

## What is Title IX?

Title IX of the Education Amendment of 1972 ("Title IX"), is a federal civil rights law. It prohibits discrimination on the basis of sex in educational programs and activities. Sex discrimination encompasses all forms of sexual harassment by or against students, employees, visitors, minors, or any other persons having dealings with the University.

## University Nondiscrimination Policy

Western New England University is committed to the principle of equal opportunity in education and employment. The University does not discriminate on the basis of sex, race, color, creed, national origin, age, religion, sexual orientation, genetics, gender identity, gender expression, veteran status, or disability in admission to, access to, treatment in, or employment in its programs and activities.

## No Means No

Be forthright and tell someone who is making you uncomfortable that their conduct or comments are unacceptable and that they need to stop.

## Whom Can I Talk To?

Students should tell someone who can help such as faculty members, public safety officers, an advisor, coach, or staff member. Employees should speak to supervisors, human resources personnel, or a vice president.

Western New England University is committed to creating a safe environment in which to learn and work. Any report of sexual harassment is taken seriously.

Sexual harassment is defined as:

- Any instance of quid pro quo harassment or "this for that" harassment
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access
- Any instance of sexual assault, dating violence, domestic violence, or stalking that is prohibited by Title IX

**This type of behavior is not tolerated at Western New England University. If you or someone you know has experienced any form of sexual harassment, you are encouraged to report the incident and seek assistance.**

## What is Consent?

Effective consent means that a person is able to make free, informed, and reasonable choices without the impairment of alcohol, drugs, disability, or fear.

- Consent is effective when it has been clearly communicated.
- Consent can never occur if a person is unconscious, unaware, or otherwise physically helpless.
- Consent can be rescinded at any time.
- Sexual behavior without effective consent can lead to discipline for sexual misconduct, sexual assault, and/or sexual harassment.

## Making a Report

The University keeps the identities of anyone making a report or complaint of sexual harassment confidential to the greatest extent possible. Employees who learn of an allegation of sexual harassment should inform the Complainant that the University will maintain the privacy of the information to the greatest extent practicable. However, the employee must report the allegation to the Title IX Coordinator or Deputy Title IX Coordinators. The names of the parties will be exchanged between the Complainant and Respondent, and if necessary, witnesses.

## Be Proactive

Ignoring a problem won't make it go away. Trust your instincts. Take a stand and immediately address unwanted, unconsented to comments and conduct. Western New England reviews and assesses each complaint to determine if there is imminent danger and if we need to alert others. We then conduct an investigation in which we determine if it is more likely than not that a Sexual Harassment/Title IX violation has occurred. The outcome of the investigation determines if an educational conduct review will take place.



## Don't be Afraid to Report

Often people are afraid to report sexual violence or harassment because the use of drugs or alcohol are involved. The University's highest priority is the safety of everyone on campus. The use of alcohol or drugs never makes the person who was victimized at fault for sexual violence. Visit [wne.edu/title-ix](http://wne.edu/title-ix) to find the Title IX reporting form.

## Retaliation is Not Tolerated

The University prohibits any form of retaliation against anyone who participates in a Sexual Harassment/Title IX proceeding. Any allegation of retaliation will be adjudicated through the relevant disciplinary process.

### Examples of retaliation include:

- Pressuring a complainant to withdraw the complaint
- Sending unwelcome messages either directly, through acquaintances, or electronically
- Lowering an academic grade
- Stalking or threatening behavior
- Issuing a poor performance report
- Failing to provide campus services such as housing, billing, registration
- Changing a work schedule and/or work duties
- Damaging personal property

## Filing a Complaint

You may make a formal complaint directly to the Title IX Coordinator or Deputy Coordinators.

### Cheryl Smith

General Counsel and Title IX Coordinator  
413-782-1542  
[cheryl.smith@wne.edu](mailto:cheryl.smith@wne.edu)

### Sean Burke

Assistant Director, Delbridge Career Center  
St. Germain Campus Center, Room 235C  
413-782-1564  
[sean.burke@wne.edu](mailto:sean.burke@wne.edu)

### Lori Mayhew-Wood

Associate Director of Athletics/SWA/Director of Equipment Management  
Caprio Alumni Healthful Living Center, Room 105B  
413-796-2230  
[lori.mayhew@wne.edu](mailto:lori.mayhew@wne.edu)

Alternatively, you may also contact the Office for Civil Rights, U.S. Department of Education, at 617-289-0111 or email [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov).

**We're here to help.**  
**WNE.EDU/TITLE-IX**

# Title IX



## Know Your Rights

**What to Do if You or Someone You Know Has Experienced Sexual Harassment at Western New England University?**

**WESTERN NEW ENGLAND UNIVERSITY**  
**WNE**

### Cheryl Smith

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