

# Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking

## *Know Your Rights and Options*

*If you are, or think you have been, the victim of sexual harassment, sexual assault, dating violence, domestic violence, or stalking, you have rights and choices. You are not alone. MCLA cares about your safety and well-being. We want you to be informed and to understand all your options.*



MASSACHUSETTS COLLEGE OF LIBERAL ARTS

If you have any questions about the material in this brochure, or need assistance, please contact the Title IX & Equal Opportunity Office at [TitleIX@mcla.edu](mailto:TitleIX@mcla.edu) or 413-662-5571, or visit us at Venable 309.

# Rights and Options for Reports of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking

## Medical Resources for Medical Examination and Evidence Collection

*On Campus options for medical attention following sexual assault include:*

**MCLA Health Services**  
**MountainOne Student Wellness Center**  
1st Floor  
413-662-5421  
healthservices@mcla.edu  
**Hours: Mon-Fri, 8am-4pm** (Closed 12pm-1pm)  
Tapestry Health Community-Based Healthcare is available by appointment every Wednesday!

*Off Campus options for medical attention following an assault include:*

**Berkshire Medical Center ER (24/7)**  
725 North Street, Pittsfield, MA  
413-447-2000

**SVMC ER (24/7)**  
100 Hospital Drive, Bennington, VT  
802-442-6361

**Planned Parenthood – Western Massachusetts Health Center**  
3550 Main Street, Suite 201  
Springfield, MA  
413-732-1620

*We encourage individuals to seek medical assistance within the first 72 hours following sexual assault for the purpose of evidence collection. For emergencies, please call 911 or 413-662-5100.*

MCLA wants you to understand how to file a report about sexual harassment, sexual assault, dating or domestic violence, or stalking. MCLA also wants you to know how and where to find help, care, resources, accommodations, and support, as well as information about applicable MCLA policies, law enforcement procedures, and options.

## What you should do if sexual harassment, sexual assault, dating or domestic violence, or stalking has occurred:

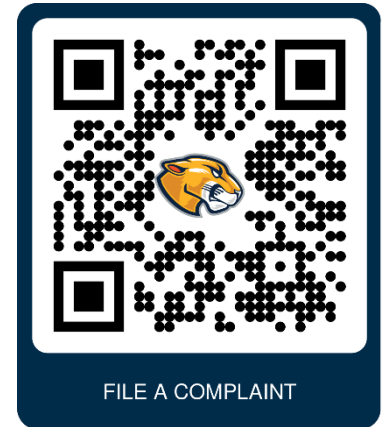
**1 Seek safety.** Safety is the most important thing. Get to a safe place whether in your residence, with a friend, or a family member, in a medical facility, or with the police.

**2 Get support.** You do not have to cope alone. MCLA encourages you to **consider talking with a counselor on or off campus.** While you may not feel ready to talk about what happened, a mental health counselor or counselor recognized by a religious order/denomination can provide a **confidential and safe space** to explore any feelings or challenges that have arisen for you after your experience. In the **Community Assistance and Resources for Survivors** section on Page 7, you will find a list of resources which can provide information on common reactions to sexual misconduct or other encounter, and a counselor can help you to develop safe ways to handle your feelings. **On campus confidential resources** are available to all members of the MCLA community (including employees upon request) seeking advice and assistance regarding sexual harassment. They will listen, discuss concerns, provide suggestions about possible courses of action, and assist or accompany you if you need support filing a formal complaint. Contacting one of more these confidential resources does not prevent you from deciding to file a formal complaint in the future to either Patrick Connelly, Dean for Title IX, Equal Opportunity, and Student Wellness or Justin MacDowell, Director of Title IX and Equal Opportunity.

**3 Get medical attention.** MCLA encourages you to seek immediate medical attention even if you are unsure whether you have any physical injuries, including an examination by a Sexual Assault Nurse Examiner (SANE) if you've experienced sexual assault or a visit to a nearby ER for injuries related to other types of violence. If you would like more information about SANE services and where they can be obtained, check out: [www.mass.gov/ma-sexual-assault-nurse-examiner-SANE-program](http://www.mass.gov/ma-sexual-assault-nurse-examiner-SANE-program). Medical attention can reduce the risk of injury, pregnancy, and/or infection. The medical resources on Page 2 – including **MCLA Health Services** – are completely confidential.

**4 Preserve evidence.** If the incident you experienced has occurred within the last 72 hours, if possible, **try to preserve any evidence before your medical exam** by not washing or changing clothes and bedding, brushing your teeth, brushing your hair, eating, or any other actions that might compromise evidence. Gathering evidence may still be possible if more than 24 hours has passed, and it is certainly possible to still be evaluated for other injuries and be tested for sexually transmitted infections and pregnancy. You should preserve relevant electronic evidence like social media, text messages, or photos. Collecting and preserving evidence **does not obligate you in any way** to file a formal complaint with MCLA and/or the police. Collecting and preserving evidence allows you to save that information for use if you decide to take such actions in the future.

**5 Report the incident.** MCLA strongly encourages you to report the incident, either to the Title IX & Equal Opportunity Office, the police, or both. Multiple resources and reporting options are included in this brochure. The Director of Title IX and Equal Opportunity can help with accommodations and protective measures – making adjustments to assist you with academics, housing, or employment. There is no time limit for reporting. When you decide you're ready, you can report to the university, to law enforcement, or to both. **Remember:** You have the right not to report to the police and/or MCLA.



## Supportive Measures, Accommodations, and Resources

**Assistance, accommodations, interim measures, and resources are available to you whether or not you decide to file a complaint with the College, the police, both, or neither.** The information below outlines the options available to you. MCLA can also make accommodations or provide protective measures if you request them. These include, but are not limited to:

- **Counseling** – Counseling Services at MCLA offers **on campus counseling services** to students (as well as employees upon request.) If you have experienced sexual harassment, sexual assault, dating or domestic violence, or stalking, MCLA encourages you to **consider talking with a counselor on or off campus**. While you may not feel ready to talk about what happened, a mental health counselor or counselor recognized by a religious order/denomination can provide a **confidential and safe space** to explore any feelings or challenges that have arisen for you after your experience. In the **Community Assistance and Resources for Survivors** section on Page 7, you will find a list of resources which can provide information on common reactions to sexual misconduct or other encounter, and a counselor can help you to develop safe ways to handle your feelings. **On campus confidential resources** are available to all members of the MCLA community, including employees upon request, who are seeking advice and assistance regarding sexual harassment. They will listen, discuss concerns, provide suggestions about possible courses of action, and assist or accompany you if you need support filing a formal complaint. Contacting one of more these confidential resources does not prevent you from

deciding to file a formal complaint in the future with the Title IX and Equal Opportunity Office. Contact **MCLA Counseling Services** at [CounselingServices@mcla.edu](mailto:CounselingServices@mcla.edu) or 413-662-5331.

- **Academic Accommodations** – If your experience is compromising your ability to meet your academic obligations, then the College can work with you to arrange for appropriate academic accommodations. These can include, for instance, transfer to another class section, extended time for tests and assignments, or other options.
- **No Contact Orders** – No Contact Orders are non-disciplinary measures the College uses to ensure that specified persons are not permitted to communicate directly or indirectly with each other or be within a specified distance of each other. In most cases, a No Contact Order is put in place at the request of one or both parties. However, in certain circumstances, the College may itself put a No Contact Order in place to preserve the safety of both parties and other MCLA community members.
- **Living Situation Accommodations and Room Changes** – It is sometimes possible to move to a different room on a temporary or permanent basis when two students live so close to each other that it feels unsafe or disruptive.
- **Visa and Immigration Assistance** – If you have questions or concerns about your visa and/or immigration status, contact Bonnie Howland, Director of Student Financial Services at 413-662-5129.
- **Student Financial Aid Assistance** – If you have questions or concerns about student financial aid related issues, contact the Office of Student Financial Services at [FinAid@mcla.edu](mailto:FinAid@mcla.edu) or 413-662-5219.
- **Additional Supportive Measures** – Other arrangements, such as work accommodations or transportation options, can be made on a case-by-case basis (to provide you with additional distance from the other party or to address your needs related to your experience.) We encourage you to share your needs candidly, so we can work with you to address them.
- Requests for the above supportive measures/accommodations **should be directed to** Justin MacDowell, Director of Title IX and Equal Opportunity ([Justin.MacDowell@mcla.edu](mailto:Justin.MacDowell@mcla.edu) or 413-662-5571).

## Reporting Incidents of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking: How to File a Formal Complaint with MCLA and/or the Police and the Differences Between Complaints Filed with MCLA and the Police

MCLA is always deeply concerned when behavior which may constitute sexual misconduct, dating or domestic violence, or stalking comes to our attention. We take all reports seriously regardless of whether a formal complaint is filed.

**We encourage you to file a formal complaint with the College by contacting the Title IX and Equal Opportunity Office.** We strive to conduct investigations with the utmost care and sensitivity. If you are considering filing a complaint but are first interested in learning more about the investigation process, then we encourage you to speak with the Director of Title IX & Equal Opportunity. You do not need to share any information about your experience during this conversation – and you are welcome to bring a friend with you for support.

Further, you also have the **right to report** the incident to the police. Filing a complaint with the police is different than filing a complaint with MCLA. Filing a complaint with the police means filing a criminal complaint, which may lead to

charges and a court process. You also have the **right to decline to notify law enforcement**. MCLA will support you regardless of whether you choose to file a police report.

Contact Patrick Connelly, Dean for Title IX, Equal Opportunity, and Student Wellness at [Patrick.Connelly@mcla.edu](mailto:Patrick.Connelly@mcla.edu) or 413-662-5127, or Justin MacDowell, Director of Title IX and Equal Opportunity at [Justin.MacDowell@mcla.edu](mailto:Justin.MacDowell@mcla.edu) or 413-662-5571 if you would like assistance or to talk about your options. You can also contact Public Safety at 413-662-5100 if you would like assistance regarding filing a police report.

Retaliation by MCLA against someone who filed a complaint or someone who participated in an investigation is strictly prohibited under Title IX, the Clery Act, and MCLA's own policies. Retaliation by any member of the MCLA community is also strictly prohibited. We will take steps to prevent retaliation and will take strong action if retaliation occurs.

## What happens if I file a complaint with MCLA?

**MCLA strives to provide survivors with options and choices during a time in their life when their agency has been taken from them.**

When you make a report of sexual harassment, sexual assault, dating or domestic violence, or stalking to one of the noted individuals identified in this brochure, we will open an investigation, parties and witnesses are interviewed, and evidence is collected. You and the individual(s) accused are provided opportunities to comment upon the evidence collected, facts found by the investigator, and recommendations made by the investigator. Parties have the right to attend the hearing where the decision will be made as to whether Title IX or other policies were violated.

You have the right to pursue orders of protection and restraining orders **in additional to (or instead of) filing a formal complaint with MCLA. The choice is yours.**

MCLA's process for investigating reports of Title IX violations utilizes trained and experienced investigators and external decision-making hearing officers.

**More specifically, Title IX investigation procedures** are conducted by officials who are trained on the issues related to sexual harassment, sexual assault, dating violence, domestic violence, and stalking, and trained on how to investigate in a way that protects the safety of everyone involved and promotes accountability. Investigations are conducted consistent with our policies and investigations are transparent to both parties. We will inform parties of meetings at which both parties may be present and allow parties to be accompanied by an advisor of their choice. Investigations will be completed within reasonably prompt timeframes designated by MCLA's policy, including a process that allows for the extension of timeframes for good cause with written notice to the parties of the delay and the reason(s) for the delay. We will provide in writing to both parties of: (1) the result of MCLA's disciplinary proceedings; (2) MCLA's procedures for the reporting individual and the respondent to appeal the result of any disciplinary procedures, if available; (3) any change to the result before it becomes final; and (4) when the result becomes final.

**Sanctions for students found in violation of the Policy may include** formal disciplinary status, restrictions to on campus activities, residential restrictions, removal from campus housing, or suspension or expulsion from any or all MCLA program(s) in which the sanctioned student is enrolled or participating. **Other actions may also be deemed appropriate**, which can include remedies applied to the respondent to address the needs of the complainant, including but not limited to: (1) room changes; (2) class changes; (3) building restrictions; (4) extracurricular activity restrictions; (5) modification of No Contact Orders to favor the complainant; and (6) other actions to preserve the right of the complainant to a safe environment.

Personally identifying information will not be included in MCLA's publicly available records, including Clery Act reporting and disclosures. Further, MCLA will work to maintain confidentiality around any accommodations or protective measures

as long as maintaining such confidentiality does not impair the ability of the College to provide the accommodations, necessary support, or protective measures.

## Community Assistance and Resources for Survivors of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking

The following list contains both confidential and non-confidential resources:

### Confidential Resources

- **MCLA Counseling Services**  
413-662-5331 – [counselingservices@mcla.edu](mailto:counselingservices@mcla.edu)
- **MCLA Health Services**  
413-662-5421 – [healthservices@mcla.edu](mailto:healthservices@mcla.edu)
- **Jacki Krzanik, Director of Health Services**  
413-662-5421 – [jacqueline.krzanik@mcla.edu](mailto:jacqueline.krzanik@mcla.edu)
- **Jon Meehan, Counselor**  
413-662-5331 – [jon.meehan@mcla.edu](mailto:jon.meehan@mcla.edu)
- **Berkshire Medical Center - Pittsfield Emergency Room**  
413-447-2000
- **The Brien Center**  
413-499-0412
- **Crisis Text Line for People of Color**  
Text STEVE to 741741
- **The Elizabeth Freeman Rape Crisis Center**  
866-401-2425
- **MA Spanish Language Rape Crisis Center Hotline**  
800-223-5001
- **National Domestic Violence Hotline**  
800-799-7233
- **National Sexual Assault Hotline**  
800-656-HOPE
- **National Suicide Prevention Lifeline**  
800-273-8255
- **Our Deaf Survivors Center**  
Video Phone: 978-451-7225 or Text 978-473-2678
- **Pathways for Change**  
800-870-5905
- **Planned Parenthood – Western MA**  
413-732-1620
- **Project Against Violent Encounters (PAVE)**  
802-442-2111
- **Rape, Abuse, & Incest National Network (RAINN)**  
800-656-4673
- **Trans Lifeline**  
877-565-8860
- **The Trevor Project LGBTQ Suicide Hotline**  
866-488-7386

## Employees have access to the Employee Assistance Program (EAP) 24/7

The EAP is designed to assist employees through a broad range of issues, including traumatic incidents such as sexual or relationship violence. It is 100% free and 100% confidential – MCLA will never know you called. Most important, the EAP is available at any time and all members of your household can also use this benefit.

Visit [www.higheredeap.com](http://www.higheredeap.com) or call 800-252-4555.

## Non-Confidential Resources

- Patrick Connelly, Dean for Title IX, Equal Opportunity, and Student Wellness  
413-662-5127 – [patrick.connelly@mcla.edu](mailto:patrick.connelly@mcla.edu)
- Justin MacDowell, Director of Title IX and Equal Opportunity  
413-662-5571 – [justin.macdowell@mcla.edu](mailto:justin.macdowell@mcla.edu)
- MCLA Campus Police/Public Safety  
413-662-5100
- North Adams Police Department  
If emergency, dial 911. If non-emergency, dial 413-664-4945
- Berkshire District Attorney Victim/Witness Assistance Unit of North Adams  
413-663-7306
- Community Legal Aid  
855-252-5342
- Massachusetts Statewide Victim Assistance  
866-684-2846
- Victim Rights Law Center  
617-399-6720

