Annual Campus Security/Fire Safety Report and Policies for Braintree, MA
As of 10/1/26

COLLECTIV Academy is firmly committed to maintaining a safe campus environment. The full benefit of academic freedom is only experienced by faculty and students when the Academy is free of violence or other criminal activity. To that end, and in accordance with the Jeanne Clery campus security policy and campus crime statistics act, the institution collects campus crime statistics and prepares this report for distribution to all current and prospective students and employees.

Campus is defined as "any building or property owned or controlled by the Academy within the same contiguous geographic area used by the Academy in direct support of or related to its educational purpose." The campus includes the facilities located at COLLECTIV Academy at 727A Granite Street in Braintree and the parking lot.

The public area for the Academy is defined as the sidewalk in front of the Granite Plaza, the street directly in front of it and the sidewalk on the opposite side of the street.

No later than October 1st of each year, the Academy distributes notification to all current students and employees of the availability of the Campus Security Report on our website with the exact URL where it is located. In addition, the report is provided to all prospective students during their tour or upon hiring of a new employee. At orientation, students review the campus security procedures. A copy of the report is maintained in the business office along with the backup documentation.

How COLLECTIV Academy Prepares the Annual Crime Statistics:

The COLLECTIV Academy utilizes a Compliance Manager who requests the crime statistics from the state and local authorities and produces the Annual Campus Security and Fire Safety Report.

Sarah Tantinarawat, Compliance Manager

Reporting Crimes

All individuals are encouraged and requested to report immediately any known criminal offense or other emergency occurring on campus to the Director of the Academy (non-emergencies) or dial 9-1-1 (emergencies only). If the Director is unavailable, the contact will then be the Director of Education or the Academy Designee. All individuals are also encouraged to promptly report all crimes to appropriate police agencies. The Academy Director will report all known criminal offenses to local law enforcement authorities upon obtaining knowledge of any criminal offense. Any suspicious activity or person seen loitering inside or around the school buildings should be reported to the School Director.

Reports may also be made to the school's Campus Security Authorities, or CSAs. Under Federal law, the definition of CSAs includes individuals/offices designated by the school as those to whom crimes should be reported, and officials with significant responsibility for student and campus activities. If a school staff member has "significant responsibility" for students and campus activities outside of the classroom, and students potentially could report a crime / incident to that staff member, then they are a CSA. CSAs are defined by function, not title. For COLLECTIV Academy, CSAs include the Academy Chief Executive Officer, Regional Director, Academy Director, Recruiter, Business Manager and Financial Aid Coordinator.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Voluntary Confidential Crime Reporting

COLLECTIV Academy does not currently have policies and procedures allowing voluntary confidential crime reporting. Violations of the law will be referred to the local police department.

Pastoral and Professional Counselors

COLLECTIV Academy does not employ pastoral and professional counselors.

Campus Security Authority and Jurisdiction

The campus does not employ campus security officials. The ultimate authority for law enforcement at the Academy is the local police department. The security of the campus is the direct responsibility of each employee and the Academy director. The Academy does not have any written agreements with local police departments for the investigation of alleged criminal offenses. Academy officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of Academy facilities. The Academy Director is the school's coordinator of security issues. They are not authorized to arrest individuals but do have the authority to detain suspected criminal offenders if it is deemed safe to do so. The administration at COLLECTIV Academy has a strong working relationship with the local police and works in partnership to offer students and employees the safest possible environment.

Criminal Activity on Campus

In the event of criminal activity at the Academy, the student body, faculty, and administration are gathered together and informed of the situation immediately.

Information for Crime Victims about Disciplinary Hearings

Institution must, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim. This provision applies to any disciplinary proceeding conducted by the institution on or after August 14, 2009 (HEOA amendment).

Fire Safety

COLLECTIV Academy does not house any students on campus and is not required by the Clery Act to disclose fire information.

Facility Access & Safety

The COLLECTIV Academy is monitored by 24-hour surveillance cameras. The facilities are open Monday through Saturday according to assigned class/salon area schedules. During business hours, the Academy will be open to students, employees, contractors, guests, and invitees. The building may also be open for educational classes when not in use for regularly scheduled classes for licensed professionals in cosmetology or to groups securing the use of the facilities through the owner. During non-business hours, access to all school facilities is by key and security code, if issued, or by admittance via the Academy Director or her designee. Emergencies may necessitate changes or alterations to any posted schedules. No student will have access to the campus facility, other than the parking area, at any time unless supervised by a staff member.

Security Education

Before a student enrolls, all the information regarding crime statistics is given to the prospective student before they sign their contract. The Academy conducts pre-enrollment orientation sessions for all new students. The orientation program includes information regarding issues of personal security and emergency response protocol. In addition, information is disseminated to students and employees through tips posted in school buildings, in-class announcements, and announcements through social media. COLLECTIV Academy does not offer a crime prevention program.

The Academy encourages all students and employees to be responsible for their own security and the security of others. The Academy does not employ campus security officials. Therefore, the security of the campus is the direct responsibility of each employee and administrator. No such individual has the authority to make arrests.

Off-Campus Student Activities

When COLLECTIV Academy students are meeting off-campus, they are held to the same policies and regulations of reporting all crimes and offenses. There are no buildings or properties owned or controlled by the Academy's student organizations which are recognized by the Academy. COLLECTIV Academy does not provide law enforcement services to off-campus activities on behalf of the school.

Firearms

The possession of any firearms, (e.g., pistols, rifles, shotguns, or crossbows) is prohibited. Any person on campus with a loaded firearm will be prosecuted by local authorities.

Timely Warning Policy

What Are Timely Warnings?

Timely warnings are provided to notify students, faculty, and staff of certain crimes or circumstances that may represent a threat to the campus community and to heighten safety awareness.

When Are Timely Warnings Made? What Type of Situations Do They Warn of?

Decisions to issue a timely warning are made on a case-by-case basis considering the nature of the situation and the danger posed to the campus. They do not represent an emergency situation, only a situation that students and faculty need to be aware of to heighten safety awareness. A warning is only required when a situation occurs on campus, or the area defined as public property surrounding the campus. Some examples of timely warnings that might be issued are severe weather alerts such as a tornado, the theft of a vehicle from the campus, or a suspicious person outside the building.

Who Makes Them and How?

A timely warning is made by the Academy director or designee and the students and staff are gathered together and the announcement is made. The police are also notified if the situation warrants it.

Emergency Response Policy

Emergency Response Plan

COLLECTIV Academy is committed to informing the campus of an emergency, disaster, or potential disaster immediately upon determining the nature of the emergency. When a serious incident occurs that causes an immediate threat to the campus, the Academy director or designee will contact the police or fire department depending on the emergency. The first responders to the scene are usually the local police department, the state police and the local fire department. If needed, the Academy would contact the state Emergency Management Agency, which may manage the incident. Depending on the nature of the incident, other departments and other local or federal agencies could also be involved in responding to the incident.

How the Students and Staff Are Notified in an Emergency

An announcement is immediately made in the Academy to vacate the building or remain inside depending on the circumstances, or in the case of fire, the fire alarm will sound.

Evacuation Procedures

When Alarm Sounds

All students and faculty must vacate the building immediately.

Pull Alarm Mounting Locations: *USE ONLY WHEN THERE IS A FIRE IN THE ACADEMY.* All fire alarms are clearly marked.

Right wall just inside the hallway of the front entrance.
Left wall just inside the hallway of the back entrance.

Emergency Exit Doors

Once you are aware that evacuation is happening, please proceed to the following exits:

The front exit of the Academy.
The back of the Academy in the break room

Meeting Place

After evacuating the building, employees and students should proceed to the following location to ensure the safety

of everyone.
In between My Gym and Planet Fitness outside the front entrance of the Academy.

Annual Evacuation Drill
The evacuation drill occurs annually on a day during the last week of October between the hours of 9:00 and 10:00 am.

Fire Extinguishers Locations – All extinguishers are clearly marked
1. Clinic floor below the instructor's office on the right side of the window.
2. Left wall just outside the financial aid office.
3. Wall on the left hand side of the dispensary entrance.
4. Left wall right outside of the bathroom entrances.
5. Student breakroom between both back room doors.

Active Shooter
In the event of an active shooter, the Academy will contact law enforcement agencies for their assistance. Practiced procedures may be put into action to alert and protect students, staff and clients. Determine whether school will be closed or remain open. Document all actions taken. Try to remain calm and quickly determine the most reasonable way to protect your life – run, hide or fight. Call 911 as soon as possible.

If shooter is inside the building: Depending on circumstances, consideration may be given to exiting the building (either through the front or back doors) as safely and quietly as possible. If evacuation is not possible, try to warn others to take immediate shelter. Proceed to a room that can be locked or barricaded. Turn off lights and silence cell phones. Keep out of sight and take adequate cover/protection. Call 911. Wait until a uniformed police officer provides an "all clear". Attempts to rescue people should only be attempted if rescue can be accomplished without further endangering the people inside a secure area.

If shooter enters your office/classroom: Try to remain calm. Try not to do anything that will provoke the active shooter. Only as a last resort when it is imminent that your life is in danger, make a personal choice to attempt to negotiate with or overpower the assailant if there is no possibility of escape or hiding. Call 911 if possible. Barricade the room or proceed to a safer location if the active shooter leaves the area.

If you are outside and encounter an active shooter, you should: Try to remain calm. Move away from the active shooter or the sounds of gunshots and/or explosions. Look for appropriate locations for cover/protection. Try to warn other staff, students, and clients to take immediate shelter. Call 911. Do not allow staff and students to enter or leave the building until proper authorities have determined that it is safe to do so.

How Staff is Updated on Policies and Procedures
Yearly, when crime statistics are distributed to the students and staff, a staff meeting is held with employees to discuss policy, procedures and protocol regarding safety at COLLECTIV Academy. A review of the procedures is explained, as well as reviewing how to be responsible for their own security and the security of others.

Sex Offender Information:
The state and local police maintain a record of registered sex offenders. You may also go on the web to www.mass.gov/orgs/sex-offender-registry-board

Missing Student Procedure
The Academy does not provide on-campus housing for students; therefore, is not required to establish official notification procedures for a missing student.

Crime Statistics
In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act the Academy collects crime statistics as the basis for the Annual Security Report that is made available to students, employees, and applicants for enrollment or employment. The following criminal offenses include any crime statistics that occurred on campus, off campus and the public area during the previous three (3) year period.
Any crime statistics that are unfounded by the police department are not included.

Criminal Offenses	2025			2024			2023		
	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property
Homicide	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Disciplinary Referrals(R) and Arrests(A):	2025			2024			2023		
	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property
Weapons Violations	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0
Hazing Incidents	R- 0 A- 0	0 0	0 0						
Drug Violations	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0
Liquor Law Violations	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0

Reportable categories are: race, gender, religion, sexual orientation, gender identity, ethnicity/national origin and disability.

DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

Academy Drug and Alcohol Policy

Based on the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226), and to express this Academy's commitment to prevent drugs and alcohol abuse in the Academy environment, the Academy has adopted the following Drug and Alcohol Abuse Prevention Policy, which applies to all students and employees.

It is the policy of COLLECTIV Academy to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in or on any property owned or controlled by the Academy. We are committed to providing a campus environment free of alcohol abuse and illegal use of alcohol and drugs. To strengthen that commitment, the Academy has adopted and implanted a program that seeks to prevent the abuse of alcohol and drugs by the Academy, which includes its employees and students.

The policy contains the following sections: Standards of Conduct; Academy Sanctions; Applicable Legal Sanctions; Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol; Available Drugs and Alcohol Counseling, Treatment, and Rehabilitation.

I. Standards of Conduct

The unlawful manufacture, dispensation, possession or use of a controlled substance (drugs) and the unlawful possession, use, or both, of alcohol, are prohibited in and on property owned or controlled by this Academy.

No employee or student is to report to work, attend class, or participate in any Academy activity while under the influence of illegal drugs or alcohol. The possession and use of alcoholic beverages by employees, students, and guests of the Academy are at all times subject to applicable state alcoholic beverage laws, as well as city ordinances within our service area, and the Academy's policy.

II. Academy Sanctions

Violation of the policy and laws referenced above by an employee or student will be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable Academy policies. Violators may be consistent with local, state, and federal criminal laws. Disciplinary action taken against a student or employee of this Academy does not preclude the possibility of criminal charges being filed against that individual. The filing of criminal charges similarly does not preclude disciplinary action by the Academy.

Students or employees who believe disciplinary action was taken in error should follow the grievance procedures outlined in the student or employee handbook as appropriate.

Federal Drug-Free Workplace Act Requirements

The following is required of the COLLECTIV Academy and its employees and students:

An employee or student shall notify his or her supervisor or other appropriate management representative of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The Academy shall notify any federal contracting agency within ten (10) days of having received notice that an employee or student who was engaged in the performance of such a contract or grant, has had a criminal drug statute conviction for a violation occurring in the workplace.

The Academy will take appropriate personnel action against any employee or student who is convicted for a violation occurring in the workplace and will require the satisfactory participation of the employee or student in a drug abuse assistance or rehabilitation program if they remain an employee or student.

Notice of Federal Student Aid (FSA) Penalties for Drug Law Violations:

The Higher Education Opportunity Act requires institutions to provide every student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses under existing section 484(r) of the HEA. It also requires an institution to provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the

student of the ways in which to regain eligibility under section 484(r)(2) of the HEA. Students are hereby notified that federal guidelines mandate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless the student was tried as an adult.

The Higher Education Act of 1965 as amended (HEA) suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs, if the offense occurred during a period of enrollment for which the student was receiving federal student aid (grants, loans, and/or work-study). If you have a conviction(s) for these offenses, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) to complete the "Student Aid Eligibility Worksheet" to find out how this law applies to you.

If you have lost federal student aid eligibility due to a drug conviction, you can regain eligibility if you pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.

By completing the FAFSA, you may be eligible for nonfederal aid from states and private institutions even if ineligible for Federal Aid. If you regain eligibility during the award year, notify your financial aid administrator immediately. If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you may be liable for returning any financial aid you received during a period of ineligibility.

III. Applicable Legal Sanctions

Federal Law

Federal law prohibits the illegal possession, manufacture, or distribution of a controlled substance. The following information, although not complete, provides an overview of federal penalties for first convictions.

1. Any individual who is convicted of any Federal or State offense involving the possession of controlled substances, at the discretion of the court, may be ineligible for any and all federal benefits for up to one year. Upon their second conviction, the court may deny any and all federal benefits for up to 5 years.

2. Forfeiture of Personal Property and Real Estate (21 U.S.C. #853)

Any person convicted of a federal drug offense punishable by imprisonment for more than one year shall forfeit to the United States any property constituting or derived from any proceeds obtained as a result of such violation or any property used to commit or facilitate such violation.

3. Federal Drug Possession Penalties (21 U.S.C. #844)

Federal sanctions for possession of controlled substances range from minimum fines of $1,000 to $5,000, and /or imprisonment from up to one year to three years, depending on the number of offenses.

FREQUENTLY USED FEDERAL DRUG STATUTES

21 USC § 841(a)(1) - Distribution/Manufacturing/Possession with intent to Distribute Statutory maximum generally is 20 years

Five year mandatory minimum and maximum 40 years (21 USC 841(b)(1)(B)) if:

5 grams or more of actual meth
50 grams or more of a mixture containing meth
100 grams or more of heroin
500 grams or more of cocaine
100 kilogram or more of marijuana (or 100 or more plants)
28 grams or more of crack
40 grams or more of fentanyl
10 grams or more of PCP
1 gram or more of LSD

Ten year mandatory minimum and maximum life (21 USC 841(b)(1)(A) if:

50 grams or more of actual meth
500 grams or more of a mixture containing meth
1 kilogram or more of heroin
5 kilograms or more of cocaine
1000 kilograms or more of marijuana (or 1,000 or more plants)
280 grams or more of crack
400 grams or more of fentanyl
100 grams or more of PCP
10 gram or more of LSD

Penalties also can be increased if defendant has a prior felony drug conviction or is a career offender (two or more felony drug offense or crimes of violence).

Twenty year mandatory minimum if death or serious bodily injury results from use of the drug.

Enhanced penalties also available for distribution to individuals under 21 (21 USC § 859) or distributions near schools, playgrounds, youth centers, arcades, pools and public housing (21 USC § 860).

21 USC § 846 (Conspiracy/Attempt)
Penalties identical to distribution penalties.

21 USC § 843(a)(3) (Obtaining Controlled Substances by Misrepresentation, Fraud, etc.)
Four year maximum for drug diversion offenses.

21 USC § 843(b) (Use of a Communication Facility to Facilitate Drug Felony.)
Four year maximum for each use of a telephone to arrange a drug transaction.

21 USC § 844 (Simple Possession)
Misdemeanor - One year maximum.
Can become felony with higher penalties if prior drug convictions.

21 USC § 848 (Continuing Criminal Enterprise – "Drug Kingpin Statute")
Mandatory minimum 20 years and maximum of life can be imposed on a leader of an organization of five or more individuals who engage in a continuing series of drug violations from which the person derived substantial income. Mandatory life and death penalty available under certain circumstances.

21 USC § 856 (Maintaining a Drug-Involved Premises – "Crack House Statute")
Twenty year maximum for opening, leasing, renting, or maintain a premises for drug manufacturing, use or distribution. Also applies to those who manage or control such premises (including owners and landlords of rental properties).

18 USC § 1952 (Interstate Travel in Aid of Racketeering – "Travel Act")
Five year maximum for traveling or using the mail or instruments of interstate commerce (telephone/internet) with intent to facilitate drug trafficking.

CONTROLLED SUBSTANCES ACT (Part I, Title XXV, Chapter 94C, Section 34) (Unlawful Possession of Particular Controlled Substances, Including Heroin and Marijuana; Lawful Possessing, Storing, Analyzing, Processing and Testing of Medical Marijuana and Medical Marijuana-Infused Products by Laboratories Exception)

No person knowingly or intentionally shall possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription order, from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter. Except as provided in Section 32L of this Chapter or as hereinafter provided, any person who violates this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or by both such fine and imprisonment. Any person who violates this section by possessing heroin shall for the first offense be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both, and for a second or subsequent offense shall be punished by imprisonment in the state prison for not less than two and one-half years nor more than five years or by a fine of not more than five thousand dollars and imprisonment in a jail or house of correction for not more than two and one-half years. Any person who violates this section by possession of more than one ounce of marijuana or a controlled substance in Class E of section thirty-one shall be punished by imprisonment in a house of correction for not more than six months or a fine of five hundred dollars,

or both. Except for an offense involving a controlled substance in Class E of section thirty-one, whoever violates the provisions of this section after one or more convictions of a violation of this section or of a felony under any other provisions of this chapter, or of a corresponding provision of earlier law relating to the sale or manufacture of a narcotic drug as defined in said earlier law, shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both.

If any person who is charged with a violation of this section has not previously been convicted of a violation of any provision of this chapter or other provision of prior law relative to narcotic drugs or harmful drugs as defined in said prior law, or of a felony under the laws of any state or of the United States relating to such drugs, has had his case continued without a finding to a certain date, or has been convicted and placed on probation, and if, during the period of said continuance or of said probation, such person does not violate any of the conditions of said continuance or said probation, then upon the expiration of such period the court may dismiss the proceedings against him, and may order sealed all official records relating to his arrest, indictment, conviction, probation, continuance or discharge pursuant to this section; provided, however, that departmental records which are not public records, maintain by police and other law enforcement agencies, shall not be sealed; and provided further, that such a record shall be maintained in a separate file by the department of probation solely for the purpose of use by the courts in determining whether or not in subsequent proceedings such person qualifies under this section. The record maintained by the department of probation shall contain only identifying information concerning the person and a statement that he has had his record sealed pursuant to the provisions of this section. Any conviction, the record of which has been sealed under this section, shall not be deemed a conviction for purposes of any disqualification or for any other purpose. No person as to whom such sealing has been ordered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge such arrest, indictment, conviction, dismissal, continuance, sealing, or any other related court proceeding, in response to any inquiry made of him for any purpose.

Notwithstanding any other penalty provision of this section, any person who is convicted for the first time under this section for the possession of marihuana or a controlled substance in Class E and who has not previously been convicted of any offense pursuant to the provisions of this chapter, or any provision of prior law relating to narcotic drugs or harmful drugs as defined in said prior law shall be placed on probation unless such person does not consent thereto, or unless the court files a written memorandum stating the reasons for not so doing. Upon successful completion of said probation, the case shall be dismissed and records shall be sealed.

It shall be a prima facie defense to a charge of possession of marihuana under this section that the defendant is a patient certified to participate in a therapeutic research program described in chapter ninety-four D, and possessed the marihuana for personal use pursuant to such program.

Notwithstanding any general or special law to the contrary, a laboratory may possess, store, analyze, process and test medical marijuana and medical marijuana-infused products; provided, however, that such laboratory shall do so in accordance with the department's regulations and written guidelines governing procedures for quality control and testing of products for potential contaminants.

Massachusetts Alcohol Laws

The legal drinking age in Massachusetts is 21 years of age.

A person over 21 years of age may not buy alcohol for a person under 21 years of age, unless their relationship is that of parent and child or husband and wife, and even in those situations liquor must be bought at a package liquor store, not a restaurant or tavern. Violation of this section may result in a fine of $2,000, imprisonment up to one year, or both. M.G.L.c.138, Sec. 34

Alcohol may not be purchased or attempted to be purchased by a person under 21 years of age. A person may not lie about his/her age to purchase alcohol, present false identification, or make arrangements with someone older to buy alcohol for him/her. Violation of this section may result in a fine of $300. M.G.L.c.138, Sec.34A

Any person who transfers, alters, or defaces any such card, or who makes, uses, carries, sells, or distributes a false identification card, or furnishes false information in obtaining such a card, shall be guilty of a misdemeanor. Violation of this section may result in a fine of $200, imprisonment up to three months, or both. M.G.L. c. 138,

Sec.34B

Any person without a license to serve alcohol may not serve someone under 21 years of age, unless their relationship is that of parent and child or husband and wife. Violation of this section may result in a fine of $2,000, imprisonment up to one year, or both. M.G.L.c.138, Sec.34

Under Massachusetts law, a host of a party may be held liable for the injuries suffered by others if the host knew or should have known that a guest was drunk and nevertheless gave/permitted the guest to take an alcoholic drink and thereafter, because of the guest's intoxication, the guest negligently caused injury to others.

The Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

The use or abuse of drugs or alcohol increases the risk of health related, behavioral and social problems.

- Acute health problems related to intoxication or overdose.
- Physical and psychological dependence.
- Heart disease or brain damage.
- Ulcers and cancer.
- Fetal alcohol syndrome, stillbirths, and birth defects
- Violent behavior towards others.
- Impaired driving resulting in arrests, accidents, injuries and fatalities.
- Disciplinary actions at work.
- Loss of employment.
- Legal problems including imprisonment.

Contact Information for Drug and Alcohol Counseling and Treatment

There are drug and alcohol counseling, treatment and rehabilitation facilities in our area where advice and treatment are available. The telephone numbers of these facilities may be found on the web by searching Drug Abuse and Addiction Treatment, or by going to www.findtreatment.samhsa.gov.
For example:

1. MA Bureau of Substance Abuse Services 1-617-624-5111 or call or text 988
2. MA Substance Abuse Helpline 1-800-327-5050

There are national organizations that can also be contacted for help. The National Hotline for Substance Abuse and Mental Health Services Administration is 1-800-662-HELP. It is available 24 hours a day. The National Alcoholism and Substance Abuse Information Center can be reached at 1-800-784-6776.

Results of the biennial review are available in the Business office.

Academy Flexibility

The COLLECTIV Academy reserves the right to alter or amend any portion of this policy at any time without prior notice. The Academy reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by the Academy are for guidance only and failure of the COLLECTIV Academy to strictly meet any time frame provided herein shall not preclude the Academy from taking any action provided herein. Under no circumstances shall failure to perform any act within the time frames herein excuse or relieve any student from his or her obligations, act to nullify any positive test, or relieve any student from the consequences of any positive test, or any other violation of this Policy.

Hazing

Massachusetts General Laws Chapter 269, Sections 17, 18 and 19 state:

Section 17: Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

In addition to above cited penalties, students engaged in the act of hazing will be subject to expulsion.

Section 19: Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to delivery annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

Appendix B
Bystander Intervention & Risk Reduction

The Academy's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" – before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABCs:

- **A**ssess for safety. Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority. When in doubt, call for help.
- **B**e with others. If it is safe to intervene, you are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.
- **C**are for the person. Ask if the target of the unwanted sexual advance/attention/behavior is okay – does he or she need medical care? Ask if someone they trust can help them get safely home.

Information on Bystander Intervention was provided by the Department of Defense Sexual Assault Prevention and Response Office from: www.sapr.mil

The Academy's primary prevention and awareness program includes information on risk reduction. This includes:

Avoiding Dangerous Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Safety Planning. Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
- Who can help? Friends and/or family, or support centers in your area. Please see Section 4 of this Policy for a list of support organizations.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag.

Protecting Your Friends. You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party or ask them to walk you home. Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party – or grab pizza?"
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

Social Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: www.rainn.org.

Definitions of Sexual Misconduct under Massachusetts Law

Sexual Assault is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.

Massachusetts law provides the following definitions with respect to incidents of sexual assault:

MGL Chapter 265, Section 22: Rape, generally; weapons; punishment; eligibility for furlough, education, training or employment programs

(a) Whoever has sexual intercourse or unnatural sexual intercourse with a person, and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury and if either such sexual intercourse or unnatural sexual intercourse results in or is committed with acts resulting in serious bodily injury, or is committed by a joint enterprise, or is committed during the commission or attempted commission of an offense defined in section fifteen A, fifteen B, seventeen, nineteen or twenty-six of this chapter, section fourteen, fifteen, sixteen, seventeen or eighteen of chapter two hundred and sixty-six or section ten of chapter two hundred and sixty-nine shall be punished by imprisonment in the state prison for life or for any term of years.

No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.
(b) Whoever has sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his will, or compels such person to submit by threat of bodily injury, shall be punished by imprisonment in the state prison for not more than twenty years; and whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term or years.
Whoever commits any offense described in this section while being armed with a firearm, rifle, shotgun, machine-gun or assault weapon, shall be punished by imprisonment in the state prison for not less than ten years. Whoever commits a second or subsequent such offense shall be punished by imprisonment in the state prison for life or for any term of years, but not less than 15 years.
No person serving a sentence for a second or subsequent such offense shall be eligible for furlough, temporary release, or education, training or employment programs established outside a correctional facility until such person shall have served two-thirds of such minimum sentence or if such person has two or more sentences to be served otherwise than concurrently, two-thirds of the aggregate of the minimum terms of such several sentences.
For the purposes of prosecution, the offense described in subsection (b) shall be a lesser included offense to that described in subsection (a).

MGL Chapter 265, Section 43: Stalking; punishment
(a) Whoever (1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress, and (2) makes a threat with the intent to place the person in imminent fear of death or bodily injury, shall be guilty of the crime of stalking and shall be punished by imprisonment in the state prison for not more than 5 years or by a fine of not more than $1,000, or imprisonment in the house of correction for not more than 2 1/2 years or by both such fine and imprisonment. The conduct, acts or threats described in this subsection shall include, but not be limited to, conduct, acts or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device including, but not limited to, any device that transfers signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

MGL Chapter 265, Section 13M. Assault or assault and battery on a family or household member; second or subsequent offense; penalty
(a) Whoever commits an assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 21/2 years or by a fine of not more than $5,000, or both such fine and imprisonment.
(b) Whoever is convicted of a second or subsequent offense of assault or assault and battery on a family or household member shall be punished by imprisonment in the house of correction for not more than 21/2 years or by imprisonment in the state prison for not more than 5 years.
(c) For the purposes of this section, "family or household member" shall mean persons who (i) are or were married to one another, (ii) have a child in common regardless of whether they have ever married or lived together or (iii) are or have been in a substantive dating or engagement relationship; provided, that the trier of fact shall determine whether a relationship is substantive by considering the following factors: the length of time of the relationship; the type of relationship; the frequency of interaction between the parties; whether the relationship was terminated by either person; and the length of time elapsed since the termination of the relationship.

Massachusetts law does not define “Dating Violence.” However, persons in a substantive dating or engagement relationship are included in the definition of “family or household member” under MGL Chapter 265, Section 13M.

COLLECTIV ACADEMY TITLE IX POLICY
BRAINTREE

Purpose of Policy

The purpose of the COLLECTIV Academy's (the "Academy's") Title IX policy is to define Title IX prohibited conduct and to describe the processes for reporting Title IX prohibited conduct, receiving supportive measures, filing a formal complaint, pursuing formal and informal grievance procedures, and filing appeals.

Notice of Nondiscrimination

It is the policy of the Academy not to discriminate on the basis of an individual's race, color, creed, national or ethnic origin, sex, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. This prohibition applies to all educational programs and activities, including admissions, as well as all employment actions.

The Academy does not discriminate on the basis of sex in the education program or activity that it operates and is required by Title IX of the Education Amendments of 1972 not to discriminate in such a manner. The requirement not to discriminate in the education program or activity extends to admission and employment. Inquiries about the application of Title IX may be referred to the Title IX Coordinator or to the Office for Civil Rights, or both.

Scope and Applicability of Policy

This policy applies to all Academy community members, including employees and students, who participate in the Academy's education programs and activities. In certain situations, this policy may also apply to other individuals, such as contractors, visitors, volunteers, and/or other third parties.

The policy and procedures described herein only apply to allegations of sexual harassment that meet the Title IX regulatory definition of sexual harassment, and which have occurred within the Academy's education programs or activities in the United States. For purposes of this policy, an education program or activity includes locations, events, or circumstances over which the Academy exercised substantial control over both the Respondent and the context in which the Title IX Sexual Harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the Academy.

Title IX Coordinator

Brittany Brown, Academy Director of the Braintree Academy, serves as the Title IX Coordinator. The Title IX Coordinator can be contacted by mail. Office address: 727A Granite Street, Braintree, MA 02184. Phone: 781.428.3099, or email: bbrown@tg-ne.com.

Prohibited Conduct Defined

- **Title IX Sexual Harassment**: Title IX Sexual Harassment is conduct *on the basis of sex* that satisfies one or more of the following three categories: (1) Quid Pro Quo Sexual Harassment; (2) Hostile Environment Sexual Harassment; and/or (3) Sex-Based Crimes.

1. **Quid Pro Quo Sexual Harassment** occurs when an employee of the Academy conditions the provision of an aid, benefit, or service of the Academy on an individual's participation in unwelcome sexual conduct.
2. **Hostile Environment Sexual Harassment** occurs when unwelcome conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Academy's education program or activity.
3. **Sex-Based Crimes** occur when conduct constitutes "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

- **Sexual Assault** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.
    - **Rape** is the carnal knowledge of a person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
    - **Sodomy** is oral or anal sexual intercourse with another person, without the consent of that person, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
    - **Sexual Assault with An Object** is the use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
    - **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
    - **Incest** is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - **Statutory Rape** is nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Dating Violence** means violence committed by a person—who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on consideration of the following factors:

    (1) The length of the relationship;

    (2) The type of relationship;

    (3) The frequency of interaction between the persons involved in the relationship.

- **Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, **or** by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

    (1) fear for his or her safety or the safety of others; or

    (2) suffer substantial emotional distress.

- **Title IX Retaliation:** Neither the Academy nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or the Title IX regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

The Academy must keep confidential the identity of any individual who has made a report or complaint of sex

discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by federal or state law, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the policy described herein.

Relevant Definitions

- **Clear and Convincing** is the evidentiary standard that asks whether sufficient evidence has been presented to make it highly probable to be true that the Respondent engaged in the alleged Title IX prohibited conduct.

- **Consent** is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words, conduct, or action, indicating that an individual has freely chosen to engage in sexual activity or contact. Consent cannot be obtained through: (1) the use of coercion, intimidation, or force; or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, or the absence of resistance does not imply consent. Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be sought and freely given for each instance of sexual activity or contact.

- **Coercion** is unreasonable or sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

- **Complainant** is any individual who is alleged to be the victim of sexual harassment that is prohibited under this policy.

- **Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force can include intimidation or implied threats to overcome an individual's resistance or produce consent. There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

- **Incapacitation** means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the sexual activity or sexual contact. A person may also become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious. When alcohol and/or drugs are involved, incapacitation requires more than impairment or intoxication. When determining incapacitation, the inquiry is whether the Respondent knew, or whether a sober, reasonable person in the Respondent's position should have known, that the Complainant was incapacitated and could not provide consent.

- **Intimidation** is defined as overt or implied threats or acts that would cause reasonable fear of harm in another.

- **Respondent** is any individual who has been reported to be the perpetrator of sexual harassment that is prohibited under this policy.

Confidentiality

The Academy will make all reasonable efforts to protect the confidentiality of the individuals connected to a report or formal process under this policy (i.e. individuals such as Complainants, Respondents, reporting parties, and witnesses). The Academy will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the Academy to provide supportive measures.

If the Complainant requests anonymity and that the Academy does not proceed with the formal grievance process, the Academy will strongly consider the Complainant's request. However, in certain circumstances, the Academy

may not be able to grant the Complainant's request due to various factors, including when there is a risk of imminent harm to an individual or others or a threat to the health and safety of the Academy community. The Academy may reveal confidential information as permitted or required by law, to carry out the purposes of this policy, including conducting any investigation, live hearing, or proceeding arising thereunder.

While the Academy will make all reasonable efforts to maintain privacy and confidentiality, the Academy will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. However, the prohibition of Title IX retaliation described herein continues to apply.

Amnesty for Students

The health and safety of every student at the Academy is of utmost importance. The Academy recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs—including, but not limited to, domestic violence, dating violence, stalking, or sexual assault—may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The Academy strongly encourages students to report incidents of violence to Academy officials. A bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the Academy's officials or law enforcement will not be subject to the Academy's code of conduct action for violations of alcohol and/or drug-use policies occurring at or near the time of the commission of the incident of violence.

Reporting Sexual Harassment to Title IX Coordinator

Any person may report prohibited conduct under this policy to the Title IX Coordinator, regardless of whether the person reporting is the person alleged to be impacted by the conduct. Such a report may be made at any time (including during non-business hours) by telephone, electronic mail, or mail, using the contact information listed for the Title IX Coordinator above.

There is no time limit on reporting violations of this Policy, although the Academy's ability to respond fully may be limited with the passage of time.

A reporting party may request that the Academy not investigate and/or adjudicate the report under the formal complaint procedures described herein. The Academy will make all reasonable efforts to honor the Complainant's request. However, in certain circumstances, the Academy may have to pursue a formal complaint. These circumstances include, but are not limited to, instances when the Academy has received multiple reports of misconduct by the same individual or when the conduct reported poses a compelling risk to the health and safety of the Academy community.

Upon receiving a report of sexual harassment, if the Title IX Coordinator is made aware of the identity of a Complainant, the Title IX Coordinator will make all reasonable efforts to promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

Upon receiving a report of sexual harassment, if the Respondent is unknown or is not a faculty, staff, or student member of the Academy, the Title IX Coordinator will make all reasonable efforts to provide the Complainant with supportive measures, as well as information and options regarding potential criminal processes. The Title IX Coordinator may also take appropriate actions to protect the Complainant, such as providing assistance or referring someone to provide assistance in obtaining no-trespass and restraining orders. If requested, the Academy will refer impacted individuals to someone who can assist in filing/applying for orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Reporting Sexual Harassment to Law Enforcement

Individuals who have experienced criminal violations are encouraged to report the incident to local law enforcement and have the option to do so. Formal reporting options include contacting the police department in the jurisdiction in which the incident occurred. If a Complainant chooses to report to law enforcement or pursue a criminal process, the Complainant may simultaneously pursue a formal complaint under this policy. Individuals are advised that if

there is concurrent law enforcement activity, the Academy may temporarily delay its investigative or adjudicative process.

The Academy can provide Complainants with information and refer Complainants to someone who can support them in the process of reporting criminal conduct to law enforcement. The Academy will comply with the Complainant's request for assistance in notifying law enforcement to the extent it is consistent with law. The Complainant's choice to report to law enforcement will not impact the provision of supportive measures.

Interim Actions

- **Emergency Removal and Administrative Leave**

Upon receiving a report that a Respondent engaged in prohibited conduct described in this policy, the Academy reserves the right to remove the Respondent on an emergency basis, provided that it conducts an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual arising from the allegations justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal. When the Respondent is a non-student employee, the Academy reserves the right to place the non-student employee on emergency paid or unpaid administrative leave.

- **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the Academy's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Academy's educational environment, or deter sexual harassment.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Academy will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the Academy to provide supportive measures.

Both the Complainant and the Respondent involved in either an informal or a formal resolution process have a right to receive supportive measures from the Academy.

Supportive measures include, but are not limited to:

- Extensions of deadlines or course-related adjustments;
- Modification of class schedule;
- Leave of absence; and
- Other similar measures.

Title IX Personnel

- **Trainings**:

The Title IX Coordinator, Investigator(s), Decision-Maker(s) (including Appeal Officer(s)), and Facilitator(s) of Informal Resolution Processes receive training on:

- Prohibited behaviors as defined in this policy, including Title IX Sexual Harassment;
- The scope of the Academy's education program or activity as it relates to Title IX complaints;
- How to conduct the informal resolution process and formal grievance processes under this policy, including investigations, live hearings, appeals, and informal resolution processes as applicable;

- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Decision-Maker(s) will receive additional training on:

- Any technology to be used at a live hearing; and
- Issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

The Investigator(s) will receive additional training on:

- Issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train will not rely on sex or other stereotypes and will promote impartial investigations and adjudications of formal complaints.

All Title IX training materials will be posted on the Academy's website as a part of its recordkeeping in accordance with law.

- **Conflicts of Interest, Bias, and Impartiality**:

The Title IX Coordinator, Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes will make all reasonable efforts to ensure that the formal grievance process is facilitated in an impartial manner.

The Title IX Coordinator, Investigator(s), Decision-Maker(s), and Facilitator(s) of informal resolution processes may not have a conflict of interest for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The parties are expected to promptly report concern(s) regarding conflict of interest or bias regarding the above listed personnel to the Title IX Coordinator as soon as reasonably possible once they become aware of the conflict of interest or bias. Upon receiving a report of conflict of interest or bias, the Academy will evaluate the report, and if it is determined that a conflict of interest or bias exists, the Academy will appoint another individual to serve in the role.

Informal Resolution Process

- **Overview of Process**

Informal resolution does not involve a full investigation and adjudication like the formal grievance process. Rather, the informal resolution process uses mediation or other forms of dispute resolution with the goal that the parties will arrive at a mutually agreed-upon outcome. The informal resolution process cannot be used for cases involving allegations that an employee sexually harassed a student.

In order to engage in an informal resolution process, the Complainant must first file a formal complaint with the Title IX Coordinator (*see* Filing a Formal Complaint described in the "Formal Complaint Overview" section below), the process must be deemed appropriate for informal resolution by the Title IX Coordinator, and the Complainant and the Respondent must voluntarily consent in writing to participate in the process.

To complete the informal resolution process, both parties must voluntarily agree to the outcome with the understanding that the outcome is final and will not be subject to further procedures under this policy, unless there is material evidence to show that a party engaged in misrepresentation or fraudulent conduct that impacted the resolution.

Both parties reserve the right to terminate the informal resolution process and may move forward with the formal grievance process any time prior to resolution. Such termination must be provided to the Title IX Coordinator in writing.

- **Written Notice to the Parties**

Prior to initiating an informal resolution process, the Title IX Coordinator will provide written notice to the parties that includes:

o The allegations alleged by the Complainant;

o The requirements of the informal resolution process, including the circumstances under which the parties are precluded from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and move forward with a formal grievance process; and

o Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Formal Complaint Overview

- **Filing a Formal Complaint**

A formal complaint is a document signed by a Complainant or signed by the Title IX Coordinator, alleging sexual harassment against a Respondent and requesting that the Academy investigate (unless the parties have met the requirements described in the "Informal Resolution Process" section and elected to proceed with an informal resolution process as described therein). At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the Academy. For purposes of this policy, employment by the Academy constitutes participation in the education program or activity.

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (See above for contact information). For purposes of this definition, "document signed by a Complainant" means a document or electronic submission that contains the Complainant's physical or digital signature or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

- **Consolidation of a Formal Complaint**

The Academy may consolidate formal complaints under this policy when allegations arise out of the same facts or circumstances. In addition, a formal complaint of retaliation described herein may be consolidated with a formal complaint of sexual harassment under Title IX. Where the formal resolution process involves more than one Complainant or more than one Respondent, references made to the singular "party," "Complainant," or "Respondent" include the plural, as applicable.

- **Initial Assessment of a Formal Complaint**

Upon receipt of a formal complaint, the Title IX Coordinator will evaluate whether the alleged conduct, if proven, would constitute a Title IX violation because it meets or could meet the definition of Title IX Sexual Harassment and occurred or could have occurred within the jurisdiction and scope required by Title IX as described herein. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, would meet the aforementioned requirements, then the complaint will be investigated and adjudicated in accordance with the procedures outlined in this policy. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, will not meet the aforementioned requirements, then the complaint will follow the dismissal process described below and may, if appropriate, refer the matter to another Academy office.

- **Dismissal of a Formal Complaint and Acknowledgment of Responsibility**

o The Academy must terminate a formal complaint if:

▪ The alleged harassment would not constitute a Title IX violation because it does not meet or could not meet the definition of Title IX Sexual Harassment as described herein (*see* the "Prohibited Conduct" section above); or

- The alleged harassment did not occur within the jurisdiction and scope required by Title IX as described herein (*see* the "Applicability and Scope" section above).

o The Academy may terminate a formal complaint if:

- At any time during the investigation or live hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
- The Respondent is no longer enrolled in or employed by the Academy; or
- There are specific circumstances that prevent the Academy from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

o Upon the decision to dismiss a formal complaint, both parties will be notified in writing and will be given the opportunity to appeal the dismissal.

o At any point during the grievance process, a Respondent may choose to voluntarily admit responsibility for the alleged violation(s) and execute a written waiver, at which point the Respondent will be assigned a sanction(s) and the grievance process will be terminated.

Formal Grievance Process Overview

- Once a formal complaint (as defined above) is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the formal grievance process will commence (unless the parties have met the requirements to proceed with an informal resolution process as described herein). The formal grievance process will include written notice of allegations, an investigation with interviews of all parties and relevant witnesses, a live hearing that includes all parties and relevant witnesses led by a Decision-Maker(s), a written determination of responsibility, and the option for appeal.

The Academy will make all reasonable efforts to provide a prompt, equitable, fair and impartial resolution of student and employee complaints (as defined under Title IX), including providing a grievance process that treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following its grievance process before imposition of any disciplinary sanctions or other actions that are not supportive measures. Remedies will be designed to restore or preserve equal access to the Academy's education program or activity. Such remedies may include the same individualized services offered as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

- **Advisors**

The Complainant and the Respondent are entitled to the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney; and the Academy may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding. Notwithstanding, the advisor must comply with the restrictions established by the Academy regarding the extent to which the advisor may participate in the proceedings. The restrictions are set forth below.

o *Meetings and Investigation Interviews*: Advisors may not speak for or on behalf of any Complainant or Respondent during any meetings and/or investigation interviews. While an advisor cannot speak for or on behalf of the Complainant or Respondent during any meetings and/or investigation interviews, time will be granted for the advisor and the party to confer, if deemed appropriate, by the Investigator or Academy personnel facilitating any meeting. The Investigator and Academy personnel reserve the right to exclude an advisor from any meeting or investigation interview for failure to abide by these restrictions.

o *Live Hearings*: Each party must have an advisor present at the Title IX live hearing. If a Complainant or Respondent does not have an advisor present at the live hearing, the Academy will provide one. The Academy reserves sole discretion to select the advisor provided. The advisor selected will be provided without cost to the Complainant or Respondent. The role of the advisor during the live hearing is solely to conduct questioning on the Complainant's or Respondent's behalf. At the live hearing, the Decision-Maker(s) will permit each party's advisor

to ask the other party and any witnesses relevant questions and follow-up questions, including those challenging credibility. It is the expectation of the Academy that the advisor will at all times act in a respectful and non-aggressive manner. The Decision-Maker(s) reserves the right to exclude an advisor from the live hearing for failure to abide by these restrictions. Should an advisor be excluded from the live hearing, the party will be able to choose a new advisor, or one will be provided by the Academy.

Advisors are required to follow all procedures described in this policy. In a situation where an advisor engages in a material violation of this policy or does not abide by reasonable instruction from the Title IX Coordinator(s), Investigator(s), Decision-Maker(s), or other Academy personnel, the Academy reserves the right to either limit or preclude the advisor from participation in the formal grievance process. In the circumstance that an advisor is precluded from future participation, the party may select a new advisor of their choice, or the Academy will provide an advisor for them.

- **Privileged Information**

The Academy will not require, allow, rely upon, or otherwise permit questions or use of evidence that constitutes, or seek disclosure of, information protected under a legally recognized privilege. Notwithstanding the foregoing, if a person holding such a privilege has waived the privilege, then the information may be used during an investigation or live hearing.

In gathering evidence, the Academy will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the Academy obtains that party's voluntary, written consent to do so.

- **Evidence Pertaining to Sexual History**

Questions about or evidence of a Complainant's sexual predisposition is never considered relevant for the purposes of an investigative report or questioning in a live hearing.

Questions about or evidence of a Complainant's sexual history is only considered relevant for the purposes of an investigative report or questioning in a live hearing if:

o Such questions and evidence about the Complainant's prior sexual history are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or

o Such questions and evidence concern specific incidents of the Complainant's prior sexual history with respect to the Respondent and are offered to prove consent.

Questions or evidence about a Complainant's sexual history that do not meet the two exceptions described above are excluded from investigative reports and live hearings and are to be deemed irrelevant.

- **Written Notice of Allegations**

Upon receiving a formal complaint, the Title IX Coordinator will provide written notice to all known parties that includes:

o The Academy's grievance process, including any informal resolution process;

o The allegations alleged by the Complainant including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. "Sufficient details" include the identities of the parties involved, if known; the conduct allegedly constituting the sexual harassment, if known; and the date and location of the alleged incident(s), if known.

o A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

o Information regarding the parties' right to have an advisor of their choice, who may be, but is not required, to be an attorney.

o A statement that the parties may inspect and review evidence as described in the "Investigation" section of this policy; and

o A statement that the Academy prohibits knowingly making false statements or knowingly submitting false information in bad faith at any point in the grievance process. Individuals who engage in this misconduct may be subject to disciplinary actions. Disciplinary action pursued against a party for knowingly making false statements or submitting false information in bad faith does not constitute retaliation prohibited under this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or provided materially false information in bad faith.

If in the course of an investigation, the Academy decides to investigate allegations about the Complainant or Respondent that are not included in the written notice of allegations described above, the Title IX Coordinator will provide written notice of the additional allegations to the parties whose identities are known.

Formal Grievance Process: Investigation

- **Overview of the Investigative Process**

Once a formal complaint is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the Title IX Coordinator will appoint an Investigator to conduct a formal investigation into the allegations. The appointed Investigator will meet standards set out in the "Title IX Personnel" section above.

The Investigator will contact the parties whose participation is invited or expected for an investigative interview and will provide written notice of the date, time, location, participants, and purpose of the meeting. Parties will be given reasonably sufficient time to prepare to participate.

The Investigator will make all reasonable efforts to complete the investigative report within 60 business days. This timeline may vary depending on the size of the formal complaint, the amount of evidence to be considered, the number of persons to be interviewed, and additional factors. If the investigative report is going to take longer than 60 business days to complete, the parties and their advisors will be given notice.

The parties and their advisors are not authorized to disseminate any portion of the investigative report sent to them through electronic or hardcopy means. Unauthorized video or audio recordings of investigative interviews are not permitted by the parties or their advisors.

- **Equal Opportunity Given to the Parties**

All parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Both the Complainant and the Respondent have the right to meet separately with the Investigator.

Both the Complainant and the Respondent are permitted to provide names of potential witnesses to the Investigator. The Investigator will determine which of those potential witnesses, or other persons, may have relevant information about the alleged conduct; and the Investigator may request statements, either orally or in writing.

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigator. For instance, evidence may include any facts or information presented in support of or opposition to an allegation, including, but not limited to, text messages, email exchanges, timelines, receipts, photographs, etc. The Investigator may also consider additional documents, items, or other relevant information.

All parties will be given an equal opportunity to inspect and review any evidence obtained as a part of the investigation that is directly related to the allegations raised in the formal complaint. This includes evidence that the Academy does not intend to rely on in reaching a determination regarding responsibility; and inculpatory or

exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

- **Review of Evidence**

All parties must submit to the Investigator any evidence that they would like the Investigator to consider prior to the completion of the investigative report.

Prior to the completion of the investigative report, the Academy will send to each party and the party's advisor, if any, the evidence subject to the parties' inspection and review in an electronic or hardcopy format. (Note: All evidence that was subject to the parties' inspection and review will be made available at the live hearing to give each party equal opportunity to refer to such evidence during the live hearing, including for purposes of questioning).

Each party will be given 10 days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

- **Completion of the Investigative Report**

Either after the Investigator receives the parties' written responses or after the 10-day time limit has expired, the Investigator will create an investigative report that fairly summarizes the relevant evidence.

At least 10 days prior to the live hearing, the Investigator will send a copy of the investigative report in an electronic or hardcopy format to each party; their advisors, if applicable; and the Title IX Coordinator. The parties will be given the opportunity to review the investigative report and provide a written response.

Formal Grievance Process: Live Hearing

- **Role of the Decision-Maker(s)**

Shortly after receiving the final investigative report, the Title IX Coordinator will appoint one or more Decision-Maker(s) to conduct the live hearing. The Complainant and the Respondent will be notified of the identity of the Decision-Maker(s) in advance of the live hearing. If any party has concern(s) of potential bias or conflict of interest in regard to the Decision-Maker(s), the party must alert the Title IX Coordinator of said concern(s) no later than two days prior to the live hearing. Upon receiving a report of bias or conflict of interest, the Academy will evaluate the report, and if it is determined that a conflict of interest or bias exists, the Academy will appoint another individual to serve in the role. Prior to the live hearing, at the discretion of the Academy, the Decision-Maker(s) may schedule a preliminary conference with each of the parties and their advisors to provide an overview of the live hearing procedures.

- **Written Response to the Final Investigative Report**

Prior to scheduling the live hearing, the Decision-Maker(s) will contact each party to provide a deadline for which they can submit their written responses to the final investigative report.

- **Live Hearing Schedule**

Promptly after receiving the parties' written responses, the Decision-Maker(s) will provide the parties, their advisors, and witnesses with written notice of the live hearing date, time, and location. In this notice, the parties will be asked to inform the Decision-Maker(s) right away if there is a scheduling conflict that would make it impossible to attend the live hearing.

- **Live Hearing Location and Attendance**

At the request of either party, the Academy will provide for the live hearing to occur with the parties located in separate rooms. Live hearings may be conducted with all parties physically present in the same geographic location,

or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. In either of the aforementioned situations, the Academy will provide technology that enables the participants to simultaneously see and hear each other.

The only persons permitted to attend the live hearing are the parties, their advisors, the witnesses, and designated Academy personnel. The witnesses are only to be in attendance at the live hearing during the time in which they are offering information or answering questions. Otherwise, the witnesses are to be waiting in a designated room (or virtual room) until called upon.

- **Recording of Live Hearing**

The Academy will create an audio or audiovisual recording, or transcript of any live hearing. The choice of whether it is an audio or audiovisual recording, or transcript is made in the sole discretion of the Academy. The audio or audiovisual recording, or transcript will be made available to both parties for inspection and review. In compliance with disability laws, the Academy will ensure that all parties are properly accommodated with respect to use of technology and reliance on visual, audio, or written communication.

- **Standard of Evidence**

Clear and Convincing is the standard of evidence to be used to determine whether a Respondent is responsible for the prohibited conduct alleged in the formal complaint (*see* the "Relevant Definitions" section above). This is the standard of evidence that will be applied to all formal complaints of prohibited conduct described in this policy, regardless of whether the Respondent is a student or employee of the Academy.

- **Questioning During Title IX Live Hearings**

At the Title IX live hearing, the Decision-Maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

Before a party or witness answers a question, the Decision-Maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker(s) has complete discretion to make relevancy determinations.

Advisors are required to engage with parties, witnesses, and the Decision-Maker(s) in a respectful and non-aggressive manner.

Questions will be asked directly, orally, and in real time from the advisors of the parties, not from the parties themselves. Advisors are permitted to ask the other party and witnesses relevant questions and follow-up questions, including those challenging credibility.

The advisor may only ask relevant questions to each party and witness. Repetitive questions asked at the Title IX live hearing may be deemed irrelevant.

If a party or witness does not submit to questions at the Title IX live hearing, the Decision-Maker(s) is prohibited from drawing an inference regarding the determination of responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer questions.

Written Determination of Responsibility

At the conclusion of the live hearing, the Decision-Maker(s) will undertake an objective evaluation of all relevant evidence (including both inculpatory and exculpatory evidence). In addition, the Decision-Maker(s) will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness. Upon a determination of responsibility using the Clear and Convincing Evidence standard described herein, the Decision-Maker(s) will make their best effort to simultaneously issue a written determination regarding responsibility to both parties.

The written determination regarding responsibility will include:

- Identification of the allegations potentially constituting prohibited conduct;

- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held;

- Findings of fact supporting the determination;

- Conclusions regarding the application of relevant policies to the facts;

- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the Academy's education program or activity will be provided by the Academy to the Complainant; and

- The Academy's procedures and permissible bases for the Complainant or Respondent to appeal.

The determination of responsibility will be deemed final on either of the following dates:

- If an appeal is filed, the date that the Appeal Officer(s) provides the parties with the written determination of the result of the appeal; or

- If an appeal is not filed, the date on which an appeal would no longer be considered timely.

Remedies and Disciplinary Sanctions

Remedies will be designed to restore or preserve the Complainant's equal access to the Academy's education program or activity. Disciplinary sanctions may range from warnings to dismissal or termination, depending on the magnitude and specifics of the violation.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals for a Dismissal of a Formal Complaint and/or Determination of Responsibility

Both parties have the option to appeal a dismissal of a formal complaint and/or the determination regarding responsibility on the following basis:

- A procedural irregularity that affected the outcome of the matter;

- New evidence that was not reasonably available at the time determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

- The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. If it is found that a party was aware of a potential bias or conflict of interest prior to the determination regarding responsibility and the party knowingly withheld that information from the Academy, the party will not be permitted to raise that allegation of bias or conflict of interest on appeal.

All appeals must be submitted in writing to the Appeal Officer(s) within 5 days of receiving the written determination of responsibility.

Within 7 business days of receiving the written appeal, the Appeal Officer(s) will review the appeal to determine whether it falls within one of the three bases for appeal as described above. If it does, the Academy will promptly notify the other party when a valid appeal is filed and will implement appeal procedures equally for both parties. If it does not, the appealing party will be notified in writing.

The other party will be given 5 business days from the date of notification of the appeal to submit to the Appeal Officer(s) a written response to the appeal.

Either after receiving the other party's written response to the appeal, or after the time for the other party to submit

a written response has expired, the Appeal Officer(s) will make a determination regarding the outcome of the appeal within 7 business days.

Upon determination of the outcome of the appeal, the Appeal Officer(s) will provide written notice of the decision to both parties and will make all reasonable efforts to simultaneously notify said parties. This written notice will describe the rationale for the result of the appeal.

The Academy will ensure that the Appeal Officer(s) is not the Investigator, Title IX Coordinator, or the Decision-Maker(s) who made the decision regarding responsibility and/or sanctioning. The Appeal Officer(s) will abide by the procedures described in the "Title IX Personnel" section above.

Potential Delays in the Informal Resolution Process or Formal Grievance Process

The Academy will make all reasonable efforts to abide by the timelines described throughout this policy. If the timeline for any stage of the informal resolution process or the formal grievance process must be changed, the Complainant and Respondent will receive written notice of the temporary delay or limited extension of timelines and the reasons for the change. Possible reasons for temporary delays or extensions of timelines include, but are not limited to, the absence of a party or a party's advisor, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, etc.

Request for Extension of Timelines

If a party has good cause and needs an extension during the formal grievance process, they can contact the Title IX Coordinator to request such extension. It is within the Title IX Coordinator's discretion to grant such a request. In the case that an extension is granted, the same extension will be given to the other party.

Recordkeeping

The Academy will document and maintain in Academy records for a period of seven years the following:

- All materials used to train Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes. The Academy will make these training materials publicly available on its website;
- Any informal resolution and the results therefrom;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance of actions taken in response to Title IX reports or formal complaints, the Academy will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Academy's education program or activity. If the Academy does not provide a Complainant in a Title IX case with supportive measures, then the Academy must document the reasons why such a response was not clearly unreasonable in light of the known circumstances;
- Each formal investigation, including any determination regarding responsibility and any audio or audiovisual recording, or transcript of the live hearing;
- Any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the Academy's education program or activity; and
- Any appeal and the result therefrom.

Anti-Hazing Policy and Prevention

1. Policy Statement: Collectiv Academy prohibits hazing in any form. Hazing is prohibited whether it occurs on or off campus, in person or through electronic communications, and whether or not a person agrees to participate.

This policy applies to all students, student organizations, clubs, and other groups affiliated with the institution.

2. Definition of Hazing: Hazing includes any intentional, knowing, or reckless act committed against another person during initiation into, affiliation with, or maintenance of membership in a student organization that causes or creates a risk of physical or psychological injury beyond the reasonable risks encountered in the institution or organization.

Examples may include, but are not limited to:

- Physical abuse, assault, or forced physical activity.
- Forced or coerced consumption of alcohol, drugs, food, or other substances.
- Sleep deprivation, exposure to extreme conditions, or confinement.
- Humiliation, intimidation, threats, or degrading activities.
- Activities that interfere with academic responsibilities or personal safety.
- Requiring new members to engage in illegal, dangerous, or abusive conduct.

A person's willingness to participate does not make hazing acceptable.

3. Reporting Hazing: Students, employees, and other members of the campus community are encouraged to report suspected hazing promptly. Reports may be submitted to the director or designee.

Reports should include a dated statement with the individuals or organizations involved, the date and location of the incident, a description of the conduct, and any supporting information.

The Academy will explain available reporting options and applicable confidentiality limitations. Retaliation against anyone who makes a good-faith report or participates in an investigation is prohibited.

4. Investigation and Institutional Response

The institution will review reports of suspected hazing and determine appropriate next steps under its established procedures. Investigations will be conducted by the director or designee in accordance with applicable policies. The institution may take immediate measures when necessary to protect the individual(s) while a matter is reviewed. A final determination will be published within 14 days.

When a violation is established, disciplinary action may be imposed consistent with institutional policies. Sanctions may include probation, suspension or expulsion of individual students, and suspension or loss of recognition of a student organization.

Suspected criminal conduct may also be referred to law enforcement.

5. Prevention and Awareness Programs

The institution is committed to preventing hazing through education, awareness, and early intervention.

Prevention and awareness activities may include:

- Education for students, faculty, and staff about recognizing and reporting hazing.
- Information about the physical, psychological, academic, and legal consequences of hazing.

The institution will maintain a description of its prevention and awareness programs, including their frequency and intended audiences, as required by applicable law.

6. Applicable Laws

Hazing may violate institutional policy and applicable federal, state, and local law. The institution will provide information about applicable hazing laws as required.

Massachusetts General Laws Chapter 269, §§ 17–19, the Commonwealth imposes strict criminal penalties and compliance mandates regarding hazing. The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Breakdown of the Anti-Hazing Statutes:

Section 17: Crime of Hazing — Defines hazing as any method of initiation into a student organization that willfully or recklessly endangers physical or mental health. Penalties: Principal organizers or participants face a fine of up to **$3,000**, imprisonment for up to **one year**, or both. Crucially, student **consent is not a valid legal defense**.

Section 18: Failure to Report Hazing — Establishes a legal obligation for anyone who is at the scene of a hazing incident and knows someone is a victim to report it to law enforcement as soon as practicable, provided they can do so without personal peril. Failure to report carries a fine of up to **$1,000**.

Section 19: Distribution and Compliance Reporting — Requires schools to annually distribute copies of sections 17–19 to all full-time students, groups, teams, and athletic coaches, and to file proof of compliance.

Institutional disciplinary proceedings may occur independently of criminal proceedings.

7. Annual Security Report and Transparency

The institution will include the hazing policy, reporting procedures, investigation process, applicable legal information, and required prevention and awareness program descriptions in its Annual Security Report.

The institution will also collect and disclose hazing incident statistics as required by the Clery Act, as amended by the Stop Campus Hazing Act.

If an instance of hazing occurs, the institution will publish and update a separate Campus Hazing Transparency Report summarizing the findings of the hazing violation involving the student organization and post it on the website.

8. Policy Review

This policy will be reviewed periodically by Collectiv Academy to ensure consistency with applicable law and institutional requirements.

Questions: Brittany Brown, Academy Director of the Braintree Academy, serves as the Anti Hazing Coordinator. The Anti Hazing Coordinator can be contacted by mail, at 727A Granite Street Braintree, MA 02184. Phone: 781.428.3099, or email: bbrown@tg-ne.com.