



Know Your Rights

Creating a
community
of equity

BOSTON



Berklee

PREVENTING AND RESPONDING TO HARASSMENT, DISCRIMINATION, AND SEXUAL MISCONDUCT AT BERKLEE

If you have been part of or witnessed any act that violates Berklee's Equity Policy, we are here to support you. Berklee encourages those who witness or experience any form of harassment, discrimination, or sexual misconduct based on a protected characteristic* to report the incident and seek resources, even if the incident seems minor.

Berklee values the dynamic environment that results when students, faculty, administrators, and staff from diverse backgrounds come together to learn, live, and work. Every member of the Berklee community deserves to be treated fairly and with respect.

It is important that all members of our community know where to turn if they have a concern, need assistance or support, or would like to file a complaint.

berklee.edu/equity

**See the back cover or full policy for a full list of protected characteristics.*

EQUITY POLICY

Key Points

Berklee prohibits harassment, discrimination, and sexual misconduct on the basis of any characteristic protected by law ("protected characteristics"), whether that characteristic is actual or perceived. (See the back cover of this brochure or the full policy at berklee.edu/equity for more information.)

- This policy also prohibits sexual harassment, sexual assault, stalking, and relationship violence.
- It applies to all Berklee students, staff, and faculty, as well as third parties (e.g., internship providers and vendors).
- It applies whether the conduct occurs in person or online. It may also apply to off-campus incidents.
- There is no time limit for Berklee to accept reports of violations. Generally, early reporting maximizes Berklee's ability to address behavior.

How Berklee Responds

When Berklee receives notice of a potential Equity Policy violation, we take steps to eliminate the behavior, address its effects, and prevent its recurrence.

We evaluate each case individually. Options may include but are not limited to investigation and adjudication with sanctions, informal conflict resolution that may result in a mutually agreeable outcome, and confidential resources. Berklee determines how to proceed based on the totality of the situation, including the complainant's wishes, the nature of the conduct, the risk to the community, and any pattern of misconduct.

The most recent and complete Equity Policy and related procedures are available online at berklee.edu/equity.

In an emergency, call 911 for immediate help.

REPORTING OPTIONS AT BERKLEE

If you have experienced or witnessed an incident that may violate Berklee's Equity Policy, you can report that to Berklee, law enforcement, both, or neither.

Berklee encourages reporting of Equity Policy violations so it may investigate and provide remedies. To make a report to Berklee, contact the chief equity officer/ Title IX coordinator at the Center for Diversity, Equity, and Inclusion at 617-747-3156 or equity@berklee.edu.

Berklee's response aims to minimize interference with your normal educational and employment routines. We try to help you stay engaged in your normal day-to-day activities as you navigate this difficult time.

There is no reporting time limit under Berklee policy. Berklee encourages reporting as soon as possible to maximize our ability to address the behavior.

While anonymous reports limit Berklee's ability to respond and address behavior, anyone can make an anonymous report at berklee.edu/equity.

REPORTING TO LAW ENFORCEMENT

To report to law enforcement, call Berklee Public Safety (617-747-8888), the Boston Police Department (617-343-4633), or 911 in an emergency. If you choose to report to Berklee, we can assist you with reporting to law enforcement.

GATHERING/PRESERVING EVIDENCE

Whether or not you anticipate an incident will be investigated, Berklee encourages you to gather and keep any evidence including text messages, social media communications, and medical evidence. Preserving evidence does not obligate you to pursue a report. If you choose not to seek medical assistance or other evidence preservation, you can still take any of the other options outlined in this pamphlet.

RIGHTS

Parties at Berklee have a right to seek interim support measures (like a change in housing, a change in academic schedule, no-contact orders, and/or modifications to normal employment functions), even if no report is filed.

Parties in Berklee's process have the following rights:

- To have all information treated with great sensitivity and privacy, including the degrees of confidentiality required by law;
- To choose their level of participation in any Berklee proceeding;
- To have a Berklee process advisor or another advisor of their choice present at all meetings;
- To receive written notice of the specific allegations;
- To suggest witnesses for interview by the investigator;
- To have character evidence and past sexual history excluded from fact-finding, unless the chief equity officer/Title IX coordinator determines such information is highly relevant;
- To a thorough, impartial, and fair investigation where everyone is treated with appropriate sensitivity and respect;
- To be free of requirements to meet with the other party during the investigation;
- To be informed of the status of the case, including any unusual delays;
- Students receive amnesty for most drug/alcohol violations that occurred during or close in time to the incident (see the policy for full details).

Under the federal laws, Title IX, and the Violence Against Women Act, parties in sexual misconduct proceedings have rights to:

- Reasonable interim support measures, like a change in housing, a change in academic schedule, no-contact orders, and/or modifications to normal employment functions;
- Prompt, fair, and impartial proceedings, conducted by trained officials who do not have a conflict of interest with either party;
- Equal opportunities to have others present, including an advisor of choice;
- Notification that is simultaneous with the other party regarding outcomes and appeal rights;
- Timely notice of meetings at which they may be present;
- Timely and equal access to information that will be used in the process;
- Equal access to an appeals process;
- Freedom from retaliation for reporting or participating in the reporting and adjudication process.

CREATING A MORE EQUITABLE BERKLEE

What Is "Equity"?

In this case, "equity" means that everyone at Berklee, as well as third parties, can access educational and work opportunities free from discrimination, harassment, and/or sexual misconduct based on protected characteristics. Specifically, Berklee prohibits and addresses discrimination and harassment based on age, ancestry, color, disability, gender, gender expression/identity, genetic information, marital status, mental illness, military/veteran status, national and ethnic origin, pregnancy, race, religion, sex, sexual orientation, transgender status, or any other characteristic protected by law (collectively referred to as "protected characteristics"), whether that characteristic is actual or perceived.

Be an Active Bystander

An active bystander intervenes to reduce or eliminate harm. There are multiple ways to be an active bystander:

- **Directly:** Interrupt someone who is causing harm, and ask them to stop. This can be as simple as stating that you don't think a sexist or racist joke is funny.
- **Distraction:** Distract the person creating harm. Say something like, "Who wants pizza?" or ask the person experiencing harm, "Want to share an Uber?"
- **Delegate:** Contact Berklee Public Safety, resident assistant, another friend, or seek confidential resources to help plan your strategy.
- **Delay:** If there's any reason you're unable to intervene in the moment, you can check in later with the person experiencing harm.
- For more information on active bystander training, contact the deputy for prevention and education, whose information is available at berklee.edu/equity as part of the Equity Leadership Team.

Helping a Friend

Those who experience or are accused of Equity Policy violations may need support. Berklee has institutional measures in place for both parties, and you can also help people in these situations.

- Listen and be kind. Generally, it won't be your job to decide whether a violation occurred. Instead, focus on being supportive and available.
- Encourage them to seek resources, and share this brochure with them.
- Encourage them to read the Equity Policy and Procedures and ask questions so they understand.
- Focus on their overall well-being. Managing self-care is important in distressing situations.
- Take care of yourself. Generally, resources listed here are available to you, too.

RESOURCES

Confidentiality

Don't hesitate to ask someone to outline their limits on confidentiality before any conversation. With the exception of confidential resources, Berklee employees must report Equity Policy violations to the chief equity officer/Title IX coordinator. Confidential resources described here are generally legally protected from requirements to report information, including in a court of law.

For students, counselors in Counseling Services are a confidential resource. To make an appointment or speak to a counselor on call, contact 617-747-2310.

For employees, the Employee Assistance Program (800-828-6025) is a confidential resource.

Medical Resources

If you are seeking medical attention (including for pregnancy and sexually transmitted infections), injury documentation, or a sexual-assault nurse exam and evidence collection, contact any of these hospitals:

Beth Israel-Deaconess Medical Center: 617-754-2450

Massachusetts General Hospital: 617-724-4100

Brigham and Women's Hospital: 617-732-5636

Boston Medical Center: 617-414-4075

Doing the following will help gather medical evidence:

- Evidence can be collected for days after an assault, and the sooner it is collected, the better.
- Preserve all physical evidence (including clothes you wore) in paper bags and bring those to the hospital.
- Wait to bathe until after the exam.

On-Campus Resources

Reports of Equity Policy violations can be made directly to the chief equity office/Title IX coordinator at 617-747-3156 or equity@berklee.edu. Other members of the Equity Leadership Team are available to assist with outreach, education, and resources. Their information is available at berklee.edu/equity.

Interim support measures like no-contact orders and changes to academic/living/work arrangements are available. Generally, these resources are available to all parties, even if a person seeks only confidential support.

Berklee Public Safety can respond to an emergency, help report to law enforcement, and assist with transportation to the hospital. Call Berklee Public Safety at 617-747-8888.

Off-Campus Resources

For a full list of resources, including for specific populations and non-sexual discrimination and harassment, visit berklee.edu/equity.