

FILING A REPORT

Title IX, a federal law that prohibits discrimination in education on the basis of sex, ensures you have the right and can expect to have incidents of gender-based misconduct to be taken seriously. When formally reported, incidents will be investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual. Notice of gender-based misconduct to the offices listed below is considered official notice to the Institution.

Title IX Office: 845-758-7542
DOSA: 845-758-7454
Human Resources: 845-758-7245

GRIEVANCE PROCEDURE:

Please visit, <http://www.bard.edu/titleix/reporting/grievance/>, for detailed information on Bard College's process when investigating and resolving institutional complaints of gender-based misconduct.

CRIMINAL REPORTING:

You have the right to begin a criminal investigation. In the incident of sexual assault, it is important you seek medical care through a SAFE (Sexual Assault Forensic Examination) Nurse, **845-452-7272**, in order to preserve as much evidence as possible. Preserving evidence of the assault through a SAFE examination is critical to supporting a criminal prosecution. You will also want to contact the NY State Police Department, **845-876-4194**.

CONFIDENTIAL RESOURCES:

Individuals can seek support from certain resources who are not required to tell anyone else private, personally identifiable information unless there is cause for fear of victim safety, or the safety of others. There are individuals who the college has not specifically designated as "responsible employees" for purposes of putting the institution on notice and for whom mandatory reporting is not required, other than in the above stated limited circumstances. These resources include those without supervisory responsibility or remedial authority to address gender-based misconduct (i.e. BRAVE Counselors, Counseling or Health Services).

If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them.

NCHERM

CONFIDENTIAL HOTLINE RESOURCES:

BARD CAMPUS:

BRAVE (Ask for BRAVE): 845-758-7777
Counseling Services: 845-758-7433
Health Services: 845-758-7433
EAP: 800-272-7255
(Employee Assistance Program)

OFF CAMPUS:

Rape Crisis Center: 845-452-7272
Grace Smith House: 845-471-3033
LGBTQ Anti-Violence: 212-714-1141
RAINN: 800-656-4673
(Rape, Abuse, and Incest Nat'l Network)
Nat'l Domestic Violence: 800-799-7233



Bard College

Title IX & Gender- Based Misconduct

For additional information pertaining to Title IX policies, procedures, individual rights and support resources visit: www.bard.edu/titleix

BARD COLLEGE
30 Campus Rd.
Gahagen House
Annandale on Hudson, NY 12504
Phone: 845-758-7542
E-mail: titleix@bard.edu
www.bard.edu/titleix

Gender-Based Misconduct includes:

Sexual Harassment:

Sexual harassment is defined as unwelcome, sexually based, verbal, written, or physical conduct.

Sexual harassment creates a hostile environment, and may be disciplined when it is:

- sufficiently severe, persistent or pervasive that it,
- has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the College's educational, social and/or residential program, and is
- based on power differentials (*quid pro quo*), the creation of a hostile environment or retaliation.

Gender-Based Harassment:

Acts of verbal, non-verbal, physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if students or employees are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereo-typical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual's academic or employment performance or creating an intimidating, hostile, or offensive academic or living environment.

Non-Consensual Sexual Contact:

Any sexual touching, however slight, with any object that is by force and/or without a person's consent. Intentional sexual contact includes contact with the breasts, buttocks, groin, or touching another with any of these body parts, or making another person touch any of these body parts; any intentional bodily contact in a sexual manner.

Non-Consensual Sexual Intercourse:

Any form of sexual intercourse (anal, oral, or vaginal), however slight, with any object that is by force and/or without consent. Intercourse is defined as vaginal penetration, however slight, by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger, oral copulation, meaning mouth to genital contact or genital to mouth contact.

Intimate Partner Violence (inclusive of Domestic Violence and Dating Violence):

Violence between those in an intimate relationship with each other. This includes any behaviors that intimidate, economically control, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short or long-term relationships (current or former) between persons intended to provide some emotional/romantic/ and or physical intimacy.

Stalking:

A course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves continual harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include, pursuing or following, non-consensual communication or contact-including in-person, telephone, voice messages, electronic messages, text messages, unwanted gifts, trespassing, and surveillance or other types of observation.

Sexual Exploitation:

Sexual Exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to the benefit or advantage of anyone other than the one being exploited, and that the behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy
- Prostituting another student
- Non-consensual video or audio taping of sexual activity
- Going beyond the boundaries of consent (Such as letting a friend/friends hide in the closet to watch consensual sexual activity)
- Voyeurism
- Knowingly transmitting STI or HIV to another
- Exposing one's genitals or inducing another to expose their genitals in non-consensual circumstances
- Sexual based hazing and/or bullying