

# **American International College - Title IX Policy**

American International College (the "College") is committed to providing equal educational opportunities to all students and to maintaining an environment that encourages mutual respect. The College prohibits discrimination against any student or applicant for enrollment because of race, color, national or ethnic origin, age, religion, disability, sex, sexual orientation, gender identity and expression, veteran status (special disabled veterans, disabled veterans and Vietnam-era veterans), or any other characteristic protected under applicable federal or state law.

There are several different forms of discrimination. Accordingly, the College prohibits discriminatory conduct of any kind, including unequal treatment, harassment (including sexual harassment and sexual misconduct), and retaliation.

Sexual misconduct of any form is a serious violation of College and community standards and it will not be tolerated at the College. The purpose of this policy is to promote and maintain an environment free of sexual misconduct by educating the community, vigorously investigating reports of sexual misconduct in a manner that is prompt and sensitive to the needs and rights of the victim and the accused, and taking steps to prevent recurrence and correct any discriminatory effects. This policy and procedure are the College's grievance procedure required by Title IX and apply to complaints filed by students or on their behalf alleging sexual misconduct carried out by employees, other students or third parties.

Sexual misconduct endangers an environment of mutual respect and is considered an act of aggression and coercion, not an expression of sexual intimacy. Sexual intimacy requires effective consent. The College is committed to maintaining an environment free of sexual violence and in which the freedom to make individual choices regarding sexual behavior is respected by all.

Sexual misconduct, as defined by this policy, includes a broad range of behavior including inappropriate physical touching, sexual exploitation, and sexual intercourse without consent, as well as other forms of sexual violence including sexual assault. Sexual misconduct is a form of sex discrimination and may also be a crime. Sexual misconduct by anyone associated with the College is unacceptable and will be addressed in a timely fashion and with serious consequences by the College.

For the full version of the policy, go to: [http://www.aic.edu/student\\_handbook](http://www.aic.edu/student_handbook)

## How to report

A student who has experienced an incident of sexual misconduct may file a complaint with the individuals noted below. The student is asked to provide a concise statement of the alleged violations of the Sexual Misconduct Policy and a detailed statement of the facts supporting the alleged violations. Although there is no specified time limit on the filing of a complaint with the College, the College strongly encourages a prompt filing so that a more satisfactory and complete investigation can be conducted.

Nicolle Cestero, Vice President, HR and Title IX Coordinator  
Lee Hall, Second Floor  
[nicolle.cestero@aic.edu](mailto:nicolle.cestero@aic.edu)  
413.205.3800

Brian O'Shaughnessy, Dean of Students  
Campus Center, Second Floor  
[brian.oshaughnessy@aic.edu](mailto:brian.oshaughnessy@aic.edu)  
413.205.3264

Matthew Scott, Director of Residential Life and Deputy Title IX Coordinator  
Campus Center, Second Floor  
[matthew.scott@aic.edu](mailto:matthew.scott@aic.edu)  
413.205.3015

David Kuzmeski, Chief of Campus Police  
Campus Police  
[david.kuzmeski@aic.edu](mailto:david.kuzmeski@aic.edu)  
413.205.3337

**Complaints may be filed anonymously through the form at [www.aic.edu/CARE](http://www.aic.edu/CARE)** *You can choose to attach your name to this report, which will help in the follow up and investigation of the report, but are not required.*

Note: Complaints that are submitted without identifying the Complainant make it difficult, if not impossible, to adequately investigate, respond or take appropriate action.

Individuals who are the victim of sexual misconduct have the right to file a criminal complaint with the Police Department (or other police authorities). Police and emergency authorities can be reached by dialing "911." In addition, the Springfield Police Department is located at 130 Pearl Street, Springfield MA 01105, and can be reached at 413.787.6302 or 413.787.6359. The college's Public Safety Department can also assist individuals in contacting the Springfield Police. The American International College Public Safety Department can be reached at 413.205.3333 for emergencies, and 413.205.3208 for other business.

## What to Do if You're Assaulted

- Go to a safe place and tell someone you trust what happened.
- It's your choice to report the crime to the police and/or the College. If you would like to report the assault, you can call AIC Campus Police or the Springfield Police Department. You can also make a report to the Title IX Coordinator or another College staff member. Please know that most college employees are obligated to report if they know or suspect that a sexual assault has occurred.
- Don't shower, bathe, douche or brush your teeth.
- Don't throw away any clothing or objects that might contain evidence. Save every article of clothing worn during the attack without laundering it or altering it and place them into a paper bag if available. If you choose to go to the hospital, bring the bag with you.
- Seek medical attention either at a local hospital or Dexter Health Services. Not all injuries are evident, so for your well-being, it is recommended that you receive a medical exam as soon as possible. Medical staff can help assess your needs including prevention of sexually transmitted infections (STIs) and pregnancy, and emotional counseling.
- Be a good witness. Even though it may be hard, try to remember details. The sooner you tell, the sooner the attacker can be caught.
- Emotional care: Seek support from trusted friends or family. Go to the Dexter Counseling Center and a counselor can talk with you confidentially. Remember, it's not your fault.
- Other supports on campus include the Dean of Students Office, Residence Life staff, and Campus Ministry. (Note that Campus Ministry can be contacted through the Dexter Counseling Center.)

## Network

Rose Andrejczyk, Director  
Dexter Counseling Center  
413.205.3248  
[rose.andrejczyk@aic.edu](mailto:rose.andrejczyk@aic.edu)

RAINN  
Rape, Abuse and Incest National Network  
National Sexual Assault Hotline: 1.800.656.HOPE  
[www.rainn.org](http://www.rainn.org)  
A free, confidential, secure service that provides live help.

YMCA of Western Massachusetts  
Sexual Assault Prevention and Survivor Program  
24 hour hotline which is 800.796.8711 or 413.733.7100  
1 Clough St. Springfield, MA 01108

Baystate Medical Emergency Department  
759 Chestnut Street - Daly Building  
Springfield, MA 01199

Center for Women & Community  
413.545.0800  
Confidential rape crisis counseling accessible to men and women 24 hours a day.

New England Learning Center for Women in Transition  
888.249.0806 or 413.772.0806  
Confidential rape crisis hotline accessible to men and women 24 hours a day.

Safe Passage  
(413) 586-5066  
Confidential counseling, safety planning and shelter related to relationship violence for women.

## **Reporting**

Reporting sexual misconduct can be difficult, and survivors may experience a multitude of emotions in thinking about discussing what happened to them. Survivors of sexual misconduct are strongly encouraged to report the assault immediately to the police with authority over the location of the misconduct. If the misconduct occurred on campus, survivors are encouraged to report it immediately to campus police. Early reporting provides immediate access to medical support, and to information regarding available legal and judicial resources, as well as counseling and support services.

*Counseling and medical services are available immediately and confidentially, whether or not an individual feels ready to make any decisions about reporting the misconduct to police or campus judicial resources.*

Survivors who notify the police should be aware of the importance of the immediacy of reporting the incident in terms of preserving physical evidence at the assault scene as well as on the person assaulted. The gathering of physical evidence can provide important evidence in support of criminal charges. Survivors may also choose to report an assault well after the assault occurred, even if the opportunity to collect physical evidence has passed.

Survivors who immediately report an incident of sexual misconduct will be provided with information directing them to an appropriate health care facility to allow for collection of evidence and treatment. If a sexual assault survivor chooses to report the incident days, weeks, or even months after the assault, important support systems are still available and can be arranged, but the survivor should understand that delay may make it more difficult to collect physical evidence of the sexual assault that could impact an investigation. Reporting an incident of sexual misconduct to Campus Police or other law enforcement *does not require filing criminal charges*.

### **Obligation to Report**

All members of the College community are responsible for reporting incidents of possible discrimination and harassment, unless statutorily obligated otherwise. Employees and other agents of the College are required to respond promptly and appropriately to allegations of discrimination and harassment that are brought to their attention by contacting the above named parties.

*Title IX regulations of the Education Amendments of 1972 require all College employees to report any incident of sexual harassment and sexual misconduct whether resolved informally or formally through the grievance procedure to the College's Title IX Coordinator. The Vice President for Human Resources serves as the Title IX coordinator.*

## **Confidential Reporting**

Professional medical staff and clergy in the following three offices are entitled to confidential privilege with their clients when acting within their professional capacities. Under the Clergy Act, staff may still need to make a report that an offense has occurred but may omit information which may identify the individual.

### **On-Campus Counseling**

Rose Andrejczyk, Director  
Dexter Counseling Center  
413.205.3248  
[rose.andrejczyk@aic.edu](mailto:rose.andrejczyk@aic.edu)

### **Dexter Health Services**

Phone: 413.205.3248

### **Campus Ministry**

413-205-3090

**Complaints may be filed anonymously through the form at [www.aic.edu/CARE](http://www.aic.edu/CARE)**

Note: Complaints that are submitted without identifying the Complainant make it difficult, if not impossible, to adequately investigate, respond or take appropriate action.

## **Victim Rights**

When a member of the American International College community has been the victim of an act of misconduct which violates the physical and/or mental welfare of an individual, the victim should expect the College to respond in a caring, sensitive manner which allows the victim to utilize the investigative process unimpeded, while still maintaining the rights of the accused student. Victim status is typically associated with crimes of violence, such as discrimination, harassment, sexual harassment, physical assault, sexual assault, and rape. The following rights shall be provided to victims of applicable offenses:

- A victim has the right to be treated with dignity and compassion by the College, its' employees and the student body, and by all persons involved in the exploration of the incident or the investigatory process.
- A victim has the right to information pertaining to the investigative process and appropriate referrals for information on the criminal process.
- A victim has the right to information pertaining to counseling assistance available to her/him.
- A victim has the right to assistance throughout the process.
- A victim has the right to process protections including the right to written notification of a hearing, the right to hear all information presented, the right to present information, the right to notification of the final results of a hearing (for victims of crimes of violence or non-forcible sexual offenses).
- A victim has the right to testify from another location as long as it does not infringe upon the rights of the accused student to have a fair hearing.
- A victim has the right to have any unrelated past behavior excluded from the hearing process. The hearing board members shall determine what constitutes unrelated behavior.
- A victim has the right to provide a written statement to the hearing board. The victim statement will remain a part of the record through all levels of appeal.
- A victim has the right to not have his/her identity released by the hearing board process in relation to campus and other media, and from all other uninvolved parties.

- A victim has the right to expect to be free from intimidation and harassment throughout the process.
- A victim has the right to request that campus administration take the necessary steps reasonably available to prevent unwanted contact or proximity with an alleged assailant(s).
- In cases where the victim is a victim of sexual harassment, sexual assault, rape and/or sexual violence only, the victim has the right to appeal the finding or sanction as described in the Title IX policy.

## **Bystander Intervention**

Every person can have an impact in preventing sexual assault and relationship violence. Each of us can send a clear message that it will not be tolerated, downplayed, or joked about, and that we, as a community, will react decisively if it does happen. We can talk about sexual assault and relationship violence and teach others that it is never okay. And we can continue to educate ourselves and others about the issues.

- Know that sexual assault occurs in our communities and that we can create a safe and supportive community through our actions.
- Be willing to speak up in difficult situations.
  - Ask the person if they need help.
  - Defuse the situation through humor or distraction.
  - Be direct and tell someone if their behavior is out of line.
- Do not assume that just because no one else speaks up, that everyone else is fine with what's happening.
  - If you step up and speak out, others will likely back you up.
- Discuss the issues of sexual assault, relationship violence, and stalking with friends.
- Be conscious of your use of language and choose words carefully. Cultural messages have the ability to support or discourage violence.
  - Challenge societal messages about what it means to be a man or a woman and show appreciation when someone challenges gender stereotypes.
  - Be aware of, and refuse to use, sexist, homophobic, and demeaning language.

- Don't joke about sexual assault; comments and jokes that are meant to "ease the tension" or are "just kidding around" can trivialize the severity of the behavior.
- Know what you value and make it clear to friends and family. Seeking out these positive traits in others allows you to identify and build healthy relationships.
- Share positive messages with friends and family.
- Communicate with your own partner about physical/sexual wants and boundaries.
- Remember that it's never too early or too late to do something.