	0	0	9	6	0
Stalking	7	0	0	7	1	0	13	0	0	13	2	0	14	0	0	14	5	0
TOTAL	115	0	61	176	71	1	151	0	44	195	95	3	129	3	59	191	63	7
Bias Crimes	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Race	0	0	0	0	0	0	1	0	3	4	0	0	3	0	0	3	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0
Sexual Orientation	1	0	0	1	0	0	0	0	1	1	0	0	0	0	0	0	0	0
Gender	1	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0
TOTAL	2	0	0	2	1	0	1	0	5	6	0	0	5	0	0	5	0	0
Arrests	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Weapons Violations	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	9	9	0	0	1	0	3	4	0	0	0	1	4	5	0	0
Liquor Law Violations	0	0	1	1	0	0	0	0	1	1	0	0	0	0	2	2	0	0
TOTAL	0	0	11	11	0	0	1	0	4	5	0	0	0	1	6	7	0	0
Disciplinary Actions	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Weapons Violations	5	0	0	5	5	0	1	0	0	1	1	N/A	0	0	1	1	0	0
Drug Law Violations	7	0	0	7	7	0	12	0	0	12	12	N/A	29	0	0	29	0	0
Liquor Law Violations	19	0	0	19	19	0	20	0	1	21	20	N/A	27	0	0	27	0	0
TOTAL	31	0	0	31	31	0	33	0	1	34	33	0	56	0	1	57	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. (2) Non-Campus: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. (3) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. (4) Total: campus crime + non-campus + public crime. (5) Residence: a subset of campus crime. Crimes are counted in both categories. (6) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 — Longwood Campus Clery Act Criminal Statistics

Criminal Offenses	2015						2016						2017					
	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)	Campus (1)	Non-Campus (2)	Public (3)	Total (4)	Resid. (5)	Un-founded (6)
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	1	0	0	1	1	0	0	0	0	0	0	0
Fondling	1	0	1	2	0	0	1	0	0	1	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	2	0	2	4	0	0	0	0	2	2	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	2	0	0	2	0	0	5	0	0	5	1	0	1	0	0	1	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	3	3	0	0	2	0	0	2	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	1	0	0	1	1	0	1	0	0	1	1	0
Stalking	3	0	0	3	0	0	0	0	0	0	0	0	1	0	0	1	1	0
TOTAL	8	0	6	14	0	0	8	0	5	13	3	0	5	0	0	5	2	0
Bias Crimes	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Race	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	1	1	0	2	0	0	0	0	0	0	0	0
Arrests	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A
Drug Law Violations	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	N/A
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A
TOTAL	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded	Campus	Non-Cam	Public	Total	Resid	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls. (2) Non-Campus: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. (3) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. (4) Total: campus crime + non-campus + public crime. (5) Residence: a subset of campus crime. Crimes are counted in both categories. (6) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 — Arnold Arboretum Campus Clery Act Criminal Statistics

Criminal Offenses	2015				2016				2017			
	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	1	1	2	0	0	0	0	0
Aggravated Assault	0	0	0	0	1	0	1	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	2	1	3	0	0	1	0	0
Bias Crimes	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Race	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.

(2) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

(3) Total: campus crime + non-campus + public crime.

(4) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 — Concord Field Station Campus Clery Act Criminal Statistics

Criminal Offenses	2015				2016				2017			
	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Bias Crimes	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Race	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.

(2) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

(3) Total: campus crime + non-campus + public crime.

(4) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 — Harvard Forest Campus Clery Act Criminal Statistics

Criminal Offenses	2015					2016					2017				
	Campus (1)	Public (2)	Total (3)	Resid. (4)	Un-founded (5)	Campus (1)	Public (2)	Total (3)	Resid. (4)	Un-founded (5)	Campus (1)	Public (2)	Total (3)	Resid. (4)	Un-founded (5)
Murder	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bias Crimes	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded	Campus	Public	Total	Resid.	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
 (2) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
 (3) Total: campus crime + non-campus + public crime.
 (4) Residence: a subset of campus crime. Crimes are counted in both categories.
 (5) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 — Center for Hellenic Studies – Nafplion, Greece Clery Act Criminal Statistics

Criminal Offenses	2015				2016				2017			
	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Bias Crimes	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Race	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.

(2) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

(3) Total: campus crime + non-campus + public crime.

(4) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 1 – David Rockefeller Center for Latin American Studies (DRCLAS) – Santiago, Chile Campus

Criminal Offenses	2015				2016				2017			
	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)	Campus (1)	Public (2)	Total (3)	Un-founded (4)
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Bias Crimes	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Race	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Arrests	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded	Campus	Public	Total	Un-founded
Weapons Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0

(1) Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.

(2) Public: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

(3) Total: campus crime + non-campus + public crime.

(4) Unfounded - after an investigation by a law enforcement agency any report of a crime that is found to be false or baseless the crime is considered "unfounded."



Appendix 2 — Definitions of Crimes for Clery Act Criminal Statistics

The following definitions are given in the proposed rule on the Violence Against Women Act, drafted by the Department of Education and published in Vol. 79, No. 119 of the Federal Register on June 20, 2014.

Arson - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Aggravated Assault - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Criminal Homicide - Manslaughter by Negligence - The killing of another person through gross negligence.

Criminal Homicide - Murder and Nonnegligent Manslaughter - The willful (nonnegligent) killing of one human being by another.



Appendix 2 — Definitions of Crimes for Clery Act Criminal Statistics

Destruction/Damage/Vandalism of Property

- To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Drug Abuse Violations - The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Hate Crime – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of the Clery Act, the categories of bias that may serve as the basis for a determination that a crime is a hate crime would include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Larceny – Theft (Except Motor Vehicle Theft) - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted

larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Liquor Law Violations - The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transporting, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Motor Vehicle Theft - The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned – including joyriding.)

Robbery - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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.

Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting program and included in Appendix A (of the proposed regulations). Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.



Appendix 2 — Definitions of Crimes for Clery Act Criminal Statistics

- Fondling is defined as the touching of the private parts of another person for the purposes 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 incapacity.
- Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Simple Assault – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Stalking -

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-
 - (i) Fear for the person's safety or the safety of others; or
 - (ii) Suffer substantial emotional distress.
- 2) For the purpose of this definition-
 - (i) Course of conduct means 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.



- (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

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

Weapons: Carrying, Possessing, Etc. - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.



Dating Violence and Domestic Violence

There are no crimes called “dating violence” or “domestic violence” in Massachusetts; however, there is a related crime of “abuse” that is defined in G.L. c. 209A § 1 as: “the occurrence of one or more of the following acts between family or household members:

- (a) attempting to cause or causing physical harm;
- (b) placing another in fear of imminent serious physical harm;
- (c) causing another to engage involuntarily in sexual relations by force, threat or duress.

“Family or household members” is defined as: “persons who:

- (a) are or were married to one another;
- (b) are or were residing together in the same household;
- (c) are or were related by blood or marriage;
- (d) having a child in common regardless of whether they have ever married or lived together; or
- (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts 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.**”

Sexual Assault –

There is no crime called “sexual assault” in Massachusetts; however, there are related crimes of “indecent assault and battery,” “rape,” and “assault with intent to commit rape.”

Indecent Assault and Battery is a crime under G.L. c. 265:

- § 13B (Indecent assault and battery on a child under the age of fourteen);
- § 13B1/2 (Commission of indecent assault and battery on a child under the age of fourteen during commission of certain other offenses or by mandated reporters);
- § 13B3/4 Commission of indecent assault and battery on a child under the age of fourteen by certain previously convicted offenders);
- § 13F (Indecent assault and battery on a person with an intellectual disability); and 13 H (Indecent assault and battery on a person fourteen or older).

The term “indecent assault and battery” is not defined by statute.

Rape is a crime under G.L. c. 265:

- § 22 (Rape, generally: “Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury...”);
- § 22A (Rape of a child: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury...”);
- § 22B (Rape of a child during commission of certain offenses or by use of force: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to

Appendix 3 — Certain Definitions Under Massachusetts Law

submit by force and against his will or compels such child to submit by threat of bodily injury and...”);

§ 22C (Rape of a child through use of force by certain previously convicted offenders: “Whoever has sexual intercourse or unnatural sexual intercourse with a child under 16, and compels such child to submit by force and against his will or compels such child to submit by threat of bodily injury, and has been previously convicted of or adjudicated delinquent or as a youthful offender for...”);

§ 23 (Rape and abuse of child: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age...”);

§ 23A (Rape and abuse of child aggravated by age difference between defendant and victim or when committed by mandated reporters: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and...”); and

§ 23B (Rape and abuse of a child by certain previously convicted offenders: “Whoever unlawfully has sexual intercourse or unnatural sexual intercourse, and abuses a child under 16 years of age and has been previously convicted of or adjudicated delinquent or as a youthful offender for...”).

Assault with intent to commit rape is a crime under G.L. c. 265, § 24. “Assault with intent to commit rape” is not defined by statute.

Stalking –

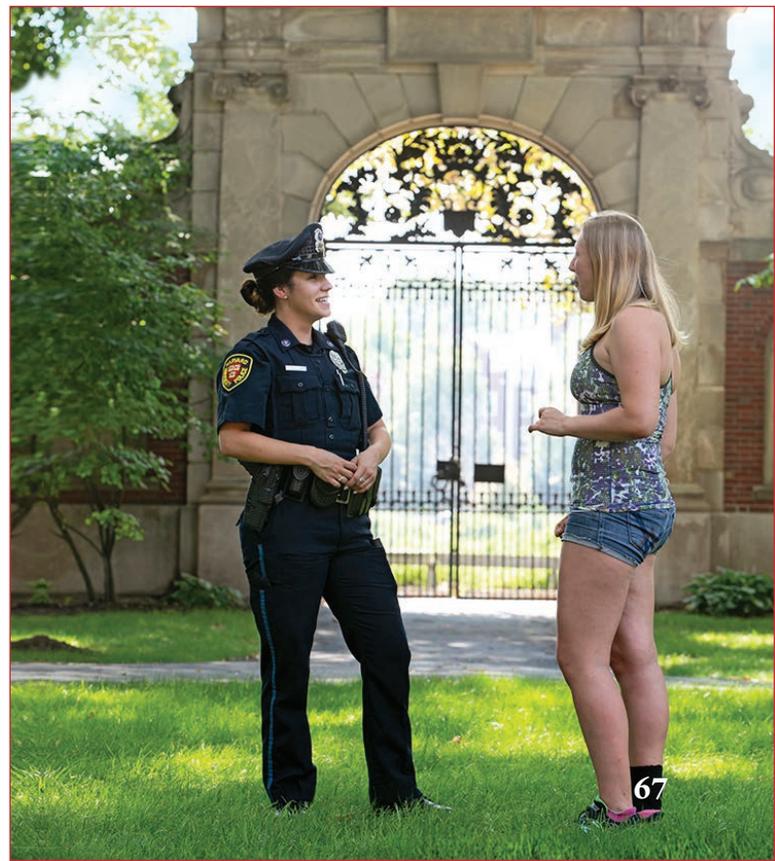
Stalking is a crime under G.L. c. 265, § 43 (a), where it is described as follows:

“Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific

person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking . . . 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 -

“Consent,” in reference to sexual activity, is not defined by statute in Massachusetts. However, lack of consent is an element of the crimes of rape and indecent assault and battery.



Appendix 4 — Specific Policies for Separate Campuses

Except as noted below, all policy statements included in Playing it Safe pertain to all campuses.

Arnold Arboretum — Boston, Massachusetts

Reporting a Crime

Crimes in progress and emergencies should be reported to 911. The Boston Police Department provides both emergency and non-emergency assistance as requested and appropriate. Anyone needing assistance in making a police report can contact the Harvard University Police Department and staff will assist in contacting the appropriate agency to file a report.

Timely Warning and Emergency Communication

Students, faculty, and staff receive timely warnings sent by the Harvard University Police Department. The HUPD maintains communication with local and state police, and, as appropriate, will provide information to student, faculty, and staff via email or text.

Students, faculty, and staff also may receive warnings and messages from campus administrators.

Access to and Security of Facilities

Most campus facilities are open to community members and visitors during normal business hours. Security guards conduct routine security and safety patrols of the buildings to monitor conditions and report any unusual circumstances. The Harvard University Police Department does not patrol or provide security at this location.

Concord Field Station — Bedford, Massachusetts

Reporting a Crime

Crimes in progress and emergencies should be reported to 911. The Bedford Police Department provides both emergency and non-emergency assistance as requested and appropriate. Anyone needing assistance in making a police report can contact the Harvard University Police Department and staff will assist in contacting the appropriate agency to file a report.

Timely Warning and Emergency Communication

Students, faculty, and staff receive timely warnings sent by the Harvard University Police Department. The HUPD maintains communication with local and state police, and, as appropriate, will provide information to student, faculty, and staff via email or text.

Students, faculty, and staff also may receive warnings and messages from campus administrators.

Access to and Security of Facilities

Most campus facilities are open to community members and visitors during normal business hours. Staff are expected to report any unusual circumstances. The Harvard University Police Department does not patrol or provide security at this location.

Harvard Forest — Petersham, Massachusetts

Reporting a Crime

Crimes in progress and emergencies should be reported to 911. The Petersham Police Department provides both emergency and non-emergency assistance as requested and appropriate. Anyone needing assistance in making a police report can



Appendix 4 — Specific Policies for Separate Campuses

contact the Harvard University Police Department and staff will assist in contacting the appropriate agency to file a report.

Timely Warning and Emergency Communication

Students, faculty, and staff receive timely warnings sent by the Harvard University Police Department. The HUPD maintains communication with local and state police, and, as appropriate, will provide information to student, faculty, and staff via email or text.

Students, faculty, and staff also may receive warnings and messages from campus administrators.

Access to and Security of Facilities

Most campus facilities are open to community members and visitors during normal business hours. Staff are expected to report any unusual circumstances. The Harvard University Police Department does not patrol or provide security at this location.

Center for Hellenic Studies — Nafplion, Greece

Reporting a Crime

Crimes in progress and emergencies should be reported to the local police department, which will provide both emergency and non-emergency assistance as requested and appropriate.

Timely Warning and Emergency Communication

Students, faculty, and staff receive timely warnings sent by campus administrators, in coordination, when possible, with HUPD.

Access to and Security of Facilities

Campus facilities may be open to community members and visitors during normal business hours. Staff are expected to report any unusual circumstances. The Harvard University Police Department does not patrol or provide security at this location.

David Rockefeller Center for Latin American Studies — Santiago, Chile

Reporting a Crime

Crimes in progress and emergencies should be reported to the local police department, which will provide both emergency and non-emergency assistance as requested and appropriate.

Timely Warning and Emergency Communication

Students, faculty, and staff receive timely warnings sent by campus administrators, in coordination, when possible, with HUPD.

Access to and Security of Facilities

Campus facilities may be open to community members and visitors during normal business hours. Staff are expected to report any unusual circumstances. The Harvard University Police Department does not patrol or provide security at this location.

- **Graduate School of Design**
- **Harvard Business School**
- **Harvard Divinity School**
- **Harvard Graduate School of Education**
- **Harvard Kennedy School**
- **Harvard Medical School**
- **Harvard School of Dental Medicine**
- **Harvard T.H. Chan School of Public Health**
- **Radcliffe Institute for Advanced Study**

The Office for Dispute Resolution (“ODR”) has been charged with implementing the following procedures for students pursuant to the Sexual and Gender-Based Harassment Policy (“Policy”). The ODR operates under the Office of the Provost, working in partnership with the University’s Title IX Officer, School or unit Title IX Coordinators, and other School or unit leadership.

Harvard students, faculty, staff, other Harvard appointees, or third parties who believe they are directly affected by the conduct of a Harvard student (collectively “Initiating Parties”) may: request information or advice, including whether certain conduct may violate the Policy; seek informal resolution; or file a formal complaint. These three options are described below.

Initiating Parties are encouraged to bring their concerns to the relevant School or unit Title IX Coordinator, the Title IX Officer, or staff in ODR, but may, if they choose, contact another School or University officer, who will refer the matter as appropriate.

As set forth below, interim measures designed to support and protect the Initiating Party or the University community may be considered or

implemented at any time, including during a request for information or advice, informal resolution, or a formal complaint proceeding. Consistent with School or unit policy, interim measures might include, among others: restrictions on contact; course-schedule or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus. These interim measures are subject to review and revision throughout the processes described below.

I. Requests for Information or Advice

Initiating Parties seeking information or advice can expect to learn about resources available at the University and elsewhere that provide counseling and support. They also will be advised about the steps involved in pursuing an informal resolution or filing a formal complaint. In addition, the School or unit Title IX Coordinator, the Title IX Officer, or staff in ODR may discuss with Initiating Parties whether any interim measures are appropriate at this stage

II. Requests for Informal Resolution

Initiating Parties may make a request, either orally or in writing, for informal resolution to the School or unit Title IX Coordinator, the Title IX Officer, or the Director of ODR. The request should identify the alleged harasser (if known) and describe the allegations with specificity. The School or unit Title IX Coordinator, the Title IX Officer, or the Director of ODR in consultation with the Title IX Officer will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, and in instances when the Initiating Party makes the request to the ODR, the Director of ODR will assign the informal resolution to an Investigator. The Title IX Officer or designee, the School or unit Title IX Coordinator, or the



Investigator will consult further with the person initiating the request, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The School or unit Title IX Coordinator or the Title IX Officer also may put in place any appropriate interim measures to protect the educational and work environment. The Title IX Officer or designee, the School or unit Title IX Coordinator, or the Investigator will attempt to aid the parties in finding a mutually acceptable resolution.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements.

Those facing allegations may wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the School or unit Title IX Coordinator. At any point prior to such an express agreement, the Initiating Party may withdraw the request for informal resolution and initiate a formal complaint under these Procedures.

Ordinarily, the informal resolution process will be concluded within two to three weeks of the date of the request.

III. Procedures for Formal Complaints

A. Initiating a Complaint

An Initiating Party may file a formal complaint alleging a violation of the Policy. A complaint of sexual or gender-based harassment should be filed directly with the ODR, regardless of the identity of the Respondent. (If the Respondent is

not a student, see Referral of Complaints Against Staff, Faculty, Other Harvard Appointees, or Third Parties below). ODR will inform the School or unit Title IX Coordinator(s) for the Complainant and the Respondent that a complaint has been received, and, if indicated, the School or unit Title IX Coordinator will put in place any appropriate interim measures.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (Reporter). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the Complainant or Reporter's own words, and may not be authored by others, including family members, advisors, or attorneys. Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records, and the like) that the Complainant or Reporter believes may be relevant to the investigation. However, a complaint should not be delayed if such sources of information are unknown or unavailable.

ODR will not investigate a new complaint if it has already adjudicated a formal complaint based on the same circumstances or if the parties and the School or unit Title IX Coordinator, the Title IX Officer, or the Director of ODR in consultation with the Title IX Officer already have agreed to an informal resolution based on the same circumstances. Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with Massachusetts Commission Against Discrimination, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction



B. Referral of Complaints Against Staff, Faculty, Other Harvard Appointees, or Third Parties

These Procedures cover complaints against students. When allegations are asserted against a staff member, faculty member, other Harvard appointee, or third party, ODR promptly will provide the appropriate Title IX Coordinator with a copy of the complaint. The School or unit Title IX Coordinator, in consultation with other Harvard officers, will determine whether some or all of the allegations will be handled at the School or unit level, or whether ODR will conduct all or part of any investigation, and will inform the Complainant or Reporter.

C. Timeframe for Filing a Complaint

The University does not limit the timeframe for filing a complaint. The University encourages complaints to be filed as soon as reasonably possible following an alleged Policy violation because the University's ability to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, with respect to those cases that will be reviewed by disciplinary bodies at the conclusion of the investigation, the University's ability to complete its processes may be limited with respect to Respondents who have graduated from or are no longer employed by the University.

D. Initial Review

Once a complaint is received by the ODR, the Director of ODR will assign the case to an Investigator for an initial review. The School with which the Respondent is affiliated may designate an additional individual to work jointly with the Investigator (collectively, the "Investigative Team"). Investigators and School designees will have appropriate training, so that they have the

specialized skill and understanding to conduct prompt and effective sexual and gender-based harassment investigations

The Investigative Team will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate the Policy. When a complaint is brought by a Reporter, the Investigative Team will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigative Team will determine whether the information, if true, would constitute a violation of the Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigative Team will convey this determination to: the Complainant (and the Reporter, if there is one); the Director of ODR, the Title IX Officer; and the School Title IX Coordinator. The Investigative Team will work with the School Title IX Coordinator to implement any appropriate interim measures to be put in place by the School pending the completion of the case (or to revise as necessary any measures already in place).

Ordinarily, the initial review will be concluded within one week of the date the complaint was received.

E. Investigation

Following the decision to begin an investigation, the Investigative Team will notify the Respondent in writing of the allegations and will provide a copy of the Policy and these procedures. The Respondent will have one week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored



Appendix 5 — Procedures for Handling Complaints Involving Students Pursuant to the Sexual and Gender-Based Harassment Policy

by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records, and the like) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and the Complainant is unwilling to participate but the School has assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and has determined to proceed, then, for the purposes of these Procedures, the School Title IX Coordinator (or a designee) will be considered the Complainant.

The Investigative Team will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses, which may include those identified by the parties as well as relevant officers of the School or University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigative Team will

request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

F. Personal Advisors

Both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigative Team. A personal advisor should be an officer of the University who is affiliated with the School or unit in which the advisee is enrolled or employed, but may not be related to anyone involved in the complaint or have any other involvement in the process. In the case of students enrolled in interdisciplinary programs, their official academic advisor also may serve as their personal advisor.

Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice.



Harvard University Police Department

During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

G. Confidentiality

The ODR, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified of the potential for compromising the integrity of the investigation by disclosing information about the case and the expectation that they therefore keep such information – including any documents they may receive or review – confidential. They also will be notified that sharing such information might compromise the investigation or may be construed as retaliatory. Retaliation of any kind is a separate violation of the Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, other than information that they have learned solely through the investigatory process, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

H. Coordination with Law Enforcement Authorities

In all cases, the Investigative Team will have completed the initial review without delay and, as appropriate, will have proposed interim measures to the School Title IX Coordinator. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, the Investigative Team will, in light of status updates from law-enforcement authorities and the Title IX Officer, assess and reassess the

timing of the investigation under the Policy, so that it does not compromise the criminal investigation.

I. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigative Team will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of the Policy.

The Investigative Team will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigative Team will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the School to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the School will work jointly to put in place such measures as they determine are appropriate. Consistent with School policies, measures imposed at this stage might include, among others: restrictions on contact; course-schedule or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the School Title IX Coordinator, and the appropriate officer in the School or unit, ordinarily within six weeks of receipt of the complaint. The administration of discipline in cases involving students is subject to the authority of the faculty; thus, as appropriate, having received the report, the School separately will consider the imposition of discipline through its own processes and notify the parties as appropriate. For cases involving faculty, staff, other Harvard appointees,



or third parties that have been investigated by the ODR pursuant to Section III.B above, the imposition of sanctions will be considered separately by the appropriate officials at the School or unit through their relevant policies.

J. Special Circumstances

i. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the Investigative Team, the School Title IX Coordinator, or the Title IX Officer, as appropriate, will consider how to proceed, taking into account the potential Complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the potential Respondent's right to have specific notice of the allegations. The Investigative Team, the School Title IX Coordinator, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigative Team, the School Title IX Coordinator, or the Title IX Officer may determine that further investigation is necessary, in which case the potential Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigative Team, the School Title IX Coordinator, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant's identity.

ii. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigative Team finds that the allegation, if true, would not constitute a violation of the Policy, then the Director of ODR will administratively close the case and notify the Complainant (and the Reporter, if there is one), the Title IX Officer, and the School Title IX Coordinator.

Where the Complainant is unwilling to participate in further investigation, the Director of ODR, in consultation with the Title IX Officer, will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the University should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer or designee will consider requests for reconsideration and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.

In cases where the Director of ODR concludes that the alleged conduct, while not a violation of the Policy, might implicate other School or University conduct policies, the Director of ODR may refer the complaint to the appropriate School or University official.

iii. Request to Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, the University must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Director of ODR may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint or failure to cooperate. Other circumstances also may result in a request to withdraw the complaint being declined, where, for example, a request to withdraw is made after a significant portion of the investigation has been completed and terminating the investigation would be inequitable.



iv. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Director of ODR in consultation with the Title IX Officer and the relevant School or unit.

If such a request is approved, the timeframes will be stayed, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If the parties cannot reach an informal resolution within two weeks from receipt of the request, then the Investigative Team will resume the investigation of the complaint in accordance with the formal complaint procedures.

IV. Appeal

Both the Respondent and the Complainant may appeal the decision of the Investigative Team to the Title IX Officer or designee based on the following grounds:

1. A procedural error occurred, which may change the outcome of the decision; or
2. The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.

Disagreement with the Investigative Team's findings or determination is not, by itself, a ground for appeal.

Appeals of the Investigative Team's decision must be received by the Title IX Officer or designee within one week of the date of the final report. Likewise, appeals of decisions to administratively

close a case or to deny a request to withdraw the complaint must be received by the Title IX Officer or designee within one week of the date of the decision under appeal. Ordinarily, appeals will be decided within two weeks and the parties and the School Title IX Coordinator promptly will be informed of the outcome in writing.

V. Resources

University Resources:

[Office of Sexual Assault Prevention & Response](#)

[HUHS Counseling and Mental Health Services](#)

[Bureau of Study Counsel](#)

[Harvard University Health Services](#)

[Harvard Chaplains](#)

[Harvard University Police Department](#)

[Employee Assistance Program](#)

Local Title IX Coordinators and University Sexual Harassment Policy:

[University Sexual Harassment Policies & Procedures](#)

University Title IX Officer:

[Nicole Merhill, J.D.](#)

Outside Agencies:

[U.S. Department of Education, Office for Civil Rights \(OCR\)](#)

[U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

[Massachusetts Commission Against Discrimination \(MCAD\)](#)



- **Faculty of Arts and Sciences**
- **Division of Continuing Education**
- **Graduate School of Arts and Sciences**
- **Harvard College**
- **Harvard John A. Paulson School of Engineering and Applied Sciences**

A. Introduction

Harvard students, faculty, staff, other Harvard appointees, or third parties (collectively, “Initiating Parties”) wishing to report a violation of this Policy should begin by contacting the Harvard University Office for Sexual and Gender-Based Dispute Resolution (“ODR”) or the relevant FAS Title IX Coordinator. In the event that the first FAS officer contacted by an Initiating Party is not the appropriate Title IX Coordinator, it is that FAS officer’s responsibility to forward the matter either to ODR or to the appropriate Title IX Coordinator.

FAS Title IX Coordinators will receive diversity and implicit bias training. They will be sensitive to cultural factors that may affect the way members of our community may experience interactions with representatives of the University – whether those cultural factors involve sexual orientation, gender identity, race, ethnicity, nationality, socio-economic status, or citizenship.

Section C, below, sets out procedures pertaining to allegations of sexual or gender-based harassment committed by a student, including a student at Harvard College, GSAS, and both the Extension School and the Summer School within DCE. Sections D and E, below, set out procedures pertaining to allegations of sexual or gender-based harassment committed by Faculty and staff.

As set forth below and in the University Procedures, interim measures designed to support and protect the Initiating Party or the University community may be considered or implemented at any time, including during a request for information or advice, informal resolution, or a formal complaint proceeding. Consistent with FAS policy, interim measures might include, among others: restrictions on contact; course-schedule or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus. Interim measures are subject to review and revision throughout the processes described below.

Based on data supplied by the appropriate FAS Title IX Coordinators, an annual report will be prepared for the Faculty Council and the Faculty on the number and type of complaints. Every fifth year a summary will be prepared for the Faculty Council and the Faculty on the disposition of complaints filed over the preceding five years.

B. Requests for Information and Advice

Any FAS student or staff or Faculty member who has a concern, inquiry, or complaint regarding sexual or gender-based harassment or misconduct should feel free to seek information and advice concerning applicable policies, informal resolution and formal complaints, and counseling and other services.

For information and advice, members of the FAS community are encouraged to contact either ODR or any Title IX Coordinator within FAS. See Section V (Resources). Although different Title IX Coordinators may be aligned with various constituents or schools within FAS (College, GSAS, DCE, Faculty, Staff), any Title IX Coordinator can provide basic advice or contact other FAS or



University officers for assistance, as appropriate. Anyone who reports to HUPD that he or she has been the victim of dating violence, domestic violence, sexual assault, or stalking will be provided with a written explanation of his or her rights and options. More information can be found on the HUPD website.

The University Policy and this Policy establish what degree of confidentiality faculty, staff, and students can expect from different officers and organizations within the University, as discussed above. Contact information for support resources is available in the “Resources” section, below. OSAPR also maintains an online guide to the confidentiality level of various support resources: <http://osapr.harvard.edu/pages/resources>. FAS Title IX Coordinators can provide information regarding the availability of University counseling and support.

FAS Title IX Coordinators are available to provide information to anyone who has questions about sexual or gender-based harassment. In all conversations, FAS Title IX Coordinators will maintain an appropriate balance between privacy and information gathering. FAS Title IX Coordinators will be forthright about the steps that are available to them in their efforts to protect our community from sexual and gender-based harassment, and can answer any questions about the ways in which Title IX Coordinators may use information.

Personal Advisors

FAS Title IX Coordinators can, upon request, suggest names of FAS officers who might be willing to serve as a personal advisor for informal resolution or formal complaint proceedings. This service is available to both complainants and respondents.

Timeframe for Filing a Complaint

The FAS does not limit the timeframe for filing a complaint. The FAS encourages complaints to be filed as soon as reasonably possible following an alleged violation of this Policy because the ability of the FAS and ODR to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, the FAS’s ability to complete its processes may be limited with respect to Respondents who have graduated from or are no longer employed by the University.

C. Procedures Concerning Alleged Harassment By Students

The procedures for informal resolution and formal complaints with respect to alleged harassment by



a Harvard student are contained in the University Procedures, available here: <http://titleix.harvard.edu/procedures>. None of the provisions outlined below contradicts or replaces any provisions of the University Procedures. On the contrary, they are intended to supplement the University Procedures and detail the FAS role at moments when the University Procedures refer to actions taken or decisions made by the “School or unit.”

Requests for Informal Resolution

An individual who is concerned about sexual or gender-based harassment by an FAS student may make a request for informal resolution to an FAS Title IX Coordinator or the Title IX Officer within ODR. If an Initiating Party first contacts an FAS Title IX Coordinator, it is the responsibility of that Title IX Coordinator to inform any other relevant Title IX Coordinators. The appropriate FAS Title IX Coordinators (College, GSAS, or DCE) will coordinate the FAS response to requests for informal resolution. The appropriate FAS Title IX Coordinator will also contact other FAS or University officers, as necessary or advisable, to put in place any appropriate interim measures.

A request for informal resolution should identify the alleged harasser (if known) and describe the allegations with specificity. The Title IX Officer or the appropriate FAS Title IX Coordinator, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), will assess the severity of the alleged harassment and the risk of a hostile environment for others in the community to determine whether an informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, either the appropriate FAS Title

IX Coordinator or, in cases where the Initiating Party makes the request to the ODR, the ODR Investigator who is assigned to the case by the Title IX Officer, will attempt to aid the parties in finding a mutually acceptable resolution. The FAS Title IX Coordinator or the ODR Investigator, as appropriate, will consult further with the Initiating Party, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The ODR Investigator or the appropriate FAS Title IX Coordinator, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), also may put in place any appropriate interim measures to protect the educational and work environment.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements and seek advice about how his or her participation in an informal process could affect any criminal case in which he or she is or may become involved.

A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the appropriate FAS Title IX Coordinator. Prior to approving an informal resolution, the appropriate FAS Title IX Coordinator shall consult with the appropriate representative of the relevant Administrative Board (the Secretary in the case of the College; the Dean for Student Affairs in the case of GSAS; the Dean of Students in the case of DCE; hereinafter, “Ad Board representative”) on the acceptability of the terms of the proposed agreement. Once an informal resolution has been reached, the FAS Title IX Coordinator shall inform the relevant Administrative Board (“Ad Board”) of the informal resolution. The Ad Board will make whatever notation it deems



appropriate in the student file of the Respondent, or of both parties, if both are students. If, in the course of reaching an informal resolution, evidence of violations of other FAS policies emerges, the Ad Board may investigate such violations. The party alleged to have committed the violation will be informed of the initiation of such an investigation.

The informal resolution process will ordinarily be concluded within two to three weeks of the date of the request.

Procedures for Formal Complaints

i. Initiating a Formal Complaint

An Initiating Party may file directly with ODR a formal complaint against a student, alleging a violation of this Policy. If an Initiating Party files a formal complaint with a Title IX Coordinator, the Title IX Coordinator will forward the formal complaint to ODR. When it receives a formal complaint against an FAS student, ODR will inform the appropriate FAS Title IX Coordinator as well as the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, as appropriate. The appropriate FAS Title IX Coordinator, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), will put in place any appropriate interim measures to protect the educational and work environment.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant ("Reporter"). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the



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Complainant or Reporter’s own words, and may not be authored by others, including family members, advisors, or attorneys.

Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records) that the Complainant or Reporter believes may be relevant to the investigation. However, the filing of a complaint should not be delayed if such sources of information are unknown or unavailable.

The complaint will be investigated by an ODR Investigator assigned by the University’s Title IX Officer. The relevant Ad Board will designate one of its members to act as a liaison (“Liaison”) between the Ad Board (which remains responsible for discipline) and the Investigator. The Liaison’s responsibilities include the following: 1) be available to answer the Investigator’s questions (including, but not limited to, questions about other FAS policies or student life); 2) be available to receive case updates from the ODR Investigator; 3) apprise the Ad Board and the relevant Title IX Coordinator of the progress of the investigation; 4) assist the Title IX Coordinator and ODR with interim measures, as appropriate.

When an FAS Title IX Coordinator is informed that ODR has opened a formal complaint for investigation, the FAS Title IX Coordinator will share this information with the appropriate Ad Board. The appropriate Ad Board representative will meet with the Respondent to explain, among other things, the disciplinary process that may take place following the issuance of the final report, the range of disciplinary sanctions, and the appeals process following the imposition of any discipline. The Ad Board representative will inform the Respondent that when a complaint involves allegations that, if true, also might constitute criminal conduct, the Respondent

should seek legal counsel before making any written or oral statements.

The Ad Board representative will also invite the Complainant to a separate meeting to discuss the Ad Board process, although the Complainant is not required to accept the invitation.

ODR will not investigate a new complaint if either ODR or the FAS has already adjudicated a formal complaint based on the same circumstances or if the parties and the relevant FAS Title IX Coordinator already have agreed to an informal resolution based on the same circumstances.

Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with the Massachusetts Commission Against Discrimination, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction.

ii. Initial Review

Once a complaint is received by ODR, the Title IX Officer will assign the case to an Investigator for an initial review. The FAS Liaison will act as a conduit of information between the FAS and the Investigator.

The Investigator will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate this Policy. When a complaint is brought by a Reporter, the Investigator will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigator will determine whether the information, if true,



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would constitute a violation of this Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigator will convey this determination to the Complainant (and the Reporter, if there is one), the Title IX Officer, the appropriate Title IX Coordinator, and the Title IX Coordinator for the School or unit with which the Complainant is affiliated (as appropriate). While the Investigator is conducting his or her evaluation, the Investigator will work with the appropriate FAS Title IX Coordinator, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, to implement any appropriate interim measures to be put in place pending the completion of the case (or to revise as necessary any measures already in place).

The initial review will ordinarily be concluded within one week of the date the complaint was received.

iii. Investigation

Following the decision to begin an investigation, the Investigator will notify the Respondent in writing of the allegations, including a copy of the formal complaint submitted by the Complainant, and will provide a copy of this Policy and these Procedures. The Respondent will have one week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and

the Complainant is unwilling to participate but the Investigator and the relevant Title IX Coordinator have assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and have determined to proceed, then, for the purposes of these Procedures, the relevant Title IX Coordinator (or a designee) will be considered the Complainant.

The Investigator will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses. "Witnesses" may include individuals who have been identified by the parties as well as relevant officers of the School or University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigator will request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

iv. Personal Advisors

Both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigator. A personal advisor should be



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someone who can assist the party without conflict and thus, for example, should not be related to anyone involved in the complaint or have another role in the process that could impair his or her service as advisor. The relevant FAS Title IX Coordinator can, upon request, suggest names of FAS officers who might be willing to serve as a personal advisor for informal resolution or formal complaint proceedings. This service is available to both complainants and respondents.

Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice. During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

v. Confidentiality

The Investigator, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified that disclosing information about the case has the potential for compromising the integrity of the investigation and might, in certain circumstances, be construed as retaliatory. Retaliation of any kind is in itself a separate violation of this Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, other than information that they have learned solely through the investigatory process; though, to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

vi. Coordination with Law Enforcement Authorities

In all cases, the Investigator will have completed the initial review without delay and, as appropriate, will have proposed interim measures to the relevant FAS Title IX Coordinator. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, FAS will consider whether continuing its own investigation will interfere with an active criminal investigation. FAS may defer its investigation to avoid compromising the criminal process, but once it is clear that any such concerns have passed or can be mitigated, FAS will promptly resume its investigation. In all cases, ODR will complete its initial review and FAS will ensure appropriate interim measures are provided so that the individuals affected can continue to participate in and benefit from the University's programs and activities.



vii. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigator will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of this Policy.

The Investigator will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigator will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the FAS to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the FAS Title IX Coordinator and other FAS officers, as appropriate, will work jointly to put in place such measures as they determine are appropriate. Consistent with FAS policies, measures imposed at this stage might include (but are not limited to): restrictions on contact; course- schedule or work-schedule alteration; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the appropriate FAS Title IX Coordinator, the Title IX Coordinator of the School or unit with which the Complainant is affiliated, as applicable, and the relevant Ad Board, ordinarily within six weeks of receipt of the complaint.

viii. Special Circumstances

a. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the relevant Title IX Coordinator and the Investigator, as appropriate, will consider how to proceed, taking into account the potential Complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the potential Respondent's right to have specific notice of the allegations. The Investigator, the FAS Title IX Coordinator, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigator, the FAS Title IX Coordinator, or the Title IX Officer may determine that further investigation is necessary, in which case the potential Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigator, the FAS Title IX Coordinator, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant's identity.

b. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigator finds that the allegation, if true, would not constitute a violation of this Policy, then the Title IX Officer will administratively close the case and notify the Complainant (and the Reporter, if there is one), the appropriate FAS Title IX Coordinator, and the Title IX Coordinator representing the School or unit with which the Complainant is affiliated, if applicable.



Where the Complainant is unwilling to participate in further investigation, the Title IX Officer will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the ODR should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer will consider requests for reconsideration of the decision to close a case administratively and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.

In cases where the Title IX Officer concludes that the alleged conduct, while not a violation of this Policy, might implicate other School or University conduct policies, the Title IX Officer may refer the complaint to the appropriate FAS or University official.

c. Request to Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, FAS must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Title IX Officer may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint or failure to cooperate.

Other circumstances also may result in declining a request to withdraw the complaint, where, for example, a request to withdraw is made after a

significant portion of the investigation has been completed and terminating the investigation would be inequitable.

d. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Title IX Officer in consultation with the FAS Title IX Coordinator for Faculty and the Title IX Coordinator for the School or unit with which the Complainant is affiliated.

If such a request is approved, the ordinary deadlines for completing each stage of the formal complaint process will be suspended, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If the parties cannot reach an informal resolution within two weeks from receipt of the request, then the Investigator will resume the investigation of the complaint in accordance with the formal complaint procedures.

e. Appeal

Both the Respondent and the Complainant may appeal the Investigator's decision to the Title IX Officer or his or her designee based on the following grounds:

1. A procedural error occurred, which may change the outcome of the decision; or
2. The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.



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Disagreement with the Investigator's findings or determination is not, by itself, a ground for appeal.

Appeals of the Investigator's decision must be received by the Title IX Officer or his or her designee within one week of the date of the final report. Likewise, appeals of decisions to close a case administratively or to deny a request to withdraw the complaint must be received by the Assistant to the President for Institutional Diversity and Equity or his or her designee within one week of the date of the decision under appeal. Ordinarily, appeals will be decided within two weeks and the parties and the FAS Title IX Coordinator promptly will be informed of the outcome in writing.

ix. Relation of University Procedures to College, GSAS, or DCE Discipline

Under the University Procedures, ODR is responsible for determining whether or not a student respondent violated the University Policy or the FAS Policy, as applicable. FAS remains responsible for student discipline through the College, GSAS, and DCE Ad Boards. Nonetheless, any disciplinary proceedings against a College, GSAS, or DCE student based on a violation of this Policy must be conducted in a manner consistent with the University Procedures. Accordingly, the following disciplinary procedures will apply to allegations of sexual or gender-based harassment brought against any FAS student.

x. College, GSAS, and DCE Ad Boards: Member Training

All members of the College, GSAS, and DCE Ad Boards shall receive appropriate training in the handling and resolution of allegations of sexual

and gender-based harassment as well as diversity and implicit bias training.

xi. Referral of Matters Before the Ad Boards

As part of their regular duties, the College, GSAS, and DCE Ad Boards receive notification of alleged violations of FAS policy from a variety of different sources. In some cases, it may not be immediately obvious if the reported behavior violates the FAS Sexual and Gender-Based Harassment Policy or if it is more appropriate to handle it under other FAS policies. An example might be an alleged incident of stalking that may or may not involve unwelcome conduct of a sexual nature. In such cases, the relevant Ad Board will share the information it has with the relevant FAS Title IX Coordinator who will consult with the University Title IX Officer. After consultation with the University Title IX Officer and if the alleged conduct may be unwelcome conduct of a sexual nature, the FAS Title IX Coordinator will follow up as he or she would do in any other instance of alleged sexual harassment. If it is determined that the alleged conduct is not unwelcome conduct of a sexual nature or if the potential Complainant chooses not to engage with the FAS Title IX Coordinator or the ODR process, the FAS Title IX coordinator will share the information with the appropriate FAS Ad Board, which will determine whether to pursue proceedings related to violations of other FAS policies.

If, in the course of any disciplinary proceeding against an FAS student before the College, GSAS, or DCE Ad Board, the Ad Board representative concludes that the alleged disciplinary infraction(s) might constitute sexual or gender-based harassment as defined in this Policy, that Ad Board representative shall ordinarily suspend the Ad Board proceedings and refer the matter to the appropriate FAS Title IX Coordinator and the



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University Title IX Officer for investigation and resolution according to the University Procedures. The Ad Board representative shall promptly notify the parties of the suspension and referral. If, however, a disciplinary proceeding against a student before the Ad Board includes both violations of this Policy and serious violations of other FAS policies, the proceedings regarding the violation of other policies may continue at the discretion of the Ad Board representative and in consultation with the Title IX Officer. The Ad Board representative and the Title IX Officer have the option of combining the investigations at their discretion.

If a referral results in a request for an informal resolution, the matter will be resolved in accordance with the relevant provisions in the University Procedures, including the procedure for approval of the informal resolution described above. If a referral results in a formal complaint and the issuance of a final report, the Ad Board shall take cognizance of the report under the procedures described below.

xii. Disciplinary Proceedings Following the Resolution of a Formal Complaint of Harassment or Misconduct: Non-Reviewability of ODR Final Reports

Whenever a formal complaint of harassment against an FAS student results in the issuance of a final report, the appropriate Ad Board must accept as final and non-reviewable the report's findings of fact and its conclusions as to whether a violation of this Policy has occurred. This includes any finding that the complaint was not submitted in good faith, that either party or a witness provided false or misleading information, or that either party retaliated against the other, all of which are also violations of this Policy. The Ad Board's disciplinary proceedings against that

student based on conduct addressed by the report will proceed with the understanding that the final report carries the same validity as a determination reached by the Ad Board itself.

If the ODR investigation reveals, by a preponderance of the evidence, that the complaint was not submitted in good faith, that either party provided false or misleading information, or that either party retaliated against the other, this will be reported to the appropriate Ad Board as a separate violation of the Policy and may result in discipline.

xiii. Disciplinary Proceedings Following the Resolution of a Formal Complaint of Harassment or Misconduct That Results in a Finding of No Policy Violation

Whenever the final report concludes that an FAS student has not violated this Policy, the appropriate FAS Title IX Coordinator shall forward the report to the appropriate Ad Board. If either party invokes the right to appeal a decision contained in a final report, granted by the University Procedures, ODR shall notify the appropriate FAS Title IX Coordinator as well as the Liaison of the appeal. If, on the basis of the factual findings contained in the report, the Ad Board concludes that it is reasonably likely that a disciplinary infraction by an FAS student other than a violation of this Policy can be established by sufficiently persuasive evidence, the Ad Board may, at its discretion, initiate formal proceedings by a written charge which explains the nature of the alleged infraction.

Any such proceedings shall be conducted in accordance with standard Ad Board Procedures.



xiv. Disciplinary Proceedings Following the Resolution of a Formal Complaint of Harassment or Misconduct That Results in a Finding of a Policy Violation

Whenever the final report concludes that an FAS student has violated this Policy, the appropriate FAS Title IX Coordinator shall forward the report to the appropriate Ad Board. The representative of the Ad Board shall notify the Respondent and the Complainant that the final report has been received. Both the Respondent and the Complainant will be notified about the nature of the Ad Board disciplinary process; they will, furthermore, be informed about the speed with which the Ad Board will act following the disposition of any appeals. The representative of the Ad Board will meet with the Respondent to explain the disciplinary process and the range of sanctions. The Complainant will be invited to meet with the Ad Board representative, but is not required to do so.

If either party invokes the right to appeal a decision contained in a final report, granted by the University Procedures, ODR shall notify the appropriate FAS Title IX Coordinator as well as the Liaison of the appeal. In accordance with University Policy, the relevant Ad Board will allow one week for the Complainant and Respondent to lodge an appeal of the ODR finding before it begins any deliberations. If an appeal is filed, the Ad Board will wait until it is resolved. Within three calendar days of either the end of the appeal waiting period or the resolution of the appeal, as appropriate, the Complainant and the Respondent may each submit a written statement to the Ad Board reflecting their views about suitable discipline. Neither is required to do so. The Ad Board will provide both the Complainant and the Respondent with instructions regarding the allowable nature, length, and format of the

written statement. The representative of the Ad Board will furnish copies of each filing to the other party. In addition to whatever stipulations are provided by the Ad Board, a Complainant or Respondent who chooses to submit a written statement must keep the following in mind: 1) the written statement may not challenge the validity of the findings and conclusions contained in the final report; and 2) the written statement may not introduce facts that could have been presented to the Investigator or that conflict with any of the findings in the final report. In writing such a statement, the Complainant and Respondent should keep in mind that the Ad Board's function is limited to determining whether to discipline the Respondent and, if so, the form that discipline should take.

Sanctions shall take into account the severity and impact of the conduct, the Respondent's previous disciplinary history (based on consultations with the relevant Ad Board representative), any written statements submitted by the parties relevant to sanctions, and the goals of this Policy.

Any disciplinary action requires at least a majority vote and, in the case of a requirement to withdraw, at least a two-thirds vote of the Ad Board members present and eligible to vote. Rules for eligibility are determined by each Ad Board.

If the Ad Board votes to impose discipline, it will notify in writing the Respondent and, as appropriate, the Complainant of the discipline imposed. Following an investigation of sexual violence, both the Complainant and the Respondent will be informed of the outcome and all the sanctions. For cases of sexual harassment that do not involve sexual violence, the Complainant will be informed of the outcome and those sanctions that pertain to the Complainant, and the Respondent will be informed of the outcome and all the sanctions.



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A degree will not be granted to a student who is not in good standing, or against whom a disciplinary charge is pending. A student on a leave of absence, whether voluntary or involuntary, is ordinarily not allowed to return and register until any pending disciplinary case is resolved.

In the College and GSAS, as in all other disciplinary cases, the Ad Board may take a number of disciplinary actions, including admonish; place on probation, with or without requirements or restrictions; and require to withdraw with or without a recommendation to dismiss or expel. The nature of the sanction will vary depending on, among other things, the severity of the violation. This Policy does not specify minimum or maximum sanctions, but a severe violation will ordinarily require that the Respondent observe some period of absence from the University.

Because DCE includes both the Summer School and the Extension School, and because Extension School students include those taking individual courses as well as candidates for a degree, the range of possible discipline is broad. In the Extension School, the range of sanctions includes formal admonishment, probation, the revocation of a student's right of access to University facilities or buildings, suspension of a student's registration privileges for a specific or indefinite period, and mandatory withdrawal from courses, the Extension School, or a degree program. In the Summer School, the Ad Board may take any action it deems appropriate, including required withdrawal from a course or courses, from on-campus housing, or from the Harvard Summer School.

xv. Conclusion of the Case

Once an outcome has been reached, the appropriate representative of the Ad Board will notify the Complainant and Respondent of the Ad Board's decision. The Ad Board's proceedings and decisions are communicated only to those with a need to know, including the Respondent and the Complainant.

After the case has been decided, regardless of the outcome, a copy of the final report and the notice of decision of the Ad Board and related materials will be placed in a separate envelope in the Respondent's College, GSAS, or DCE file and in the file of the Complainant, if relevant. Ordinarily, the file will be redacted to protect the identity and personal information of those involved in the case other than the student in whose file the documents are placed. These documents are part of the Respondent's and, if relevant, the Complainant's educational record, as defined and protected by federal law.

xvi. Appeals in the College and GSAS

The only opportunity to appeal the findings set forth in the final report is provided by the University Procedures, and all substantive appeals must be made pursuant to those Procedures. Appeals within the FAS pertain only to the decision of the relevant Ad Board in determining discipline. Students may appeal an Ad Board's recommendation of specific sanctions, including the sanction of requirement to withdraw with a recommendation to dismiss or expel. The decision to dismiss or expel itself is made by the Faculty Council and not the Ad Board; it cannot be appealed.

In the case of the College and GSAS, both the Complainant and the Respondent have the option



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to appeal disciplinary decisions made by the Ad Board regarding violations of this Policy, including any decision not to impose discipline. Allowable grounds for appeal in College and GSAS cases are:

1. the Ad Board made a procedural error that may change the determination of discipline; or
2. based upon a review of the Ad Board's annual disciplinary statistics, as available, the sanction imposed by the Ad Board was inconsistent with its usual practices and therefore inappropriate.

In the case of the College and GSAS, all appeals must be filed with the Secretary of the Faculty within one week of the disciplinary decision of the Ad Board. The Secretary of the Faculty will send the appeal to the Chair of the appropriate Ad Board (in the case of the College, this is the Dean of Harvard College; in the case of GSAS, it is the Dean of GSAS), who will promptly respond to the appeal. Appeals are then screened by the Docket Committee, a group of three elected representatives of the Faculty Council. The Docket Committee has the option of denying the appeal or of forwarding the case to the Faculty Council for consideration. If the Docket Committee forwards the case to the Faculty Council, the Faculty Council may grant or deny the appeal. In the event the Faculty Council grants the appeal, it will remand the matter to the Ad Board for action consistent with its decision. There are no circumstances under which a student may appeal a decision made by the Faculty Council or its designated screening body, the Docket Committee.

Once a student has been awarded a degree, the option to have the Ad Board reconsider a decision or to appeal to the Faculty Council is closed. Further information about the appeals process can be obtained from the Secretary of the Faculty,

University Hall, First Floor (secfas@fas.harvard.edu; 617-495-3613).

All members of the Faculty Council shall receive appropriate training in the handling and resolution of allegations of sexual harassment and gender-based harassment as well as diversity and implicit bias training prior to hearing any appeals of disciplinary decisions made related to violations of the Policy.

Following the decision on appeal, documentation of the appeal decision and materials related to the appeal will be included in the sealed envelope in the Respondent's and Complainant's College or GSAS files. Ordinarily, student names and other private identifying information other than the name of the student in whose file the documents are placed will be redacted.

Further information is also available on the websites of the College and GSAS Ad Boards.

In the case of DCE, if either the Complainant or the Respondent believes that the Ad Board's decision is contrary to its own precedent or resulted from a procedural error, he or she may request that the Board reconsider its decision. There is, however, no higher body to which an appeal of a DCE Ad Board decision may be brought, and after any reconsideration the Ad Board's decision is final. Documentation of the reconsideration decision and related materials will be kept on file in the Dean of Students Office, and in the case of degree candidates, in their program files.



• Graduate School of Design

The GSD has incorporated the University's procedures for handling complaints involving students pursuant to the [University's] Sexual and Gender-Based Harassment Policy, including for purposes of student discipline. The procedures with respect to alleged harassment by a Harvard student are contained in the University policies available here: diversity.harvard.edu/pages/title-ix-sexual-harassment. None of the provisions outlined here contradict or replace any provisions of the University Procedures. These provisions are intended to supplement the University Procedures and detail the GSD role at moments when the University Procedures refer to actions taken or decisions made by the "School or unit." To the extent any existing GSD policies and procedures interfere with compliance with the University Policy and Procedures, application of such GSD policies and procedures should be suspended. The provisions in the University Procedures are not reproduced below. For a complete understanding of the procedures concerning alleged sexual or gender-based harassment by GSD students, students should review the University Procedures in conjunction with these supplemental provisions.

The Office for Dispute Resolution (ODR) has been charged with implementing the procedures for students pursuant to the University Policy. The ODR operates under the Office of the Provost, working in partnership with the University's Title IX Officer, School or unit Title IX Coordinators, and other School or unit leadership.

Harvard students, faculty, staff, other Harvard appointees, or third parties who believe they are directly affected by the conduct of a Harvard student (collectively, "initiating parties") may: request information or advice, including whether certain conduct may violate the University Policy; seek informal resolution; or file a formal

complaint. Initiating parties are encouraged to bring their concerns to the relevant School or unit Title IX Coordinator, the Title IX Officer, or staff in ODR, but may, if they choose, contact another School or University officer, who will refer the matter as appropriate.

As set forth below, interim measures designed to support and protect the initiating party or the University community may be considered or implemented at any time, including during a request for information or advice, informal resolution, or a formal complaint proceeding. Consistent with GSD policy, interim measures might include, among others: restrictions on contact; course-schedule or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus. These interim measures are subject



to review and revision throughout the processes described below, and the initiating party can discuss them with the GSD's Title IX coordinator or the ODR at any time.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements. Those facing allegations may wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

Informal Review

An informal complaint may be made either orally or in writing. It operates as a request to the Title IX coordinator, the Title IX officer, or the Director of ODR to initiate efforts to aid the parties in finding a mutually acceptable resolution. The individual should identify the alleged harasser (if known) and describe the allegations with specificity. The Title IX coordinator, the Title IX officer, or the Director of ODR in consultation with the Title IX Officer will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate. The Title IX coordinator or Title IX officer will also consider whether to put in place any interim measures designed to support the complainant (the person making the complaint) and/or the University community.

Upon determining that informal resolution is appropriate, the Director of ODR will assign an investigator who, in collaboration with the Title IX coordinator or the Title IX Officer or designee will consult further with the person initiating the request, inform the person who is the subject of the allegations, and gather relevant information and communicate with the parties and others, as necessary. The Title IX coordinator will explore

with the complainant various alternatives for resolving the matter. These may include, among other possibilities, an informal conference with the complainant, the subject of the possible violation, and others, as appropriate. The Title IX coordinator or the Title IX Officer also may put in place any appropriate interim measures to protect the educational and work environment. At any time, students interested in confidential counseling about options and resources can also contact the Office of Sexual Assault Prevention and Response (<http://osapr.harvard.edu/>). A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the School or unit Title coordinator. At any point prior to such an express agreement, the person who brought the complaint may withdraw the request for informal resolution and initiate a formal complaint under these procedures.

Ordinarily, the informal resolution process will be concluded within two to three weeks of the date of the initial report of a possible violation. Please note that the Title IX officer may not approve an informal resolution if it is a sexual assault allegation.

Initiation of Formal Complaint

If a satisfactory resolution cannot be found through an informal approach, and the complainant wishes to pursue the matter (or would prefer to file a formal complaint alleging a violation of the University Policy), the complainant can file a formal complaint with ODR. The complaint must be in writing and signed and dated by the complainant. The complaint should specify the following:

- a. The full name and address of the complainant;



- b. The name and address (if known) of the respondent or respondents (person or persons against whom the charge is made);
- c. A statement of the facts that support the allegation of a violation of the University Policy;
- d. The date or dates and location of the alleged acts or practices.

Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, and the like) that the complainant believes might be relevant to the investigation, but a complaint should not be delayed if such sources of information are unknown or unavailable.

The University does not limit the timeframe for filing a complaint, although a complainant is encouraged to file as soon as reasonably possible both for effective gathering of information, and also to allow time for a disciplinary body to review the case in the likelihood that the respondent is graduating or is no longer employed by the University.

Referral of Complaints Against Staff, Faculty, Other Harvard Appointees, or Third Parties

If the subject of the possible violation is a faculty member, staff member, other Harvard appointee, or third party, ODR promptly will provide the appropriate Title IX coordinator with a copy of the complaint. The School or unit Title IX coordinator, in consultation with other Harvard officers, will determine whether some or all of the allegations will be handled at the School or unit level, or whether ODR will conduct all or part of any investigation.

The Formal Complaint Process

In the event a complaint is raised against a GSD student, once the complaint is received by the

ODR, the Director of ODR will assign the case to an investigator for an initial review. The GSD may assign another individual, the “designee” to work jointly with the investigator. The investigative team will contact the complainant in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate the University Policy. The investigative team will gather information and determine whether the information, if true, would constitute a violation of the policy such that an investigation is warranted. This decision will be communicated to the complainant, the Director of ODR, the Title IX officer, and the GSD’s Title IX coordinator. Ordinarily, the initial review will be concluded within one week of the date the complaint was received.

Following the decision to begin an investigation, the investigative team will notify the respondent in writing of the allegations and will provide a copy of the University Policy and the University Procedures. The respondent will have one week in which to submit a written statement in response to the allegations.

If the decision is made to begin an investigation in a case where the complainant is unwilling to participate but the School has assessed the severity of the allegations and the potential risk of a hostile environment for others in the community and has determined to proceed, then for the purposes of the University Procedures, the School Title IX coordinator or a designee will be considered the complainant.

Both the complainant and the respondent may bring a personal advisor to any interviews with the Investigative Team. A personal advisor should be an officer of the University who is affiliated with the School or unit in which the advisee is enrolled or employed, but may not be related



to anyone involved in the complaint or have any other involvement in the process. In the case of students enrolled in interdisciplinary programs, their official academic advisor also may serve as their personal advisor. Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice. During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

At the conclusion of the investigation, the investigative team will evaluate the evidence and make findings of fact, applying a preponderance of the evidence standard, and will determine whether there has been a violation of the policy. The investigative team will draft an investigative report. Both parties have the opportunity to review the report before it is finalized and will have one week in which to give written feedback. The report will then be finalized and sent to the parties and the School of the respondent. If a violation is found, disciplinary action is determined by the School's administrative board. If the respondent is a GSD student, the case then goes before the GSD's Review Board, as discussed.

The Review Board

The Review Board will be comprised of six voting members of the Faculty of Design serving staggered three-year terms, of whom one will be designated chair by the dean. Three members of the Review Board will be elected, one from each academic department. The dean will appoint three at-large members and will also appoint an officer of the administration to serve as an ex-officio (nonvoting) member of the board. All formal complaints and charges will be reviewed

by a panel consisting of at least three faculty members normally selected from among the members of the Review Board in advance plus the nonvoting member of the board. Either the respondent or complainant may challenge participation by any member of the Review Board reviewing the case in question, by written petition to the Dean of Students. For good cause, as determined by the Dean of the Faculty of Design, the challenged board member shall be replaced by another board member.

Review Board Procedures in Sexual/Gender-Based Harassment Cases

Sanctions

When a violation of the University Policy is found to have occurred, the GSD's Review Board panel will consider the imposition of appropriate sanctions. The complainant and the respondent will be notified. Within three days of notification, the complainant and respondent may each submit a written statement to the Review Board. The statements will be provided to the other party as well as other officers of Harvard as the Review Board panel deems appropriate. The statements may not challenge the validity of the findings and conclusions contained in the final report, and also may not introduce facts that could have been presented to the Investigative team or that conflict with any of the findings in the final report.

The panel will accept as final and non-reviewable the report's findings of fact and its conclusions as to whether a violation of the University Policy has occurred. The Review Board's disciplinary proceedings against the respondent based on conduct addressed by the report will proceed with the understanding that the final report carries the same validity as a determination reached by the Review Board itself.



Appendix 5 — Procedures for Handling Complaints Involving Students Pursuant to the Sexual and Gender-Based Harassment Policy

The Review Board panel will determine any recommendations of sanctions and will forward any such recommendations to the dean. The panel's report will be supported, where appropriate, by a statement of the reasons for the specific sanction and the principles or policies on which the panel relied in recommending the sanction. The panel will provide both parties or their designees with an opportunity to view its written report in the Office of Student Services. Either party may submit a response to the dean within three days of the panel's report becoming available. However, the only opportunity to appeal the findings related to the University Policy is provided by the ODR. Appeals within the GSD, including appeals to the dean, pertain only to the decision of the Review Board in determining discipline.

A degree will not be granted to a student who is not in good standing or against whom a disciplinary charge is pending.

Sanctions for a student may include, but are not limited to, admonition, probation, separation, requirements to withdraw, dismissal, or expulsion. If minor sanctions (e.g., admonition, probation, or separation) or withdrawal are recommended by the panel, the dean will review the panel's recommendations, with supporting materials, and take appropriate action. If major sanctions (dismissal, or expulsion) are recommended by the panel, the Student Sanctions Committee will meet to review the recommendation and take final action. At least seven (7) of the nine (9) Committee members must be present. In accordance with the Eleventh Statute of the University, no student shall be dismissed or expelled except by a two thirds (2/3) vote in favor by members of the Committee present and voting thereon. The final action of the Committee shall be communicated to the parties in writing within 15 days. A summary of the case, and the final

action taken by Committee will be reported to the full voting faculty at its next meeting.

The sanction of 'dismissal' does not necessarily preclude a student's return to the GSD. A dismissed student may petition for readmission and be readmitted only upon a two thirds (2/3) vote in favor by members of the Committee. At least of seven (7) of the nine (9) Committee members must be present.

Appeals

Either party may appeal the faculty's decision in writing within three days after the faculty's decision is communicated. Again, however, the appeal may pertain only to the disciplinary recommendation.

In cases where the appeal pertains to a major sanction, and the result of the appeal is a recommendation by the dean for a change in sanction, a new vote of the Student Sanctions Committee is required. At that time, the Committee's decision is final,

Disclosure

Disclosure of the final sanctions decision shall be made as appropriate to the respondent and the complainant.

Panel Discretion

The panel may, in its discretion and for good cause, alter any deadlines in these procedures.



• Harvard Law School

HLS is committed to equal opportunity, respect, fairness and nondiscrimination, and to taking appropriate steps to end any harassment, prevent its recurrence, and, where appropriate, remedy its effects. To that end, HLS has a Title IX Unit, currently consisting of a Title IX Coordinator (currently, the Associate Dean and Dean for Academic and Faculty Affairs) and two Deputy Title IX Coordinators (currently, the Acting Assistant Dean of Human Resources and the Dean of Students), whose purpose is to oversee implementation of the Harvard University Sexual and Gender-Based Harassment Policy (the “Policy”). This includes receiving reports of sexual or gender-based harassment (see 1.2 below), determining interim measures, supervising investigation and resolution of complaints under these procedures, and informing students about the Policy and these procedures (including 1.1 through 1.8 below). Each Title IX Coordinator is an experienced administrator trained in identifying and responding to sexual harassment and its harm to equal educational opportunity, as understood in light of principles of academic freedom and free speech, and other aspects of Title IX and the Policy.

1.1 Confidential Resources. The HLS community should be aware of relevant confidential resources, which are available both before and after a person communicates with any Title IX coordinator about potential violations of the Policy:

- Harvard University Office of Sexual Assault Prevention and Response
- Harvard Chaplains
- RESPONSE Peer Counseling
- UHS Counseling and Mental Health Services

These resources can provide confidential advice and counseling. Information disclosed

by an individual to these counselors will not be disclosed to a Title IX Coordinator or any other person without an individual’s express written permission, unless there is an imminent threat of serious harm to the individual or others, or a legal obligation requires disclosure (e.g., if there is suspected abuse of a minor). These counselors can provide more information about the extent of confidentiality.

Under applicable law, many members of HLS community – including faculty and senior administrators – may be required to report incidents to the Title IX Unit, and so may not be able to keep the matter completely confidential. The Title IX coordinators themselves may be required to investigate and seek to address Policy violations, and so may not be able to keep the matter completely confidential. If a student’s information may not be kept confidential, the student will be notified of the information that will be disclosed, to whom, and why. The above confidential resources may be useful to consult as a first step.

1.2 Reports of Title IX Violations. Individuals are encouraged to report any violation of the Policy to the Title IX Unit. Contact information for the Title IX coordinators is here:

- Catherine Claypoole, HLS Interim Title IX Coordinator
Griswold 200
1525 Massachusetts Avenue
Cambridge, MA 02138
claypoole@law.harvard.edu
- Kathryn Beaudry, HLS Deputy Title IX Coordinator
Hauser 010
1575 Massachusetts Avenue
Cambridge, MA 02138
kbeaudry@law.harvard.edu



- Marcia Sells, HLS Deputy Title IX Coordinator
WCC 3039
1585 Massachusetts Avenue
Cambridge, MA 02138
msells@law.harvard.edu

Reports of sexual harassment, including sexual assault and sexual violence will be processed under the Procedures detailed herein when both the complainant and the respondent are HLS students. If either the complainant or the respondent is a non-HLS student, the University's Procedures for Handling Complaints Against Students will be used, and, when the respondent is an HLS student, will be supplemented by the Law School's Interschool Sexual Harassment Procedures. The Law School's Administrative Board Procedures will not be used for complaints of sexual harassment, including sexual assault or sexual violence.

1.3.1 Anonymous Reports. Persons may wish to report violations of the Policy anonymously. If a person reporting a potential violation self-identifies but asks to remain anonymous, the Title IX Unit will decide how to proceed, taking into account the person's wishes, the University's commitment to providing a safe and non-discriminatory environment, and the right of any person accused of a violation of the Policy to have notice of allegations if any action may be taken that would affect the accused. It may not be possible to guarantee the reporting party anonymity in certain circumstances.

1.3.2 Informal Reports. Individuals may wish to file a formal complaint about a Policy violation (see 2.1 below), or to report informally (i.e., without initiating a formal complaint). The Title IX Unit shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an

informal report. Reporting persons should be aware that although the Title IX Unit will often be able to maintain confidentiality of reporting persons, the Title IX Unit may sometimes be required to take actions to protect the safety of HLS community members that may result in the identity of the reporting person being disclosed (to the police, for example). Reporting persons are encouraged to consult with the confidential resources identified above before self-identifying to the Title IX Unit. When reporting persons seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of HLS to respond fully to any reported event, including discipline against a reported person, that the Policy prohibits retaliation, and that HLS will take steps intended to prevent retaliation and to respond to it strongly if it occurs.

1.3.3 Informal Process. If the Title IX Unit concludes that it is possible to resolve a matter, whether after a formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving and with the consent of the parties (including the reporting person and person whose conduct may have violated the Policy), the Title IX Unit may seek to do so. After a formal complaint is made, this informal process may be used only if the complainant affirmatively seeks such a process, and any party may terminate or decline any informal process at any time, without penalty. No person reporting that he or she has been sexually assaulted will be asked to mediate or reach a resolution of the report directly with a person alleged to have committed the assault. Before using any informal process, the Title IX Unit will notify those involved about the advantages and disadvantages of the process, and establish and notify those involved about reasonable timeframes for the process. The Title IX Unit will report to the Title IX Committee (see 6 below) about the use,



timeliness and outcomes of the informal process, without disclosing parties' names.

1.3.4 Legal Advice. When reported conduct by any person might constitute criminal conduct, the person whose conduct is reported should, and the reporting person may wish to, seek legal counsel before making any written or oral statements, and seek advice about how his or her participation in an informal process could affect any criminal case in which he or she is or may become involved.

1.4 Leniency on Other Policy Violations. To encourage reports of violations of the Policy, HLS may at any point in an investigation or proceeding offer leniency with respect to violations of other HLS policies that may come to light as a result of such reports, depending on the circumstances.

1.5 Timeliness. Reports may be made at any time, regardless of how much time has elapsed. Those with information about violations of the Policy are encouraged to report as soon as possible. Prompt reporting allows for prompt and effective responses. If a person who violated the Policy is no longer employed or a student at the time of a report, HLS may not be able to take action against that person. Reports may be valuable in allowing HLS to support affected individuals, prevent recurrences or address the effects of reported conduct.

1.6 Interim Measures. As described in 5 below, HLS through its Title IX Unit will provide prompt and reasonable interim measures to support and protect the safety of all parties, the educational environment, and the HLS community; to deter retaliation; and to preserve the integrity of the investigation and resolution process.

1.7 Criminal Complaints and Police Assistance. Any member of the HLS community may at any time also file a criminal complaint or seek assistance in preserving physical evidence from the Harvard University Police. Information on those resources can be found here:

- Harvard University Police Department
1033 Massachusetts Avenue
6th Floor, Cambridge, MA 02138
Urgent: 617-495-1212
Business: 617-495-1215

HLS and the Title IX Unit will assist anyone reporting or accused of Title IX violations in contacting law enforcement officials.

1.8 Process Confidentiality. To encourage parties and witnesses to participate in these procedures (including anonymous reports, informal reports, and formal complaints), all involved should keep confidential any information they receive in the course of their participation, other than to consult with advisors and attorneys, and incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role, all of whom should also be advised by anyone seeking their support to keep such information confidential. To balance the interest of protecting confidential information and encouraging participation in these procedures by parties and witnesses, on the one hand, against the interest of participants in being able to disclose confidential information to family, clergy, health professionals, and others, on the other hand, the Title IX Committee (see 6 below) shall develop instructions on the confidentiality obligations of parties and witnesses. Disclosure of confidential information received in participating in these procedures has the potential to compromise the integrity of these procedures and may be viewed as retaliation that violates the Policy. Upon the initiation of an investigation, the



Title IX Unit shall remind the parties, in writing, of their obligations regarding confidentiality. Public disclosure of confidential information received as a result of participation in these procedures may constitute a violation of HLS standards of conduct, and shall be subject to these procedures as a related matter (see 2.7 below).

2. Complaints and Investigations. HLS is committed to providing a fair and prompt investigation of violations of the Policy. During any investigation and resolution of a complaint, both complainants and respondents have the opportunity to obtain counsel or assistance from lawyers or advisers of their choice (see 2.3 below), to have an impartial adjudication (see 3 below), to present witnesses and relevant evidence and have the complaint reviewed at a hearing (see 3.3 below), and to appeal (see 4 below). HLS will promptly and concurrently notify the parties in writing of the outcome of any formal complaint or appeal (see 2.4.1, 3.5.3 and 4.4).

2.1 Formal Complaints. A formal complaint shall state (if known to the complainant) the name(s) of the persons involved in and witnesses to the conduct, describe the conduct, identify to the extent reasonably possible the dates and places of the conduct. The complaint shall be signed and dated by the complainant. The Title IX Unit shall promptly provide a copy of the complaint to all respondents named in the complaint.

2.2 Investigations Generally. To protect complainants, respondents, and the HLS community, allegations of violations of the Policy will be investigated promptly (see 2.4.4 and 2.4.5) and fairly by or under the supervision of the Title IX Unit. Investigations may be initiated whenever warranted, including in response to a formal complaint, in the absence of a formal complaint, or after a formal complaint has been withdrawn.

Where a complainant specifically requests a complaint not be investigated, an investigation may be initiated if the Title IX Unit determines that the facts warrant an investigation. The Title IX Unit will take into account concerns articulated by complainants and respondents, the best interest of the community, fairness to all concerned, and the University's legal obligations under Title IX. Investigations under these procedures may be carried out prior to, simultaneously with, or after criminal or civil proceedings (see also 2.4.4 and 2.4.5 below). Any investigator will be impartial and unbiased, will disclose any real or reasonably perceived conflicts of interest, and have training in investigating and evaluating conduct under the Policy, including applicable confidentiality requirements. The Title IX Committee (see 6 below) will periodically review and provide general guidance to the Title IX Unit on the qualifications and conduct of investigators.

2.3 Advisors and Counsel. All parties may consult with advisors of their choice, including an attorney, at any point in the process. The Title IX Unit will notify parties that they may consult with advisors (including an attorney), and the names of potential advisors (including attorneys). HLS will provide financial assistance to parties unable to afford an attorney who would like to do so, subject to reasonable fee structures and limits determined from time to time by the Title IX Committee (see 6 below). Ordinarily, an investigator (see 2.4.2 below) will speak directly with a complainant and respondent, and each may have an advisor or attorney present, and if a student requests, the student's advisor or attorney may participate in the conversation.

2.4.1 Initial Assessments. The Title IX Unit will make an initial assessment following a report or complaint about a violation of the Policy. Based on that assessment, the Title IX Coordinator



may act as follows: (a) if the conduct, even if substantiated, would not violate the Policy, the Title IX Coordinator may dismiss the complaint; (b) if the conduct (or complaint) is outside the scope of the Policy, but within the scope of another policy, refer the matter to another office; (c) if the Title IX Coordinator concludes that it is possible to resolve the case in a prompt, fair and adequate manner through an informal process involving and with the consent of both the complainant and respondent, the Title IX Coordinator may seek to do so (subject to limits in 1.3.3 above); or (d) if the conduct, if substantiated, would violate the Policy, the Title IX Coordinator may initiate an investigation. Before the commencement of any investigation or proceeding, the parties shall be promptly notified in writing of the result of this initial assessment. In any case, the Title IX Coordinator may also identify and implement appropriate interim measures (see 5 following).

2.4.2 Investigations and Investigatory Record.

If the result of the initial assessment is an investigation, such investigations will generally include individual interviews of the complainant, respondent, and any relevant witnesses. The investigator will keep and preserve a record of the investigation. This record will be the basis for any recommended findings by the investigator (see 3.3 below).

2.4.3. Notice and Opportunity to Respond.

The record prepared by the investigator (see 2.4.2 above) will be shared promptly and equally with complainant and respondent, redacted if and to the extent required by and consistent with law. Each party will have an opportunity to meet again with the investigator, respond in writing, and request gathering of additional information by the investigator. If additional information is gathered, it will become part of the record and shared with all parties, who again will have an opportunity to respond. The parties will be updated at regular intervals of the status of the investigation.

2.4.4 Timeframes. HLS will seek to complete any investigation and resulting disciplinary process (including a decision on any remedies) within 45 business days after receipt of a complaint. HLS will seek to complete any appeal within 20 business days after receipt of the appeal. An investigator may impose reasonable timeframes on all parties to allow the timely completion of a proceeding. Timeframes for all phases of a process apply to all parties equally. Investigations will continue according to these timeframes during summer and other times HLS classes are not in session.

2.4.5 Extensions. There may be circumstances requiring longer timeframes. Timeframes may be extended, for example, in the interest of the integrity and completeness of the investigation, to accommodate witness availability, or to comply with requests by or not to prejudice investigations or processes of external law enforcement, or for other legitimate reasons, including the complexity of the investigation and the severity or extent of alleged misconduct. HLS will notify the parties of any extensions of timeframes. Although cooperation with law enforcement may require temporary suspensions of an HLS investigation, HLS will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed. HLS will not wait for the conclusion of criminal proceedings to begin its investigation, and will provide appropriate interim measures throughout, including during suspensions and extensions. The Title IX Unit will work with the parties to balance the value of promptness with the value of in-person meetings in an investigation.

2.5 Cooperation. HLS expects members of the HLS community, including witnesses, to cooperate with an investigation. It is understood that there may be circumstances in which complainants



may wish to limit their participation, and a complainant may choose to do so, although HLS may be obligated to conduct an investigation. It is understood that respondents may be advised not to provide information in circumstances that could prejudice their rights in external proceedings, and a respondent may choose not to do so, although HLS may be obligated to conduct an investigation. HLS will not draw any adverse inferences from silence in such circumstances, but may impose interim measures, reach findings and implement any or all of the remedies available under 3.5.1 through 3.6 below, as appropriate.

2.6 Sexual History. The parties' sexual histories will not generally be a subject of an investigation or questions at a hearing (see 3.4 below). However, the history of relations among parties may be relevant. For example, if "unrequested or uninvited conduct" is at issue,¹ the sexual history between the parties may be relevant to determining whether the conduct was unrequested and uninvited during the incident in question, although it must be remembered that even in the context of a relationship, an acceptance of a request for one sexual act does not imply acceptance for another sexual act, and an acceptance of a request on one occasion does not constitute acceptance on a subsequent occasion. In addition, under very limited circumstances, sexual history may be relevant to explain injury, to provide proof of a pattern or of repeated events, or for another specific question raised by an allegation. The investigator shall determine the relevance of evidence to the investigation and whether its relevance is outweighed by the dangers of unfair prejudice, confusion, or undue delay, and the adjudicatory panel will determine such matters at a hearing.

2.7 Related Matters and Coordination. The Title IX Unit shall generally consolidate investigations of multiple related complaints under the Policy, and shall also generally consolidate

investigations of complaints under other HLS or University policies that are factually related to a Policy violation investigation. The Administrative Board and the Title IX Unit shall coordinate their efforts in such cases, and the Administrative Board Chair shall ordinarily suspend Administrative Board proceedings for any matter covered by the Policy or factually related to such a matter, refer the matter to the Title IX Coordinator, and so notify the parties.

¹ Policy at 2.

3 Adjudications; Standard of Proof. When the Title IX Coordinator determines to conduct or supervise an investigation (see 2.4.1 above), in order to permit a timely hearing should one be requested by any party (see 3.3 below), the Title IX Unit or a delegate will initiate the scheduling and the parties' selection of a three-person adjudicatory panel, as set forth in 3.2 below. If used, such a panel will determine if the Title IX Coordinator has shown by a preponderance of the evidence that the Policy has been violated, and will adjudicate related matters under other policies in accordance with those policies.

3.1 Adjudicators' Qualifications. All panelists shall be trained in evaluating conduct under the Policy and these procedures, including applicable confidentiality requirements, have relevant expertise and experience, be impartial, unbiased, and independent of the community (i.e., not current students, faculty, administrators, or staff of Harvard University), will disclose any real or reasonably perceived conflicts of interest or recuse themselves in a particular case, as appropriate, and to the extent feasible reflect the value of diversity in all its forms and meet such other criteria as the Title IX Committee (see 6 below) may from time to time establish. A list of no fewer than twelve qualified panelists shall be chosen under the supervision of the Title IX Committee, and maintained and kept up to date by the Title IX Unit.



3.2 Selection of Adjudicators. Each specific adjudicatory panel will be determined as follows: each of the complainant and respondent may choose from the list of qualified panelists one adjudicator; and the two adjudicators so chosen will choose a third from the same list, who shall chair the panel. This panel of three will adjudicate the complaint. If the investigation does not involve a complainant, the Title IX Coordinator shall designate a panelist in place of the complainant.

3.3 Pre–Hearing Dispositions, Reports, and Requests for Hearings. If, at the completion of the investigation, the Title IX Coordinator or the investigator concludes there is no plausible basis for a finding of a violation of the Policy, the investigation may be terminated and the parties so notified. If the Title IX Coordinator concludes that it is possible to resolve the case in a prompt, fair and adequate manner through an informal process involving and with the consent of both the complainant and respondent (subject to the limits in 1.3.3 above), the Title IX Coordinator may seek to do so. If the Title IX Coordinator or investigator believes no such informal resolution is possible, and concludes that there is a plausible basis for finding a violation of the Policy, the Title IX Coordinator or investigator will prepare a report stating the plausible basis for finding a violation of the Policy. The Title IX Unit will provide the report to each party, and inquire of the complainant and the respondent whether either desires an oral hearing (a “hearing”). If any party desires a hearing, the Title IX Coordinator will schedule a hearing with the adjudicatory panel. Otherwise, the adjudicatory panel will make its decision based on the investigator’s report, the investigation record, any further written materials the parties wish to submit to the panel (which shall be provided to the other parties), and any written materials other parties submit in response.

3.4 Conduct of Hearings. At any hearing, the parties will have equal opportunity to participate, with up to two advisors (including up to one attorney). The adjudicatory panel shall determine the conduct of the hearing, subject to these procedures and the Policy, and shall be provided with reasonable support and administrative assistance by HLS. Formal rules of evidence will not apply, and the panel may set reasonable time limits (subject to 2.4.4 and 2.4.5) and other regulations for the hearing. The investigator will present the results of the investigation, and the parties will have an equal opportunity to respond. The parties will also have an equal opportunity to present witnesses and relevant evidence and have questions asked of other parties (see 3.4.1 below), and to ask questions of the investigator. Hearings shall not be open to the public. The only participants shall be the parties, their advisors and attorneys, witnesses, the adjudicators and any staff they may need for the conduct of the hearing, the Title IX Coordinators and, with prior notice to the chair of the adjudicatory panel, any member of the Title IX Committee. A transcript of the hearing shall be kept and made available to the parties.

3.4.1 Questions at Hearings. These procedures recognize the potential harm to the parties of having questions asked directly by another party, and the potential for the prospect of such a form of questioning to deter legitimate complaints, while also recognizing that direct questions may provide a party with a greater ability to test the truth of claims by another party than other methods of questioning. Reflecting these competing interests: (a) parties may not directly address each other in the hearing; (b) if requested by a party, the panel will arrange for means to allow questions to be posed to the parties out of the physical presence of the other parties and their advisors and attorneys, all of whom may watch from a separate, private room via closed-



circuit television; (c) questions to be posed on behalf of one party to another party must be asked through the chair of the adjudicatory panel, including “live” questions during the hearing and in response to answers by those being questioned, via electronic text or other methods, and (d) the chair of the panel will ask in substance all relevant questions a party submits that are not prohibited by these procedures (see 2.6 and 3.4 above).

3.5 Post–Hearing Dispositions and Remedy–Relevant Evidence. The adjudicatory panel will determine by majority vote whether a violation of the Policy has occurred, and will write a decision (which may incorporate the investigator’s report, as the panel deems desirable) stating the basis for their conclusion. All adjudicators shall sign the final decision (including any dissent) as a record of their deliberations and dispositions. The parties will be notified of their decision (see 3.5.3 below). Each party may submit evidence or written argument relevant to remedies or mitigation up to two business days after receiving the final decision, and will have one business day to respond to evidence submitted by any other party.

3.5.1 Determination of Remedies. The panel will also determine remedies, by a majority vote. The remedies may include those described in 3.6 below. Remedies shall take into account the severity and impact of the conduct, the gravity and circumstances of the violation, including the awareness and intent of the parties, the impact of the violation on the complainant, the safety of the community, the student’s previous disciplinary history (based on consultations with the Secretary and the Chair of the Administrative Board), any evidence submitted by the parties relevant to remedies, and the goals of the Policy and these procedures, including HLS’s commitment to equal opportunity, respect, fairness and nondiscrimination. Remedies shall also take into account remedies imposed in prior cases at HLS, both within and outside the context of the Policy,

based on consultations with the Administrative Board Chair and Secretary.

3.5.2 Adjudication of Related Matters. The panel will adjudicate any related matters in accordance with relevant policies, and state their conclusions as to those matters in the same decision (see 2.7 above).

3.5.3 Notice of Disposition and Remedies. Subject to law, all parties to a formal complaint shall be promptly and contemporaneously provided with a copy of the panel’s decision, including a description of remedies, as well as a statement as to their appeal rights.

3.6 Remedies Available. Violations of the Policy may result in the following remedies: (1) Measures similar in kind to the interim measures listed in 5 below, such as a one-way no contact order, or changing academic schedules or restricting access to activities or facilities, except that following a finding that a respondent violated the Policy, no burden of such measures will fall on a complainant. Such measures may be put into place pending appeals. (2) Warnings that do not become part of a student’s individual permanent record, but which may be considered in future disciplinary proceedings. (3) Reprimands, i.e., more serious warnings that become part of a student’s individual permanent record. (4) Disciplinary probation for a set period of time, during which further violations of the Policy or other HLS policies will be grounds for suspension or dismissal, and during which counseling and formal apology may be required. (5) Suspensions, which may be conditional or unconditional. Conditions may include without limitation counseling and formal apology. (6) Loss of campus housing or on-campus employment. (7) Restriction of access to space, resources, and activities. (8) Withholding of degree. (9) Dismissal or expulsion.



4 Appeals. Each party (respondent and complainant) may request an impartial appeal.

4.1 Appeal Board. All appeals will be decided by a faculty board consisting of the faculty members of the Administrative Board, each of whom shall have received training under the Policy (including Title IX and applicable confidentiality requirements) and these procedures. Members of the appeal board shall be impartial and unbiased, and shall disclose any real or reasonably perceived conflicts of interest, or recuse themselves, as appropriate.

4.2 Grounds for Appeal. Grounds for appeal consist of (1) substantial relevant information not presented and that reasonably could not have been presented during the adjudication; (2) an excessive or insufficient remedy; (3) procedural unfairness, procedural error, or misinterpretation of the Policy's substantive legal standards that substantially affected the outcome; or (4) a conclusion that, on the record as a whole, no reasonable panel could have reached the same outcome using the same evidentiary standard.

4.3 Appeal Outcomes. The appeal board may uphold the original decision and remedy if any; alter the remedy; or return the case to the adjudicatory panel for further proceedings.

4.4 Appeal Procedures. The deadline for appeals is the fifth business day after the party requesting the appeal has been notified of the adjudicatory panel's decision. Requests for an appeal shall be in writing to the Title IX Coordinator. If any party requests an appeal, all parties shall be notified of the appeal, how to participate, and the outcome. Appeals will ordinarily be on the written record. The appeal board may by majority vote request an oral presentation on specific issues identified by the appeal board. The appeal board will determine

procedures for any such oral presentations, consistent with the principles in 3 above, including equal opportunity for all parties to participate.

5 Scope of and Process for Interim Measures.

On receipt of a report or complaint concerning a possible Policy violation, a Title IX Coordinator will identify reasonable and appropriate interim measures to meet the goals stated in 1.6 above. Interim measures may be provided regardless of whether a formal complaint is filed. To the extent feasible given the nature of the relief, any person significantly affected by an interim measure may seek a prompt review of interim measures for abuse of discretion from all other HLS Title IX Coordinators, who shall either approve or revise the measures.

5.1 Types of Interim Measures. Interim measures may include: (1) Access to counseling services, and assistance in arranging an initial appointment; (2) Access to tutoring or other academic support, including rescheduling of or extra time for exams and assignments; (3) Changes in class schedules, including the ability to transfer course sections or withdraw from a course without penalty; (4) Change in work schedules or job assignments; (5) Changes in campus housing; (6) Provision of medical services; (7) "No contact" orders (administrative remedy designed to curtail or bar contact or communications between or among individuals); (8) Provision of escort services; (9) Any other measures consistent with law and HLS's educational mission that can be used to achieve the goals of the Policy. Degrees will ordinarily not be awarded to a respondent while a formal complaint under these procedures is pending.



5.2 Design of, Procedures for, and Monitoring of Interim Measures. Interim measures should be designed in a fair manner to meet the goals stated in 1.6 above and so as to minimize the impact on all affected, including any complainant and respondent in a formal case under these procedures. Requests for interim measures should be directed to one of the Title IX coordinators, who will collaborate with the HLS Dean of Students in monitoring or supervising the monitoring of the implementation of such measures and coordinating any response by HLS with other offices at Harvard and with law enforcement if needed. All members of the HLS community are encouraged to report to the Title IX Coordinator any failure to abide by restrictions imposed by interim measures. Violations of such restrictions are violations of the Policy.

6 Title IX Committee. The Dean shall designate a standing committee (the Title IX Committee) consisting of tenured faculty (other than faculty members of the Administrative Board who serve as the appeals board under these procedures), based on suggestions from faculty members and reflecting to the extent feasible diversity in all its forms. This committee will be responsible for monitoring the use, timeliness and outcomes of informal resolutions (see 1.3.3 above); appropriate instructions regarding confidentiality (see 1.8 above); the method and conduct of investigations chosen by the Title IX Coordinator (see 2.2 above); after consultation with the Dean for Administration, setting reasonable regulations for compensation of attorneys on behalf of students (see 2.3 above); approving and periodically reviewing and if necessary revising adjudicator criteria (3.1 above); and reviewing generally the use of interim measures (see 5 above). The committee shall consult regularly with student liaisons designated by the student government in consultation with the Dean of

Students. The Title IX Committee shall report to the Dean and the faculty at least once a year on any significant decisions of interpretation or implementation of the Policy and these procedures by the Title IX Unit, the appeal board, the adjudicators, or the investigators. The Title IX Committee will be kept fully informed by all participants about any decisions or practices that may be of concern to the faculty, will be advised by the faculty of matters that are of particular concern to faculty members, and will be free to propose to the faculty changes to or interpretations of these procedures. The Title IX Committee's manner of reporting and consultation will be designed to provide needed or legally required confidentiality of information it receives.

7 Records. The Title IX Coordinator shall maintain records of notices, communications, assessments, records, and reports specifically required under these Procedures, including under 2.3 (notice regarding rights to advisors and attorneys), 2.4.1 (initial assessments), 2.4.2 (investigation records), 3.3 (investigation reports), 3.4 (hearing transcripts), 3.5 (decisions), and 4 (appeals). Student disciplinary records will be maintained separately, in accordance with HLS policies. All records under this section shall be maintained at least as long as any legally required period.



- **Central Administration**
- **Graduate School of Design**
- **Harvard Business School**
- **Harvard Divinity School**
- **Harvard Graduate School of Education**
- **Harvard Kennedy School**
- **Harvard Law School**
- **Harvard Medical School**
- **Harvard School of Dental Medicine**
- **Harvard T.H. Chan School of Public Health**
- **Radcliffe Institute for Advanced Study**

Please see the end of this document for additional resources and links to other documents that may help explain these procedures.

Harvard students, faculty, staff, other Harvard appointees, or third parties who believe they are directly affected by the conduct of a Harvard staff member (collectively “Initiating Parties”) may: request information or advice, including whether certain conduct may violate the Policy; seek informal resolution; or file a formal complaint. These three options are described below. Initiating Parties are encouraged to bring their concerns to the relevant School or unit Title IX Coordinator, the University’s Title IX Officer, or staff in the Office for Dispute Resolution

(“ODR”)¹, but may, if they choose, contact another School or University officer, who will refer the matter as appropriate.

As set forth below, interim measures designed to support and protect the Initiating Party or the University community may be considered or implemented at any time, including during

a request for information or advice, informal resolution, or a formal complaint proceeding. Consistent with School or unit policy, interim measures might include, among others: restrictions on contact; work-schedule alteration; changes in work locations; leaves of absence; or increased monitoring of certain areas of the campus. These interim measures are subject to review and revision throughout the processes described below.

I. Requests for Information or Advice

Anyone seeking information or advice can expect to learn about resources available at the University and elsewhere that provide counseling and support. They also will be advised about the steps involved in pursuing an informal resolution or filing a formal complaint. Each Title IX Coordinator has information about any companion policies or procedures that may apply at the local School or unit. There is also a sexual harassment policy and complaint process in the HUCTW Personnel Manual, covering complaints brought by members of the HUCTW. In addition, the School or unit Title IX Coordinator, the Title IX Officer, or staff in ODR may discuss with Initiating Parties whether any interim measures are appropriate at this stage.

¹ The Office for Dispute Resolution (“ODR”) operates under the Office of the Provost, working in partnership with the University’s Title IX Officer, School or unit Title IX Coordinators, and other School or unit leadership.

II. Requests for Informal Resolution

Initiating Parties may make a request, either orally or in writing, for informal resolution to the School or unit Title IX Coordinator, the Title IX Officer, or the Director of ODR. The request should identify the alleged harasser (if known) and describe the allegations with specificity. The School or unit Title IX Coordinator, the Title IX Officer, or the Director



of ODR in consultation with the Title IX Officer will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, the School or unit Title IX Coordinator or (when the Initiating Party makes the request to the ODR) the Title IX Officer (or designee) or an ODR Investigator will consult further with the person initiating the request, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The School or unit Title IX Coordinator or the Title IX Officer also may put in place any appropriate interim measures to protect the educational and work environment. The Title IX Officer or designee, the School or unit Title IX Coordinator, or the Investigator will attempt to aid the parties in finding a mutually acceptable resolution. A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the School or unit Title IX Coordinator.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements.

Those facing allegations may wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

At any point prior to such resolution, the Initiating Party may withdraw the request for informal resolution and initiate a formal complaint under these Procedures.

Ordinarily, the informal resolution process will be concluded within two to three weeks of the date of the request.

III. Procedures for Formal Complaints

A. Initiating a Complaint

An Initiating Party may file a formal complaint alleging a violation of the Policy. A complaint of sexual or gender-based harassment against a staff member should be filed directly with the ODR. ODR will inform the School or unit Title IX Coordinator(s) for the Complainant and the Respondent that a complaint has been received, and, if indicated, the School or unit Title IX Coordinator will put in place any appropriate interim measures.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (Reporter). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the Complainant or Reporter's own words, and may not be authored by others, including family members, advisors, or attorneys. Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records, and the like) that the Complainant or Reporter believes may be relevant to the investigation. However, a complaint should not be delayed if such sources of information are unknown or unavailable.

ODR will not investigate a new complaint if it has already adjudicated a formal complaint based on the same circumstances or if the parties and the School or unit Title IX Coordinator, the Title IX Officer, or the Director of ODR in consultation with the Title IX Officer already have agreed to an informal resolution based on the same circumstances. Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with Massachusetts Commission Against Discrimination, the U.S. Equal Employment



Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction.

B. Timeframe for Filing a Complaint

The University does not limit the timeframe for filing a complaint. The University encourages complaints to be filed as soon as reasonably possible following an alleged Policy violation because the University's ability to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, the University's ability to complete its processes may be limited with respect to Respondents who are no longer employed by the University.

C. Initial Review

Once a complaint is received by the ODR, the Director of ODR will assign the case to an Investigator for an initial review. The School or unit with which the Respondent is affiliated may designate an additional individual to work jointly with the Investigator (collectively, the "Investigative Team"). Investigators and School or unit designees will have appropriate training, so that they have the specialized skill and understanding to conduct prompt and effective sexual and gender-based harassment investigations.

The Investigative Team will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate the Policy. When a complaint is brought by a Reporter, the Investigative Team will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigative Team will determine whether the information, if

true, would constitute a violation of the Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigative Team will convey this determination to: the Complainant (and the Reporter, if there is one); the Director of ODR, the Title IX Officer; and the School or unit Title IX Coordinator. The Investigative Team will work with the School or unit Title IX Coordinator to implement any appropriate interim measures to be put in place by the School or unit pending the completion of the case (or to revise as necessary any measures already in place).

Ordinarily, the initial review will be concluded within one week of the date the complaint was received.

D. Investigation

Following the decision to begin an investigation, the Investigative Team will notify the Respondent in writing of the allegations and will provide a copy of the Policy and these procedures. The Respondent will have one week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records, and the like) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and the Complainant is unwilling to participate but the School or unit has assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and has determined to proceed, then, for the purposes of these Procedures, the School or unit Title IX Coordinator (or a designee) will be considered the Complainant.



The Investigative Team will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses, which may include those identified by the parties as well as relevant officers of the School or University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigative Team will request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

E. Personal Advisors

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigative Team. A personal advisor may not be related to anyone involved in the complaint or have any other involvement in the process.

In cases where the Respondent is also a member of a collective bargaining unit and requests a union representative, in accordance with a union member's right to request representation during investigatory interviews that may reasonably lead to

discipline, the Complainant may bring a personal advisor to any interviews with the Investigative Team.

Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice.

During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

F. Confidentiality

The ODR, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified of the potential for compromising the integrity of the investigation by disclosing information about the case and the expectation that they therefore keep such information – including any documents they may receive or review – confidential. They also will be notified that sharing such information might compromise the investigation or may be construed as retaliatory. Retaliation of any kind is a separate violation of the Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

G. Coordination with Law Enforcement Authorities

In all cases, the Investigative Team will have completed the initial review without delay and, as



appropriate, will have proposed interim measures to the School or unit Title IX Coordinator. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, the Investigative Team will, in light of status updates from law-enforcement authorities and the Title IX Officer, assess and reassess the timing of the investigation under the Policy, so that it does not compromise the criminal investigation.

H. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigative Team will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of the Policy.

The Investigative Team will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigative Team will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the School or unit to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the School or unit will work jointly to put in place such measures as they determine are appropriate. Consistent with School or unit policies, measures imposed at this stage might include, among others: restrictions on contact; work-schedule alteration; leaves of absence; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the School or unit Title IX Coordinator, and the appropriate officer in the School or unit, ordinarily within six weeks of receipt of the

complaint. The imposition of disciplinary sanctions will be considered separately by the appropriate officials at the School or unit, consistent with the “Performance Correction Process” in the University Staff Personnel Manual (for non-bargaining unit staff), the applicable collective bargaining agreement (for bargaining unit staff), or other locally established disciplinary policy.

I. Special Circumstances

i. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the Investigative Team, the School or unit Title IX Coordinator, or the Title IX Officer, as appropriate, will consider how to proceed, taking into account the potential Complainant’s wishes, the University’s commitment to provide a non-discriminatory environment, and the potential Respondent’s right to have specific notice of the allegations. The Investigative Team, the School or unit Title IX Coordinator, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigative Team, the School or unit Title IX Coordinator, or the Title IX Officer may determine that further investigation is necessary, in which case the potential Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigative Team, the School or unit Title IX Coordinator, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant’s identity.

ii. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigative Team finds that the allegation, if true, would not constitute a



violation of the Policy, then the Director of ODR will administratively close the case and notify the Complainant (and the Reporter, if there is one), the Title IX Officer, and the School or unit Title IX Coordinator.

Where the Complainant is unwilling to participate in further investigation, the Director of ODR, in consultation with the Title IX Officer, will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the University should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer or designee will consider requests for reconsideration and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.

In cases where the Director of ODR concludes that the alleged conduct, while not a violation of the Policy, might implicate other School or University conduct policies, the Director of ODR may refer the complaint to the appropriate School or University official.

iii. Request to Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, the University must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Director of ODR may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint

or failure to cooperate. Other circumstances also may result in a request to withdraw the complaint being declined, where, for example, a request to withdraw is made after a significant portion of the investigation has been completed and terminating the investigation would be inequitable.

iv. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Director of ODR in consultation with the Title IX Officer and the relevant School or unit.

If such a request is approved, the timeframes will be stayed, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If the parties cannot reach an informal resolution within two weeks from receipt of the request, then the Investigative Team will resume the investigation of the complaint in accordance with the formal complaint procedures.

IV. Appeal

Both the Respondent and the Complainant may appeal the decision of the Investigative Team to the Title IX Officer or designee based on the following grounds:

A procedural error occurred, which may change the outcome of the decision; or

The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.



Appendix 6 — Procedures for Handling Complaints Involving Staff Pursuant to the Sexual and Gender-Based Harassment Policy

Disagreement with the Investigative Team's findings or determination is not, by itself, a ground for appeal.

Appeals of the Investigative Team's decision must be received by the Title IX Officer or designee within one week of the date of the final report. Likewise, appeals of decisions to administratively close a case or to deny a request to withdraw the complaint must be received by the Title IX Officer or designee within one week of the date of the decision under appeal.

Ordinarily, appeals will be decided within two weeks and the parties and the School or unit Title IX Coordinator promptly will be informed of the outcome in writing.

V. Resources

University Resources:

[Office of Sexual Assault Prevention & Response](#)

[HUHS Counseling and Mental Health Services](#)

[Bureau of Study Counsel](#)

[Harvard University Health Services](#)

[Harvard Chaplains](#)

[Harvard University Police Department](#)

[Employee Assistance Program](#)

Local Title IX Coordinators and University Sexual Harassment Policy:

[University Sexual Harassment Policies & Procedures](#)

University Title IX Officer:

[Nicole Merhill, J.D.](#)

Outside Agencies:

[U.S. Department of Education, Office for Civil Rights \(OCR\)](#)

[U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

[Massachusetts Commission Against Discrimination \(MCAD\)](#)



[Harvard University Police Department](#)



- Faculty of Arts and Sciences
- Division of Continuing Education
- Graduate School of Arts and Sciences
- Harvard College
- Harvard John A. Paulson School of Engineering and Applied Sciences)

The procedures for informal resolution and formal complaint with respect to alleged sexual or gender-based harassment by FAS staff (including SEAS) are implemented by the FAS Title IX Coordinator for Staff, or a designee determined by the Dean of the FAS, in conjunction with ODR.

Ordinarily, however, procedures concerning alleged harassment by staff will mirror those established by the University Procedures. Some modifications are necessary to reflect the different nature of the relationship between the FAS and employees compared with the relationship between the FAS and students. In addition, members of the Harvard Union of Clerical and Technical Workers (“HUCTW”) are also covered by the sexual harassment policies and procedures agreed to in the collective bargaining agreement and described in the HUCTW Personnel Manual: http://www.huctw.org/HUCTW_Personnel_Manual_2012–2015.pdf. For HUCTW members, those policies and procedures take precedence over the policies governing other members of the University community.

The FAS intends that all members of our community will abide by the same Policy and, in principle, that violations of that Policy will be investigated and adjudicated using the same basic procedures.

Requests for Informal Resolution

An individual who is concerned about sexual or gender-based harassment by an FAS staff member may make a request, either orally or in writing, for

informal resolution to the FAS Title IX Coordinator for Staff or the Title IX Officer within ODR. If an Initiating Party first contacts another FAS Title IX Coordinator, it is the responsibility of that Title IX Coordinator to inform the FAS Title IX Coordinator for Staff. A request for informal resolution should identify the alleged harasser (if known) and describe the allegations with specificity. The Title IX Officer or the Title IX Coordinator for Staff, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), will assess the severity of the alleged harassment and the risk of a hostile environment for others in the community to determine whether an informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, and in instances when the Initiating Party makes the request to the ODR, the Title IX Officer will assign the informal resolution to an ODR Investigator (“Investigator”). The FAS Title IX Coordinator for Staff or the Investigator will consult further with the Initiating Party, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The Title IX Officer or the FAS Title IX Coordinator for Staff, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), also may put in place any appropriate interim measures to protect the educational and work environment. The FAS Title IX Coordinator for Staff or the Investigator will attempt to aid the parties in finding a mutually acceptable resolution.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements and seek advice about how participation in an informal process could affect any criminal case in which they are or may become involved.



A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the FAS Title IX Coordinator for Staff. At any point prior to such an express agreement, the Initiating Party may withdraw the request for informal resolution and initiate a formal complaint under these Procedures. A record of this resolution will be maintained in the confidential files of FAS HR, as appropriate.

The informal resolution process will ordinarily be concluded within two to three weeks of the date of the request.

Procedures for Formal Complaints

i. Initiating a Formal Complaint

An Initiating Party who wishes to file a formal complaint alleging a violation of this Policy by an FAS Staff member should do so directly with the ODR. If an Initiating Party files a formal complaint with a Title IX Coordinator, the Title IX Coordinator will forward the formal complaint to ODR. When ODR receives a formal complaint against an FAS Staff member, ODR will inform the Title IX Coordinator for Staff as well as the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, as appropriate. The FAS Title IX Coordinator for Staff, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), will put in place any appropriate interim measures to protect the educational and work environment.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (“Reporter”). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the Complainant or Reporter’s own words,

and may not be authored by others, including family members, advisors, or attorneys.

Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records, and the like) that the Complainant or Reporter believes may be relevant to the investigation. However, the filing of a complaint should not be delayed if such sources of information are unknown or unavailable.

ODR will not investigate a new complaint if either ODR or FAS has already adjudicated a formal complaint based on the same circumstances or if the parties and the FAS Title IX Coordinator for Staff already have agreed to an informal resolution based on the same circumstances. Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with the Massachusetts Commission Against Discrimination, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction.

ii. Timeframe for Filing and Responding to a Complaint

FAS does not limit the timeframe for filing a complaint. FAS encourages complaints to be filed as soon as reasonably possible following an alleged violation of this Policy because the ability of the FAS and ODR to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, the FAS’s ability to complete its processes may be limited with respect to Respondents who are no longer employed by the University.

iii. Initial Review

Once a complaint is received by the ODR, the Title IX Officer will assign the case to an Investigator for



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an initial review. The Title IX Coordinator for Staff will act as a conduit of information between the FAS and the Investigator.

The Investigator will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate this Policy. When a complaint is brought by a Reporter, the Investigator will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigator will determine whether the information, if true, would constitute a violation of this Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigator will convey this determination to the Complainant (and the Reporter, if there is one), the Title IX Officer, the Title IX Coordinator for Staff, and the Title IX Coordinator for the School or unit with which the Complainant is affiliated (as appropriate). The Investigator will work with the FAS Title IX Coordinator for Staff, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, to implement any appropriate interim measures to be put in place pending the completion of the case (or to revise as necessary any measures already in place).

The initial review will ordinarily be concluded within one week of the date the complaint was received.

iv. Investigation

Following the decision to begin an investigation, the Investigator will notify the Respondent in writing of the allegations, including a copy of the formal complaint submitted by the Complainant, and will provide a copy of this Policy and these Procedures. The Respondent will have one

week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records, and the like) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and the Complainant is unwilling to participate but the Investigator and the FAS Title IX Coordinator for Staff have assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and have determined to proceed, then, for the purposes of these Procedures, the FAS Title IX Coordinator for Staff (or a designee) will be considered the Complainant.

The Investigator will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses, who may include those identified by the parties as well as relevant officers of the FAS or the University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.



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After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigator will request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

a. Personal Advisors

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigator. A personal advisor should be someone who can assist the party without conflict and thus, for example, should not be related to anyone involved in the complaint or have another role in the process that could impair his or her service as advisor.

In cases where the Respondent is also a member of a collective bargaining unit and requests a personal advisor, in accordance with a union member's right to request representation during investigatory interviews that may reasonably lead to discipline, the Complainant may also bring a personal advisor to any interviews with the Investigative Team.

The FAS Title IX Coordinator for Staff can, upon request, suggest names of FAS officers who might be willing to serve as a personal advisor for informal resolution or formal complaint proceedings. This service is available to both complainants and respondents.

Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice. During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

v. Confidentiality

The Investigator and other representatives of ODR, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified of the potential for compromising the integrity of the investigation by disclosing information about the case. They also will be notified that sharing such information might compromise the investigation or may be construed as retaliatory.

Retaliation of any kind is in itself a separate violation of this Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, other than information that they have learned solely through the investigatory process, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

vi. Coordination with Law Enforcement Authorities

In all cases, the Investigator will have completed the initial review without delay and, as appropriate, will have proposed interim measures to the FAS Title IX Coordinator for Staff. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, the Investigator will, in light of status updates from law-enforcement authorities and the Title IX Officer, assess and reassess the timing of the investigation under this Policy, so that it does not compromise the criminal investigation.



vii. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigator will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of this Policy.

The Investigator will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigator will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by FAS to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the FAS Title IX Coordinator for Staff and other FAS officers, as appropriate, will work jointly to put in place such measures as they determine are appropriate. Consistent with FAS policies, measures imposed at this stage might include (but are not limited to): restrictions on contact; work-schedule alteration; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the FAS Title IX Coordinator for Staff, and the Title IX Coordinator of the School or unit with which the Complainant is affiliated, as applicable, ordinarily within six weeks of receipt of the complaint.

viii. Special Circumstances

a. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the FAS Title IX Coordinator for Staff and the Investigator, as appropriate, will consider how to proceed, taking into account the

potential Complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the potential Respondent's right to have specific notice of the allegations. The Investigator, the FAS Title IX Coordinator for Staff, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigator, the FAS Title IX Coordinator for Staff, or the Title IX Officer may determine that further investigation is necessary, in which case the potential Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigator, the FAS Title IX Coordinator for Staff, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant's identity.

b. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigator finds that the allegation, if true, would not constitute a violation of this Policy, then the Title IX Officer will administratively close the case and notify the Complainant (and the Reporter, if there is one), the FAS Title IX Coordinator for Staff, and the Title IX Coordinator representing the School or unit with which the Complainant is affiliated, if applicable.

Where the Complainant is unwilling to participate in further investigation, the Title IX Officer will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the ODR should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is



substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer will consider requests for reconsideration of the decision to close a case administratively and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.

In cases where the Title IX Officer concludes that the alleged conduct, while not a violation of this Policy, might implicate other FAS or University conduct policies, the Title IX Officer may refer the complaint to the appropriate FAS or University official.

c. Request To Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, FAS must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Title IX Officer may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint or failure to cooperate.

Other circumstances also may result in a request to withdraw the complaint being declined, where, for example, a request to withdraw is made after a significant portion of the investigation has been completed and terminating the investigation would be inequitable.

d. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Title IX Officer in consultation with the FAS Title IX Coordinator for Staff and the Title IX Coordinator for the School or

unit with which the Complainant is affiliated.

If such a request is approved, the timeframes will be stayed, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If the parties cannot reach an informal resolution within two weeks from receipt of the request, then the Investigator will resume the investigation of the complaint in accordance with the formal complaint procedures.

ix. Appeal

Both the Respondent and the Complainant may appeal the decision of the Investigator to the Title IX Officer or designee based on the following grounds:

A procedural error occurred, which may change the outcome of the decision; or

The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.

Disagreement with the Investigator's findings or determination is not, by itself, a ground for appeal. Appeals of the Investigator's decision must be received by the Title IX Officer or his or her designee within one week of the date of the final report. Likewise, appeals of decisions to administratively close a case or to deny a request to withdraw the complaint must be received by the Assistant to the President for Institutional Diversity and Equity or designee within one week of the date of the decision under appeal. Ordinarily, appeals will be decided within two weeks and the parties and the appropriate School or unit Title IX Coordinators promptly will be informed of the outcome in writing.

x. Discipline

Decisions about the imposition of disciplinary sanctions in cases against FAS Staff will be made



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by the FAS Dean for Administration and Finance or his or her designee, in consultation with FAS senior management as appropriate, and with advice and counsel from the Office of the General Counsel. Disciplinary action may range from a verbal warning up to and including termination. The FAS Dean for Administration and Finance or his or her designee will notify the parties of any disciplinary action, as appropriate.

If the ODR investigation reveals, by a preponderance of the evidence, that the complaint was not submitted in good faith, that either party provided false or misleading information, or that either party retaliated against the other, this will be reported to the FAS Dean for Administration and Finance or his or her designee as a separate violation of the Policy and may result in discipline.

Discipline of FAS and SEAS staff members found to have violated this Policy will be governed by the procedures set forth in the Personnel Manual: <http://hr.harvard.edu/staff-personnel-manual>. For a complete understanding of the procedures concerning alleged harassment by FAS or SEAS staff, staff members should review the procedures in the Personnel Manual in conjunction with these supplemental provisions.

This Policy does not change the at-will status of Harvard employment.

xi. What Happens Following the Disposition of a Case

The FAS Title IX Coordinator for Staff will ensure that any action determined by the FAS Dean for Administration and Finance or his or her designee is carried out.

If the Policy was found to be violated, a written record of the formal complaint process and its outcome will be retained by FAS HR.



Harvard University Police Department



- **Faculty of Arts and Sciences**
- **Division of Continuing Education**
- **Graduate School of Arts and Sciences**
- **Harvard College**
- **Harvard John A. Paulson School of Engineering and Applied Sciences**

The procedures for informal resolution and formal complaint with respect to alleged sexual or gender-based harassment by an FAS Faculty member, instructor, teaching assistant, or researcher are implemented by the Title IX Coordinator for Faculty or a designee determined by the Dean of the FAS in conjunction with ODR.

In certain cases, it may be appropriate for the Dean of the FAS to modify the procedures set forth below, including in light of the Procedures for Discipline of Officers in cases involving grave misconduct or neglect of duty arising under the Third Statute of the University. In such cases, the Initiating Party and the FAS Faculty member, instructor, teaching assistant, or researcher will be notified of the procedures that will be followed.

Ordinarily, however, procedures concerning alleged harassment by faculty, instructors, teaching assistants, and researchers will mirror those established by the University Procedures. Some modifications are necessary to reflect the different nature of the relationship between the FAS and faculty, researchers, teaching assistants, and instructors compared with the relationship between the FAS and students. The FAS intends that all members of our community will abide by the same Policy and, in principle, that violations of that Policy will be investigated and adjudicated using the same basic procedures.

Requests for Informal Resolution

An individual who is concerned about sexual or gender-based harassment by an FAS Faculty member, instructor, teaching assistant, or researcher may make a request for informal resolution to the FAS Title IX Coordinator for Faculty or the Title IX Officer within ODR. If an Initiating Party first contacts another FAS Title IX Coordinator, it is the responsibility of that Title IX Coordinator to inform the FAS Title IX Coordinator for Faculty. A request for informal resolution should identify the alleged harasser (if known) and describe the allegations with specificity. The Title IX Officer or the Title IX Coordinator for Faculty, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), will assess the severity of the alleged harassment and the risk of a hostile environment for others in the community to determine whether an informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, either the FAS Title IX Coordinator for Faculty or, in cases where the Initiating Party makes the request to the ODR, the ODR Investigator who is assigned to the case by the Title IX Officer, will attempt to aid the parties in finding a mutually acceptable resolution. The FAS Title IX Coordinator for Faculty or the ODR Investigator, as appropriate, will consult further with the Initiating Party, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The ODR Investigator or the FAS Title IX Coordinator for Faculty, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), also may put in place any appropriate interim measures to protect the educational and work environment.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel



before making any written or oral statements and seek advice about how their participation in an informal process could affect any criminal case in which they are or may become involved.

A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the FAS Title IX Coordinator for Faculty. A record of this resolution will be maintained in the files of the Office for Faculty Affairs, as appropriate. At any point prior to such an express agreement, the Initiating Party may withdraw the request for informal resolution and initiate a formal complaint under these Procedures.

The informal resolution process will ordinarily be concluded within two to three weeks of the date of the request.

Procedures for Formal Complaints

i. Initiating a Formal Complaint

An Initiating Party who wishes to file a formal complaint alleging a violation of this Policy by an FAS Faculty member, instructor, teaching assistant, or researcher should do so directly with ODR. If an Initiating Party files a formal complaint with a Title IX Coordinator, the Title IX Coordinator will forward the formal complaint to ODR. When it receives a formal complaint against a faculty member, instructor, teaching assistant, or researcher, ODR will inform the Title IX Coordinator for Faculty as well as the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, as appropriate. The FAS Title IX Coordinator for Faculty, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated (if applicable), also will put in place any appropriate interim measures to protect the educational and work environment. The FAS Title

IX Coordinator for Faculty will also inform the Dean of the FAS or his or her designee that a formal complaint has been received.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (“Reporter”). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the Complainant or Reporter’s own words, and may not be authored by others, including family members, advisors, or attorneys.

Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records) that the Complainant or Reporter believes may be relevant to the investigation. However, the filing of a complaint should not be delayed if such sources of information are unknown or unavailable.

ODR will not investigate a new complaint if either ODR or the FAS has already adjudicated a formal complaint based on the same circumstances or if the parties and the FAS Title IX Coordinator for Faculty already have agreed to an informal resolution based on the same circumstances. Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with the Massachusetts Commission Against Discrimination, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction.

ii. Timeframe for Filing and Responding to a Complaint

The FAS does not limit the timeframe for filing a complaint. The FAS encourages complaints to be filed as soon as reasonably possible following an alleged violation of this Policy because the ability of



the FAS and ODR to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, the FAS's ability to complete its processes may be limited with respect to Respondents who are no longer employed by the University.

iii. Initial Review

Once a complaint is received by ODR, the Title IX Officer will assign the case to an Investigator for an initial review. The Title IX Coordinator for Faculty will act as a conduit of information between the FAS and the Investigator.

The Investigator will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate this Policy. When a complaint is brought by a Reporter, the Investigator will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigator will determine whether the information, if true, would constitute a violation of this Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigator will convey this determination to the Complainant (and the Reporter, if there is one), the Title IX Officer, the Title IX Coordinator for Faculty, and the Title IX Coordinator for the School or unit with which the Complainant is affiliated (as appropriate). The Investigator will work with the FAS Title IX Coordinator for Faculty, in consultation with the Title IX Coordinator for the School or unit with which the Initiating Party is affiliated, to implement any appropriate interim measures to

be put in place pending the completion of the case (or to revise as necessary any measures already in place).

The initial review will ordinarily be concluded within one week of the date the complaint was received

iv. Investigation

Following the decision to begin an investigation, the Investigator will notify the Respondent in writing of the allegations, including a copy of the formal complaint submitted by the Complainant, and will provide a copy of this Policy and these Procedures. The Respondent will have one week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and the Complainant is unwilling to participate but the Investigative Officer has assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and has determined to proceed, then, for the purposes of these Procedures, the FAS Title IX Coordinator for Faculty (or a designee) will be considered the Complainant.

The Investigator will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses. "Witnesses" may include individuals who have been identified by the parties as well as relevant officers of the School or



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University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigator will request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

v. Personal Advisors

Both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigative Officer. A personal advisor should be someone who can assist the party without conflict and thus, for example, should not be related to anyone involved in the complaint or have another role in the process that could impair his or her service as advisor. The FAS Title IX Coordinator for Faculty can, upon request, suggest names of FAS officers who might be willing to serve as a personal advisor for informal resolution or formal complaint proceedings. This service is available to both complainants and respondents.

Personal advisors may view a redacted version of



the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice. During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

vi. Confidentiality

The Investigator, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified that disclosing information about the case has the potential for compromising the integrity of the investigation and might, in certain circumstances, be construed as retaliatory. Retaliation of any kind is in itself a separate violation of this Policy and may lead to an additional complaint and consequences.



The parties remain free to share their own experiences, other than information that they have learned solely through the investigatory process, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

vii. Coordination with Law Enforcement Authorities

In all cases, the Investigator will have completed the initial review without delay and, as appropriate, will have proposed interim measures to the FAS Title IX Coordinator for Faculty. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, FAS will consider whether continuing its own investigation will interfere with an active criminal investigation. FAS may defer its investigation to avoid compromising the criminal process, but once it is clear that any such concerns have passed or can be mitigated, FAS will promptly resume its investigation. In all cases, ODR will complete its initial review and FAS will ensure appropriate interim measures are provided so that the individuals affected can continue to participate in and benefit from the University's programs and activities.

viii. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigator will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of this Policy.

The Investigator will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigator will consider any

written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the FAS to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the FAS Title IX Coordinator for Faculty and other FAS officers, as appropriate, will work jointly to put in place such measures as they determine are appropriate. Consistent with FAS policies, measures imposed at this stage might include (but are not limited to): restrictions on contact; course-schedule or work-schedule alteration; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the FAS Title IX Coordinator for Faculty, the Title IX Coordinator of the School or unit with which the Complainant is affiliated, as applicable, and the Dean of the FAS or his or her designee, ordinarily within six weeks of receipt of the complaint.

ix. Special Circumstances

a. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the FAS Title IX Coordinator for Faculty and the Investigator, as appropriate, will consider how to proceed, taking into account the potential Complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the potential Respondent's right to have specific notice of the allegations. The Investigator, the FAS Title IX Coordinator for Faculty, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigator, the FAS Title IX Coordinator for Faculty, or the Title IX Officer may determine that further investigation is necessary,



in which case the potential Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigator, the FAS Title IX Coordinator for Faculty, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant's identity.

b. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigator finds that the allegation, if true, would not constitute a violation of this Policy, then the Title IX Officer will administratively close the case and notify the Complainant (and the Reporter, if there is one), the FAS Title IX

Coordinator for Faculty, and the Title IX Coordinator representing the School or unit with which the Complainant is affiliated, if applicable.

Where the Complainant is unwilling to participate in further investigation, the Title IX Officer will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the ODR should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer will consider requests for reconsideration of the decision to close a case administratively and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.

In cases where the Title IX Officer concludes that the alleged conduct, while not a violation of this Policy, might implicate other School or University conduct policies, the Title IX Officer may refer the complaint to the appropriate FAS or University official.

c. Request To Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, FAS must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Title IX Officer may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint or failure to cooperate.

Other circumstances also may result in declining a request to withdraw the complaint, where, for example, a request to withdraw is made after a significant portion of the investigation has been completed and terminating the investigation would be inequitable.

d. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Title IX Officer in consultation with the FAS Title IX Coordinator for Faculty and the Title IX Coordinator for the School or unit with which the Complainant is affiliated.

If such request is approved, the ordinary deadlines for completing each stage of the formal complaint process will be suspended, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If



Appendix 7 — Procedures for Handling Complaints Involving Faculty Pursuant to the Sexual and Gender-Based Harassment Policy

the parties cannot reach an informal resolution within two weeks from receipt of the request, then the Investigator will resume the investigation of the complaint in accordance with the formal complaint procedures.

x. Appeal

Both the Respondent and the Complainant may appeal the decision of the Investigator to the Dean of the FAS or his or her designee based on the following grounds:

1. A procedural error occurred, which may change the outcome of the decision; or
2. The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.

Disagreement with the Investigator's findings or determination is not, by itself, a ground for appeal.

Appeals of the Investigator's decision must be received by the Dean of the FAS or his or her designee within one week of the date of the final report. Ordinarily, appeals will be decided within two weeks and the parties and the appropriate School or unit Title IX Coordinators promptly will be informed of the outcome in writing.

xi. Discipline

The administration of discipline in cases against FAS Faculty is subject to the authority of the Dean of the FAS or his or her designee; thus, as appropriate, having received the report, the Dean or Dean's designee separately will consider the imposition of discipline and notify the parties, as appropriate. Sanctions may range from reprimand to dismissal.

If the ODR investigation reveals, by a preponderance of the evidence, that the complaint was not submitted in good faith, that either party provided false or misleading information, or that either party retaliated against the other, this will be reported to the Dean of the FAS, his or her designee, or other appropriate disciplinary body, as a separate violation of the Policy and may result in discipline.

xii. What Happens Following the Disposition of a Case

The FAS Title IX Coordinator for Faculty will ensure that any action determined by the Dean or Dean's designee is carried out.

If the Policy was found to be violated, a written record of the formal complaint process and its outcome will be retained by the Dean of the Faculty.



• Harvard Business School

Harvard Business School, consistent with Harvard University's Sexual and Gender-Based Harassment Policy, is committed to maintaining a safe and healthy educational and work environment in which no member of the University is, on the basis of sex, sexual orientation, or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination in any University program or activity.

Allegations that a member of the HBS faculty has violated the Policy should be brought to the attention of Valerie Porciello, the HBS Faculty Title IX Coordinator. Allegations will be investigated by an investigator consistent with the process and principles outlined in the Procedures for Handling Complaints Involving Students Pursuant to the Sexual and Gender- Based Harassment Policy, with the following modifications:

- Once a complaint is received and has been assigned to an investigator for an initial review, the Office of the Dean and the HBS Faculty Title IX Coordinator will appoint an HBS Title IX designate to serve as part of the Investigative Team.
- If either the Faculty Respondent or the Complainant chooses to appeal the conclusions reached in the Investigative Team's final report, the appeal will be heard in accordance with the University Procedures by an appellate panel comprising three members. The appellate panel will include at least one HBS faculty member.
- When the investigation is completed, the final report will be provided to the Complainant, the Faculty Respondent, the HBS Faculty Title IX Coordinator, and the HBS Faculty Review Board (FRB).

- The FRB will accept as final and non-reviewable the report's findings of fact and conclusions as to whether a violation of the University Policy has occurred. The FRB has wide discretion to recommend sanctions to the Dean. Consistent with FRB procedures, the FRB will:

- provide the Faculty Respondent an opportunity to provide a written statement to the FRB,
 - provide the Faculty Respondent a draft of its sanction recommendations and an opportunity to respond,
 - consider any written response by the Faculty Respondent to the draft sanction recommendations and modify the recommendations if it feels such action is warranted, and
 - include the Faculty Respondent's written response to the draft sanction recommendations when it submits those recommendations to the Dean.
- The Dean will make the final determination as to sanctions. Sanctions and corrective actions may include, but are not limited to, counseling, warning, reprimand, suspension, probation, monitoring, community service, dismissal, and any other restriction, limitation, or punishment determined by the Dean to be warranted by the circumstances.

In certain cases it may be appropriate for the Office of the Dean to modify these procedures, in light of the Procedures for the Discipline of Officers involving grave misconduct or neglect of duty arising under the Third Statute of the University. In such cases, all parties will be notified of the procedures that will be followed.



If a person against whom a complaint is brought held an HBS faculty appointment at the time of the alleged incident giving rise to the complaint, but no longer holds such an appointment, then the Dean or the Dean's designate shall determine whether and in what manner the complaint should be handled.

Resources

HBS Faculty Title IX Coordinator

Valerie Porciello
Executive Director, Division of Research and Faculty Development
vporciello@hbs.edu
617.495.6116
Morgan Hall T15
Harvard University Title IX Officer
Nicole Merhill
nicole_merhill@harvard.edu
617.496.2470
44R Brattle Street Cambridge MA 02138

Other University Resources

[Office of Sexual Assault Prevention & Response](#)

[HUHS Counseling and Mental Health Services](#)

[Bureau of Study Counsel](#)

[Harvard University Health Services](#)

[Harvard Chaplains](#)

[Harvard University Police Department](#)

[Employee Assistance Program](#)

Outside Agencies:

[U.S. Department of Education, Office for Civil Rights \(OCR\)](#)

[U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

[Massachusetts Commission Against Discrimination \(MCAD\)](#)

• Harvard Graduate School of Education

In accord with Harvard University's Sexual and Gender-Based Harassment Policy (the "Policy"), the Harvard Graduate School of Education (HGSE) is committed to maintaining an educational and work environment in which no member of our community is, on the basis of sex, sexual orientation, or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination in any School or University program or activity.

Complaints that a member of the HGSE faculty has violated the Policy ordinarily shall be investigated by Harvard's Office for Dispute Resolution ("ODR") in accordance with the Procedures for Handling Complaints Involving Students (the "University Procedures" (http://titleix.harvard.edu/files/title-ix/files/harvard_student_sexual_harassmnt_procedures.pdf?m=1441919500)), with the following modifications:

- Appeals will be heard by an appeals board composed of three members. Ordinarily, the appeals board will include at least one member of the Faculty of Education and at least one other Harvard faculty member.
- Upon completion of the investigation (including any appeals) and receipt of the report, the Dean will accept as final and non-reviewable the report's findings of fact and its conclusions as to whether a violation of the University Policy has occurred. The Dean may, at his or her discretion, consult with others at the University, including without limitation senior members of the HGSE Faculty, as to potential corrective actions or sanctions. Ultimately, the Dean will determine appropriate sanctions and notify the parties, as appropriate.



Appendix 7 — Procedures for Handling Complaints Involving Faculty Pursuant to the Sexual and Gender-Based Harassment Policy

Corrective actions and sanctions may include (but are not limited to) warning, reprimand, modification and/or limitation of professional duties, suspension, or dismissal. The Title IX Coordinator for Faculty will ensure that any corrective actions or sanctions determined by the Dean are carried out.

In certain cases, it may be necessary for the Office of the Dean to modify the procedures for handling complaints against faculty, in light of the procedures for disciplining faculty for grave misconduct or neglect of duty arising under the Third Statute of the University. In such cases, all parties will be notified of the procedures that will be followed.

Resources

Title IX Coordinator for the Faculty of Education:

Katherine Stanton, Associate Dean for Faculty Affairs

Katherine_stanton@gse.harvard.edu
(617) 496-2077

Nicole Merhill, Title IX Officer
Title IX Office
44R Brattle Street, 2nd Floor Cambridge, MA 02138
Phone: (617) 496-2470
Email: nicole_merhill@harvard.edu
Website: <http://titleix.harvard.edu/>

William McCants, Director of the Office for Dispute Resolution (ODR)
ODR
44R Brattle Street, 2nd Floor Cambridge, MA 02138
Phone: (617) 495-3786
Email: odr@harvard.edu
Website: <http://odr.harvard.edu/>

University-wide Sexual and Gender-Based Harassment Policy

Procedures for Complaints Against Students



Harvard University Police Department

Procedures for Complaints Against Staff Procedures for Complaints Against Faculty

Other University Resources:

[Office of Sexual Assault Prevention & Response](#)

[HUHS Counseling and Mental Health Services](#)

[Bureau of Study Counsel](#)

[Harvard University Health Services](#)

[Harvard Chaplains](#)

[Harvard University Police Department](#)

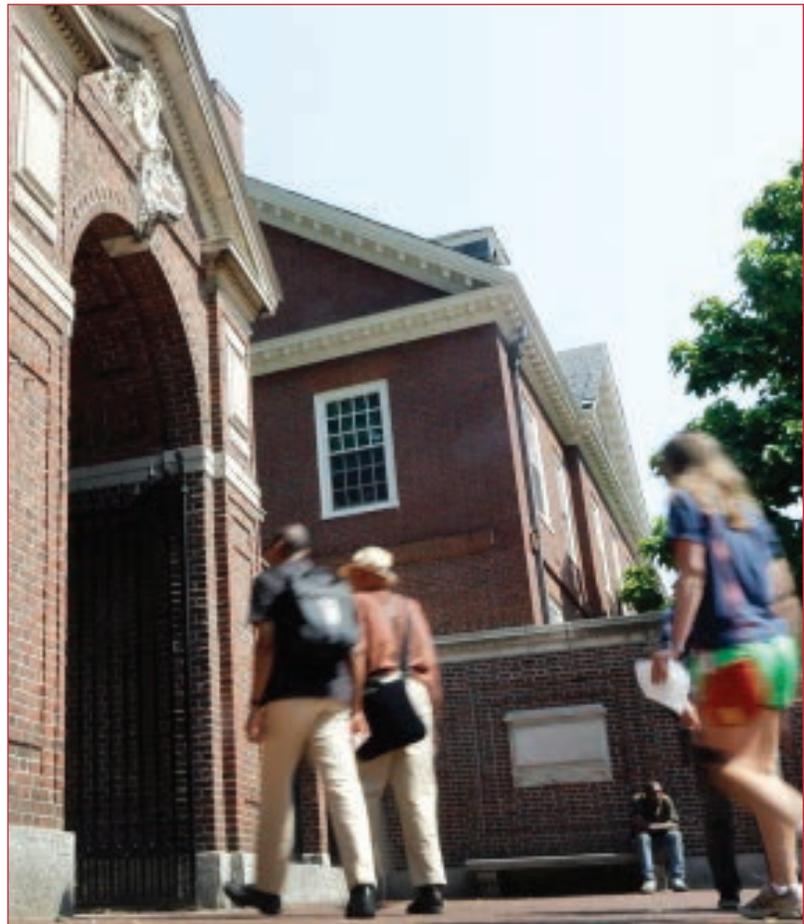
[Employee Assistance Program](#)

Outside Agencies:

[U.S. Department of Education, Office for Civil Rights \(OCR\)](#)

[U.S. Equal Employment Opportunity Commission \(EEOC\)](#)

[Massachusetts Commission Against Discrimination \(MCAD\)](#)



• Harvard Kennedy School

The procedures for informal resolution and formal complaint with respect to alleged sexual or gender-based harassment by an HKS Faculty member are described below. Academic Dean for Teaching and Curriculum Suzanne Cooper is the HKS Title IX Coordinator for Faculty; she and other appropriate HKS officers will work with the central University Office for Dispute Resolution (“ODR”) to implement these procedures.

Harvard students, faculty, staff, other Harvard appointees, or third parties who believe they are directly affected by the conduct of an HKS faculty member (collectively “Initiating Parties”) may: request information or advice, including whether certain conduct may violate the Policy; seek informal resolution; or file a formal complaint. These three options are described below.

Initiating Parties are encouraged to bring their concerns to the HKS Title IX Coordinator for Faculty, the University’s Title IX Officer, or staff in ODR, but may, if they choose, contact another School or University officer, who will refer the matter as appropriate.

As set forth below, interim measures designed to support and protect the Initiating Party or the University community may be considered or implemented at any time, including during a request for information or advice, informal resolution, or a formal complaint proceeding. Such interim measures might include, among others: restrictions on contact; course-schedule or work-schedule alteration; leaves of absence; or increased monitoring of certain areas of the campus.

These interim measures are subject to review and revision throughout the processes described below.

I. Requests for Information or Advice

Initiating Parties seeking information or advice can expect to learn about resources available at the University and elsewhere that provide counseling and support. They also will be advised about the steps involved in pursuing an informal resolution or filing a formal complaint. In addition, the HKS Title IX Coordinator for Faculty or the University Title IX Officer or other staff in ODR may discuss with Initiating Parties whether any interim measures are appropriate at this stage.

II. Requests for Informal Resolution

Initiating Parties may make a request, either orally or in writing, for informal resolution to the HKS Title IX Coordinator for Faculty, the University Title IX Officer, or the Director of ODR. The request should identify the alleged harasser (if known) and describe the allegations with specificity. The HKS Title IX Coordinator for Faculty, the University Title IX Officer, or the Director of ODR in consultation with the Title IX Officer will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate.

Upon determining that informal resolution is appropriate, the HKS Title IX Coordinator for Faculty or (when the Initiating Party makes the request to the ODR) the University Title IX Officer (or designee) or an ODR Investigator will consult further with the person initiating the request, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The HKS Title IX



Coordinator for Faculty or the University Title IX Officer also may put in place any appropriate interim measures to protect the educational and work environment. The Title IX Officer or designee, the HKS Title IX Coordinator for Faculty, or the Investigator will attempt to aid the parties in finding a mutually acceptable resolution. A matter will be deemed satisfactorily resolved when both parties expressly agree to an outcome that is also acceptable to the HKS Title IX Coordinator for Faculty.

When the allegations, if true, might constitute criminal conduct, the party against whom they are brought is hereby advised to seek legal counsel before making any written or oral statements.

Those facing allegations may wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

At any point prior to such resolution, the Initiating Party may withdraw the request for informal resolution and initiate a formal complaint under these Procedures.

Ordinarily, the informal resolution process will be concluded within two to three weeks of the date of the request.

III. Procedures for Formal Complaints

A. Initiating a Complaint

An Initiating Party may file a formal complaint alleging a violation of the Policy. A complaint of sexual or gender-based harassment against a faculty member should be filed directly with the ODR. ODR will inform the HKS Title IX Coordinator for Faculty as well as the School or

unit Title IX Coordinator for the Complainant that a complaint has been received, and, if indicated, the Title IX Coordinator(s) will put in place any appropriate interim measures.

A formal complaint must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (Reporter). It should state the name of the alleged harasser (if known) and describe with reasonable specificity the incident(s) of alleged harassment, including the date and place of such incident(s). The complaint must be in the Complainant or Reporter's own words, and may not be authored by others, including family members, advisors, or attorneys. Attached to the complaint should be a list of any sources of information (for example, witnesses, correspondence, records, and the like) that the Complainant or Reporter believes may be relevant to the investigation. However, a complaint should not be delayed if such sources of information are unknown or unavailable.

ODR will not investigate a new complaint if either ODR or HKS has already adjudicated a formal complaint based on the same circumstances or if the parties and the HKS Title IX

Coordinator for Faculty, the Title IX Officer, or the Director of ODR in consultation with the Title IX Officer already have agreed to an informal resolution based on the same circumstances. Whether or not a complaint is filed with ODR, any person may file a complaint of discrimination with Massachusetts Commission Against Discrimination, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education Office of Civil Rights, or any other state or federal agency having jurisdiction.



B. Timeframe for Filing a Complaint

The University does not limit the timeframe for filing a complaint. The University encourages complaints to be filed as soon as reasonably possible following an alleged Policy violation because the University's ability to gather adequate information may be limited where a significant length of time has elapsed between an incident and the filing of a complaint. Further, the University's ability to complete its processes may be limited with respect to Respondents who are no longer employed by the University.

C. Initial Review

Once a complaint is received by the ODR, the Director of ODR will assign the case to an Investigative Team for an initial review. Investigators will have appropriate training, so that they have the specialized skill and understanding to conduct prompt and effective sexual and gender-based harassment investigations.

The Investigative Team will contact the Complainant or Reporter in an attempt to gather a more complete understanding of the allegations, as well as any related conduct that may implicate the Policy. When a complaint is brought by a Reporter, the Investigative Team will endeavor to meet with the person identified as the potential Complainant both to gather information and to discuss his or her interest in participating in an investigation.

Based on the information gathered, the Investigative Team will determine whether the information, if true, would constitute a violation of the Policy such that an investigation is warranted or whether the information warrants an administrative closure. The Investigative Team will convey this determination to: the

Complainant (and the Reporter, if there is one); the Director of ODR; the Title IX Officer; and the HKS Title IX Coordinator for Faculty. The Investigative Team will work with the HKS Title IX Coordinator for Faculty to implement any appropriate interim measures to be put in place by the School pending the completion of the case (or to revise as necessary any measures already in place).

Ordinarily, the initial review will be concluded within one week of the date the complaint was received.

D. Investigation

Following the decision to begin an investigation, the Investigative Team will notify the Respondent in writing of the allegations and will provide a copy of the Policy and these procedures. The Respondent will have one week in which to submit a written statement in response to the allegations. This statement must be in the Respondent's own words; Respondents may not submit statements authored by others, including family members, advisors, or attorneys. Attached to the statement should be a list of all sources of information (for example, witnesses, correspondence, records, and the like) that the Respondent believes may be relevant to the investigation.

If the decision is made to begin an investigation in a case where a Reporter filed the complaint, and the Complainant is unwilling to participate but the School has assessed the severity of the harassment and the potential risk of a hostile environment for others in the community and has determined to proceed, then, for the purposes of these Procedures, the HKS Title IX Coordinator (or a designee) will be considered the Complainant.



The Investigative Team will request individual interviews with the Complainant and the Respondent, and, as appropriate, with other witnesses, which may include those identified by the parties as well as relevant officers of the School or University or others. When identifying potential witnesses, the parties should understand that the purpose of interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.

When a complaint involves allegations that, if true, also might constitute criminal conduct, Respondents are hereby advised to seek legal counsel before making any written or oral statements. The investigation process is not a legal proceeding, but Respondents might wish to obtain legal advice about how this process could affect any criminal case in which they are or may become involved.

After the collection of additional information is complete but prior to the conclusion of the investigation, the Investigative Team will request individual follow-up interviews with the Complainant and the Respondent to give each the opportunity to respond to the additional information.

E. Personal Advisors

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, both the Complainant and the Respondent may bring a personal advisor to any interviews with the Investigative Team. A personal advisor may not be related to anyone involved in the complaint or have any other involvement in the process.

Personal advisors may view a redacted version of the complaint or other documents provided to the parties, offer feedback on their advisee's written statements, and provide general advice.

During interviews, personal advisors may not speak for their advisees, although they may ask to suspend the interviews briefly if they feel their advisees would benefit from a short break.

F. Confidentiality

The ODR, personal advisors, and others at the University involved in or aware of the complaint will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the Complainant or Reporter, the Respondent, and any witnesses will be notified of the potential for compromising the integrity of the investigation by disclosing information about the case and the expectation that they therefore keep such information – including any documents they may receive or review – confidential. They also will be notified that sharing such information might compromise the investigation or may be construed as retaliatory. Retaliation of any kind is a separate violation of the Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

G. Coordination with Law Enforcement Authorities

In all cases, the Investigative Team will have completed the initial review without delay and, as appropriate, will have proposed interim measures to the HKS Title IX Coordinator for Faculty. In the event that an allegation includes behavior or actions that are under review by law-enforcement authorities, the Investigative Team will, in light of status updates from law-enforcement authorities and the Title IX Officer, assess and reassess the timing of the



investigation under the Policy, so that it does not compromise the criminal investigation.

H. Conclusion of the Investigation and Issuance of Final Report

At the conclusion of the investigation, the Investigative Team will make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact whether there was a violation of the Policy.

The Investigative Team will provide the Complainant and the Respondent with a written draft of the findings of fact and analysis and will give both parties one week to submit a written response to the draft. The Investigative Team will consider any written responses before finalizing these sections of the report and the final section of the report, which will outline any recommended measures to be taken by the School to eliminate any harassment, prevent its recurrence, and address its effects. The Title IX Officer and the School will work jointly to put in place such measures as they determine are appropriate. Consistent with School policies, measures imposed at this stage might include, among others: restrictions on contact; course- or work-schedule alteration; changes in housing; leaves of absence; or increased monitoring of certain areas of the campus.

The investigation will be completed and the final report provided to the Complainant, the Respondent, the HKS Title IX Coordinator for Faculty, and the HKS Dean, ordinarily within six weeks of receipt of the complaint.

I. Appeal

Both the Respondent and the Complainant may appeal the decision of the Investigative Team to the University Title IX Officer, who shall refer

the appeal to a university panel of faculty and administrators trained to hear appeals of ODR investigation decisions, based on the following grounds:

1. A procedural error occurred, which may change the outcome of the decision; or
2. The appellant has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.

Disagreement with the Investigative Team's findings or determination is not, by itself, a ground for appeal.

Appeals of the Investigative Team's decision must be received by the University Title IX Officer or designee within one week of the date of the final report. Likewise, appeals of decisions to administratively close a case or to deny a request to withdraw the complaint must be received by the University Title IX Officer within one week of the date of decision under appeal. Ordinarily, appeals will be decided within two weeks and the parties and the appropriate School or unit Title IX Coordinators will be promptly informed of the outcome in writing.

J. Discipline and Sanctions

The administration of discipline in cases against HKS Faculty is subject to the authority of the Dean of HKS. Having received the report from ODR in a case where a violation of the Policy has been determined, (such violations may include acts of sexual and/or gender-based harassment, submitting a complaint that is not in good faith, providing false or misleading information, or retaliation against an individual for raising an allegation, for cooperating in an investigation of such a complaint, or for opposing discriminatory



practices), the Dean will appoint a three-person faculty panel to advise on sanctions. The Dean will make the final decision on sanctions. In the event that the sanction invokes the Third Statute of the University, appropriate University processes to enact the sanction will be followed as appropriate. Sanctions may range from reprimand to dismissal.

K. What Happens Following the Disposition of a Case

The HKS Title IX Coordinator for Faculty will ensure that any action or sanction determined by the Dean or Dean's designee is carried out. If the Policy was found to be violated, a written record of the formal complaint process and its outcome will be retained by the Dean of the Faculty.

L. Special Circumstances

i. Request for Anonymity

If a potential Complainant asks to remain anonymous, then the Investigative Team, the HKS Title IX Coordinator for Faculty, or the Title IX Officer, as appropriate, will consider how to proceed, taking into account the potential Complainant's wishes, the University's commitment to provide a non-discriminatory environment, and the potential Respondent's right to have specific notice of the allegations. The Investigative Team, the HKS Title IX Coordinator for Faculty, or the Title IX Officer may conduct limited fact finding to better understand the context of the complaint. In some circumstances, a request for anonymity may mean an investigation cannot go forward, or the Investigative Team, the HKS Title IX Coordinator for Faculty, or the Title IX Officer may determine that further investigation is necessary, in which case the potential

Complainant will be informed that his or her identity will be disclosed as necessary for the investigatory process. In other circumstances, the Investigative Team, the HKS Title IX Coordinator for Faculty, or the Title IX Officer may determine that the matter can be appropriately resolved without further investigation and without revealing the Complainant's identity.

ii. Administrative Closure

If, after conducting the initial review of a formal complaint, the Investigative Team finds that the allegation, if true, would not constitute a violation of the Policy, then the Director of ODR will administratively close the case and notify the Complainant (and the Reporter, if there is one), the Title IX Officer, and the HKS Title IX Coordinator for Faculty.

Where the Complainant is unwilling to participate in further investigation, the Director of ODR, in consultation with the Title IX Officer, will assess the severity of the alleged harassment or the potential risk of a hostile environment for others in the community and will determine whether administrative closure is appropriate or whether the University should proceed with an investigation.

Within one week of the decision to close a case administratively, the Complainant or Reporter may request reconsideration on the grounds that there is substantive and relevant new information that was not available at the time of the decision and that may change the outcome of the decision. The Title IX Officer or designee will consider requests for reconsideration and inform the Complainant or Reporter of the outcome, ordinarily within one week of the date of the request.



In cases where the Director of ODR concludes that the alleged conduct, while not a violation of the Policy, might implicate other School or University conduct policies, the Director of ODR may refer the complaint to the appropriate School or University official.

iii. Request to Withdraw the Complaint

While every effort will be made to respect the Complainant's wishes to withdraw a formal complaint, the University must be mindful of its overarching commitment to provide a non-discriminatory environment. Thus, in certain circumstances, the Director of ODR may determine that investigation is appropriate despite a Complainant's request to withdraw the complaint or failure to cooperate. Other circumstances also may result in a request to withdraw the complaint being declined, where, for example, a request to withdraw is made after a significant portion of the investigation has been completed and terminating the investigation would be inequitable.

iv. Request for Informal Resolution After a Complaint has Been Filed

Once a complaint has been opened for investigation and before the final report has been provided to the parties, a party may request informal resolution as an alternative to formal resolution of the complaint, but that disposition requires agreement of the Complainant and the Respondent and the approval of the Director of ODR in consultation with the Title IX Officer and HKS.

If such a request is approved, the timeframes will be stayed, and the Investigator or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If the parties cannot reach an informal resolution within two

weeks from receipt of the request, then the Investigative Team will resume the investigation of the complaint in accordance with the formal complaint procedures.

IV. Resources

University Resources:

Office of Sexual Assault Prevention & Response

HUHS Counseling and Mental Health Services

Bureau of Study Counsel

Harvard University Health Services

Harvard Chaplains

Harvard University Police Department

Employee Assistance Program

HKS Title IX Coordinator for Faculty:
Suzanne Cooper

University Title IX Officer:
Nicole Merhill

Director of the Office for Dispute Resolution (ODR): **William McCants**

Outside Agencies:

U.S. Department of Education, Office for Civil Rights (OCR)

U.S. Equal Employment Opportunity Commission (EEOC)

Massachusetts Commission Against Discrimination (MCAD)



• Harvard Law School

HLS is committed to equal opportunity, respect, fairness and nondiscrimination, as understood in light of principles of academic freedom and free speech, and to taking appropriate steps to end any harassment, prevent its recurrence, and, where appropriate, remedy its effects.

Harvard University has adopted the Harvard University Sexual and Gender-Based Harassment Policy (the “Policy”), which applies to sexual or gender-based harassment that is committed by students, faculty, staff, Harvard appointees, or third parties, whenever the misconduct occurs on Harvard property; or off Harvard property, if the conduct was in connection with a University or University-recognized program or activity; or the conduct may have the effect of creating a hostile environment for a member of the University community. As noted in the Policy, “Nothing in [the] Policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the University’s educational mission.”

These procedures govern potential violations of the Policy by HLS faculty, and also set out additional related policies applicable to HLS faculty related to these goals.

1. Scope of Application and Related Procedures. The following procedures apply to complaints alleging Policy violations by or against HLS faculty. “Faculty member” and “faculty” for this purpose include full-time Harvard Law School professors (including assistant professors, professors, clinical professors, assistant clinical professors, and professors of practice), visiting professors, adjunct lecturers, and anyone else whose primary affiliation is an academic appointment and whose affiliation with Harvard University consists primarily of teaching HLS students. For clarity, a Harvard

student or Harvard staff member who teaches at HLS would not be covered by this Policy, but instead would be covered by procedures for students and staff, respectively. For complaints or reports alleging violations by HLS staff, see Sexual/Gender-Based Harassment Complaint Procedures Against Staff. For complaints or reports alleging violations by HLS students, see HLS Sexual Harassment Resources and Procedures for Students.

2. Advisors and Counsel. All parties affected by a complaint may consult with advisors of their choice, including an attorney, at any point in the process. The Relevant Official (as defined below) will notify parties that they may consult with advisors (including an attorney), and the names of potential advisors (including attorneys). HLS will provide financial assistance to parties unable to afford an attorney who would like to do so, subject to reasonable fee structures and limits determined from time to time by the HLS Title IX Committee. Ordinarily, the person investigating a complaint under these procedures (see below) will speak directly with all involved, and each may have an advisor or attorney present, and if requested by a HLS participant, the advisor or attorney may participate in the conversation.

3.1 Anonymous Reports. Persons may wish to report violations of the Policy anonymously, and may do so to the Relevant Official (see below). If a person reporting a potential violation self-identifies but asks to remain anonymous, the Relevant Official will decide how to proceed, taking into account the person’s wishes, the University’s commitment to providing a safe and non-discriminatory environment, and the right of any person accused of a violation of the Policy to have notice of allegations if any action may be taken that would affect the accused. It may not be possible to guarantee the reporting party anonymity in certain circumstances, as noted in 3.3 below.



Appendix 7 — Procedures for Handling Complaints Involving Faculty Pursuant to the Sexual and Gender-Based Harassment Policy

3.2 Informal Reports. Individuals may wish to file a formal complaint about a Policy violation (see below), or to report informally (i.e., without initiating a formal complaint), and should do so to the Relevant Official (as defined below). The Relevant Official shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.

3.3 Possible Limits to Anonymity and Confidentiality. Reporting persons should be aware that although the Relevant Official will often be able to maintain confidentiality of reporting persons, the Relevant Official may sometimes be required to take actions to protect the safety of HLS community members that may result in the identity of the reporting person being disclosed (to the police, for example). When reporting persons seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of HLS to respond fully to any reported event, including discipline against a reported person, that the Policy prohibits retaliation, and that HLS will take steps intended to prevent retaliation and to respond to it strongly if it occurs.

3.4 Relevant Officials for Informal Reports. Reports about a member of the HLS faculty may be made to the following officials (Relevant Officials): HLS Dean or one of the School's Title IX Coordinators.

3.5 Informal Process. The Relevant Official shall determine if the matter is appropriate for informal resolution. If the Relevant Official (in consultation with the Title IX Unit) concludes that it is possible to resolve the case in a prompt, fair and adequate manner through an informal process involving and with the consent



of both the person reporting and the person whose conduct may have violated the Policy, the Relevant Official (in consultation with the Title IX Unit) may seek to do so. After a formal complaint is made, this informal process may be used only if the complainant affirmatively seeks such a process, and any party may terminate any informal process at any time, without penalty. No person reporting that he or she has been sexually assaulted will be asked to mediate or reach a resolution of the report directly with a person alleged to have committed the assault. Before using any informal process, the Relevant Official will notify those involved about the advantages and disadvantages of the process, and establish and notify those involved about reasonable timeframes for the process.

3.6 Timeliness. An informal report should be filed within one year of any alleged violation of the Policy.

3.7 Legal Advice. When reported conduct by any person might constitute criminal conduct, the person whose conduct is reported should, and the reporting person may wish to, seek legal counsel before making any written or oral statements, and seek advice about how his or her participation in any process under this policy could affect any criminal case in which he or she is or may become involved.

4. Process Confidentiality. To encourage parties and witnesses to participate in these procedures (including anonymous reports, informal reports, and formal complaints), all involved should keep confidential any information they receive in the course of their participation, other than to consult with advisors and attorneys, and incidental to seeking support and advice from family, clergy, health professionals, and others playing a similar role, all of whom should also be advised by anyone seeking their support to keep such

information confidential. To balance the interest of protecting confidential information and encouraging participation in these procedures by parties and witnesses, on the one hand, against the interest of participants in being able to disclose confidential information to family, clergy, health professionals, and others, on the other hand, the HLS Title IX Committee shall develop instructions on the confidentiality obligations of parties and witnesses. Disclosure of confidential information received in participating in these procedures has the potential to compromise the integrity of these procedures and may be viewed as retaliation that violates the Policy. Upon the initiation of an investigation, the Relevant Official shall remind the parties, in writing, of their obligations regarding confidentiality. They also will be notified that sharing such information might compromise the investigation or may be construed as retaliatory. Retaliation of any kind is a separate violation of the Policy and may lead to an additional complaint and consequences.

The parties remain free to share their own experiences, though to avoid the possibility of compromising the investigation, it is generally advisable to limit the number of people in whom they confide.

5. Formal Complaints. Anyone may file a formal complaint about an alleged violation of the Policy by members of the HLS Faculty. Such complaints shall be filed with the HLS Dean. Complaints about a violation by the HLS Dean shall be filed with the Office of the Provost.

5.1 Procedures for Formal Complaints. A formal complaint shall state (if known to the complainant) the name(s) of all persons involved in or witnesses to the conduct, describe the conduct, identify to the extent reasonably possible the dates and places of the conduct, and be signed and dated by the complainant.



The HLS Dean shall promptly provide a copy of the complaint to all respondents named in the complaint. Where appropriate, the HLS Dean may appoint an investigator, or a hearing officer or panel for purposes of resolving a complaint. Any investigator will be impartial and unbiased, will disclose any real or reasonably perceived conflicts of interest, and have training in investigating and evaluating conduct under the Policy, including applicable confidentiality requirements.

5.2 Initial Assessments. The HLS Dean will make an initial assessment following a formal complaint about a violation of the Policy. Based on that assessment, the HLS Dean may act as follows: (a) if the conduct, even if substantiated, would not violate the Policy or any other applicable policy, the HLS Dean may dismiss the complaint;

(b) if the HLS Dean concludes that it is possible to resolve the case in a prompt, fair and adequate manner through an informal process involving and with the consent of both the complainant and respondent, the HLS Dean may seek to do so (subject to the limits in 3.4 above); or (c) if the conduct, if substantiated, would violate the Policy or another applicable policy, the HLS Dean may initiate a further investigation. Parties shall be promptly notified of the result of the initial assessment and outcome. In any case, the HLS Dean may also determine and implement appropriate interim measures. If the result of the initial assessment is a further investigation, the investigator will keep and preserve a record of all aspects of the investigation.

5.3 Notice and Opportunity to Respond. If the result of the initial assessment is an investigation, such investigations will generally include individual interviews of the complainant,

respondent, and any relevant witnesses. The notice of the initial assessment and outcome, and the record prepared by any investigator, will be shared promptly and equally with complainant and respondent, redacted if and to the extent required by and consistent with law. Each party will have an opportunity to meet again with the HLS Dean and any investigator, respond in writing, and request gathering of additional information by the investigator. If additional information is gathered, it will become part of the record and shared with all parties, who again will have an opportunity to respond. The parties will be updated at regular intervals of the status of any investigation.

5.4 Timeframes and Timeliness. HLS will seek to complete any investigation and resulting disciplinary process (including a decision on any sanctions) or close a case (if no investigation) within 45 business days after receipt of a report or complaint. Any investigator may impose reasonable timeframes on all parties to allow for the timely completion of a proceeding. A formal complaint should be filed within one year of the alleged incident or the latest of incidents constituting a violation of the Policy, except that this period shall be tolled during the pendency of a timely filed informal report.

5.5 Extensions. There may be circumstances requiring longer time frames. Timeframes may be extended, for example, in the interest of the integrity and completeness of an investigation, to accommodate witness availability, or to comply with requests by or not to prejudice investigations or processes of external law enforcement, or for other legitimate reasons, including the complexity of the investigation and the severity or extent of alleged misconduct. HLS will notify all parties of any extensions of timeframes for good



cause, and the reasons for extensions. Although cooperation with law enforcement may require temporary suspensions of HLS investigations, HLS will promptly resume an investigation as soon as law enforcement's evidence gathering is completed. HLS will not wait for the conclusion of criminal proceedings to begin its investigation, and will provide appropriate interim measures throughout, including during suspensions. The HLS Dean and any investigator will work with the parties to balance the value of promptness with the value of in-person meetings in an investigation.

5.6 Cooperation. HLS expects members of HLS community to cooperate with an investigation. It is understood that there may be circumstances in which complainants may wish to limit their participation, and a complainant may choose to do so, although HLS may be obligated to conduct an investigation. It is understood that respondents may be advised not to provide information in circumstances that could prejudice their rights in external law enforcement proceedings, and a respondent may choose to do so, although HLS may be obligated to conduct an investigation. HLS will not draw any adverse inferences from a respondent's silence in such circumstances, but may impose interim measures, reach findings and issue sanctions, as appropriate.

5.7 Sexual History. The parties' sexual history will not generally be a subject of any investigation or questions at any hearing. However, the history of relations among parties may be relevant. For example, if "unrequested or uninvited conduct" is at issue,¹ the sexual history between the parties may be relevant to determining whether the conduct was unrequested and uninvited during the incident in question, although it must be remembered that even in the context of a relationship, a request for one sexual act

does not imply a request for another sexual act, and a request on one occasion does not constitute a request on a subsequent occasion. In addition, under very limited circumstances, sexual history may be relevant to explain injury, to provide proof of a pattern, or for another specific question raised by an allegation. The HLS Dean and any investigator shall determine the relevance such matters to any investigation and whether its relevance is outweighed by the dangers of unfair prejudice, confusion, or undue delay.

5.8 Standard of Proof. Formal disciplinary sanctions shall be imposed only upon proof by a preponderance of the evidence.

5.9 Sanctions. Upon the HLS Dean's finding a violation, sanctions appropriate to the seriousness of the offense and in accordance with applicable University policy shall be imposed. In deciding the appropriate sanction, the HLS Dean may consider the intent with which the respondent acted, the nature and degree of harm caused by the respondent's actions, other acts of harassment (if any) committed by the respondent, the need for deterrence, the safety of the community, and such other factors as reason and justice may require.

6. Records. The Relevant Official shall archive any notices, communications, assessments, records, and reports specifically required under these Procedures. All such archives shall be maintained at least as long as any legally required period.



- **Harvard Medical School**
- **Harvard School of Dental Medicine**

In accord with Harvard University's Sexual and Gender-Based Harassment Policy (the "Policy"), which applies to all Harvard students, faculty, staff, Harvard appointees, and third parties, Harvard Medical School ("HMS") and Harvard School of Dental Medicine ("HSDM") are committed to maintaining a safe and healthy educational and work environment in which no member of the HMS/HSDM community is, on the basis of sex, sexual orientation, or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination in any University program or activity.

Allegations that a member of the HMS or HSDM faculty (meaning any person possessing an academic appointment in the Faculty of Medicine) has violated the Policy ordinarily shall be investigated by Harvard's Office for Dispute Resolution ("ODR") in accordance with the Procedures for Handling Complaints Involving Students Pursuant to the Sexual and Gender-Based Harassment Policy ("University Procedures") with the following modifications:

Once a complaint is received by the ODR and has been assigned to an ODR Investigator for an initial review, the Office of the Dean of the Faculty of Medicine and Title IX Coordinator for the Faculty of Medicine ("Faculty Title IX Coordinator") will appoint a Title IX designee to serve as part of the Investigative Team.

If either the Faculty Respondent or the Complainant chooses to appeal the conclusions reached in the Investigative Team's final report, the appeal will be heard in accordance with the University Procedures by an appeals board comprised of three members. Ordinarily, the appeals board will include at least one member of the Faculty of Medicine, and at least one other Harvard faculty member.

When the investigation is completed, the final report will be provided to the Complainant, the Faculty Respondent, the Faculty Title IX Coordinator, and the Faculty of Medicine Standing Committee on Rights and Responsibilities ("the Committee"). The Committee will accept as final and non-reviewable the report's findings of fact and its conclusions as to whether a violation of the University Policy has occurred.

Upon receipt of the Investigative Team's final report, the Committee has wide discretion to recommend sanctions to the Dean of the Faculty of Medicine (the "Dean"). The Committee will: provide the Faculty Respondent an opportunity to be heard with respect to sanctions; provide to the Faculty Respondent a draft of its sanction recommendations and an opportunity to respond; consider any written response by the Faculty Respondent to the draft sanction recommendations and modify the recommendations if it feels such action is warranted; and include the Faculty Respondent's written response to the draft sanction recommendations when it submits those recommendations to the Dean. The Dean will make the final determination as to sanctions. Sanctions and corrective actions may include, but are not limited to, counseling, warning, reprimand, suspension, probation, monitoring, community service, modification and/or limitation of professional duties, dismissal from the Faculty of Medicine, and any other restriction, limitation or punishment determined by the Dean to be warranted by the circumstances.

In certain cases, however, it may be appropriate for the Office of the Dean to modify these procedures, in light of the Procedures for the Discipline of Officers involving grave misconduct or neglect of duty arising under the Third Statute of the University. In such cases, all parties will be notified of the procedures that will be followed.

Notwithstanding the foregoing, cases involving allegations against Faculty of Medicine



appointees who are not employed by HMS/HSDM but instead are employed by or associated with HMS/HSDM affiliated institutions or whose primary appointments are at other Harvard Schools will be handled as follows. If the subject of a complaint (the “Respondent”) has an HMS or HSDM appointment but is employed by or associated with an HMS/HSDM affiliated institution (and not employed by HMS/HSDM) and/or has a primary appointment at another Harvard School, and the alleged conduct took place outside HMS/HSDM, then these procedures ordinarily will not apply and HMS/HSDM or ODR will refer the matter to the relevant affiliated institution or Harvard School for investigation under any procedures of the affiliated institution or other Harvard School that may be applicable. However, where the alleged conduct either took place at HMS/HSDM or could create a hostile environment at HMS/HSDM, or in other limited circumstances to be individually determined by HMS/HSDM, HMS/HSDM may conduct joint proceedings with the affiliated institution or other Harvard School or may address the matter, in whole or in part, under these procedures. In all such cases, HMS/HSDM may, at any point after a complaint has been raised, take temporary or permanent action with respect to the Respondent’s academic appointment status at HMS/HSDM.

If a person against whom a complaint is brought held an HMS or HSDM academic appointment at the time of the alleged incident giving rise to the complaint, but no longer holds such an appointment, then the Dean or his or her designee shall determine whether and in what manner the complaint should be handled.

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