



**RHODE ISLAND COLLEGE**

**ANNUAL SECURITY REPORT**

**&**

**FIRE SAFETY REPORT**

**2018**

# ANNUAL SECURITY REPORT

## **A Message from the Chief of Campus Police:**

The Rhode Island College (the “College”) Campus Police Department (“Campus Police”), a division of the College's Department of Security & Safety, strives to ensure that members of the College community learn, work and live in safe and secure environments. As such, the purpose of this report is to provide the College community, including students, prospective students and employees, with crime and fire statistics (for the three previous calendar years) and important information on safety and security, law enforcement, crime prevention and reporting, fire safety, disciplinary procedures, educational services, resources and other helpful information, with the hopes of creating a safer and more secure environment by aiding in the prevention of crimes and enabling people to protect themselves on campus.

This report is also prepared to fulfill the requirements of Title IV of the Higher Education Act of 1965, as amended, as well as the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act (the “Clery Act”). The Clery Act is a federal law requiring colleges and universities that receive federal financial assistance to disclose annually, certain statistics and information about campus crime and safety and security policies to current and prospective students and employees. Campus Police prepares this report by collecting relevant information and statistics from Campus Security Authorities, campus departments and local law enforcement.

The College distributes a notice of the availability of this Report by October 1 of each year to every member of the campus community. Anyone, including prospective students and employees, may obtain a paper copy of this report from Campus Police located in the Welcome Center (East Entrance).

Please contact Campus Police at 401-456-8888 with any questions.

***Chief Frederick W. Ghio***  
Director of Security  
Chief of Campus Police  
Rhode Island College

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## **Statement of Nondiscrimination and Affirmative Action**

Pursuant to the philosophy of the Board of Education and the Council on Postsecondary Education, Rhode Island College prohibits discrimination, including harassment and retaliation, on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. Rhode Island College also prohibits all forms of sexual harassment and sexual violence.

The College's policy of nondiscrimination is consistent and compliant with the procedural and substantive provisions of applicable state and federal law and regulations including, but not limited to, Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Educational Amendments to the Higher Education Act; the Age Discrimination in Employment Act of 1967; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990; ADA Amendment Act of 2008; the Higher Education Act of 1965, as amended; the Violence Against Women Reauthorization Act of 2013; the Genetic Information Nondiscrimination Act, Executive Order 11246, as amended; Executive Order 91-39; Executive Order 92-2; and Rhode Island General Law §28-5.1, as amended.

## **Campus Law Enforcement Policies**

Campus Police seeks to ensure that the rights of every member of the campus community are respected and that there exists a safe and secure atmosphere, conducive to the pursuit of educational objectives. Campus Police is responsible for planning, directing and implementing guidelines pursuant to established College security and safety policies.

Campus Police officers are on duty 24 hours a day, seven days a week. The 24-hour security operation number is 401-456-8888. All Campus Police officers have full arrest powers and are required to be graduates of the Rhode Island Municipal Police Academy. New officers must have served with a municipal or state police agency prior to coming to the College. Crime information is exchanged between Campus Police, North Providence and Providence police departments and the Rhode Island State Police. Campus Police cooperates fully with federal and state agencies and local police departments, in accordance with law. The College does not have any written memoranda of understandings (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses.

## **Campus Security Authorities**

A Campus Security Authority (CSA) is a term used in the Clery Act to describe someone who has significant responsibility for student and campus activities. The regulations that govern the Clery Act define a CSA as: (1) A campus police department or a campus security department of an institution; (2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police or security department, such as an individual who is responsible for monitoring entrance into institutional property; (3) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report offenses; and (4) An official of an institution who has significant responsibility for student and campus activities, including but not limited to, student housing, student discipline, and campus judicial proceedings (official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution).

## **Confidential Assistance**

The Counseling Center (401) 456-8094, Health Services (401) 456-8055, and the College Pastor (401) 456-8791, provides a mechanism whereby members of the campus community may confidentially seek advice and discuss options as victims or witnesses. Disclosing crimes, including crimes involving sexual assault, domestic violence, dating violence and stalking, to responsible employees and campus security authorities will not be confidential and may result in an investigation by the College. Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the annual security report through the Counseling Center, Health Services or Pastor. Pastoral and professional counselors, and health service providers are, at their discretion, encouraged to inform those they counsel or provide treatment to of procedures for reporting crimes voluntarily and confidentially for inclusion in the College's annual security report and Web-based report to the Department of Education.

## **Crime Prevention**

Campus Police posts crime prevention tips and campus crime statistics on the Campus Police's webpage. Crime prevention and safety materials are available at the Campus Police office located in the Welcome Center (East Entrance). Campus Police speaks with student groups and other campus organizations about crime and other safety issues and provides campus advisories on specific security incidents. Campus Police, in collaboration with various stakeholders on campus, is working to develop additional programs designed to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others, and to inform students and employees about crime prevention. Campus Police will notify the campus community as programs become available.

## **Procedures for Students and Others to Report Criminal Actions or Other Emergencies Occurring on Campus**

All criminal actions or other emergencies occurring on campus should be reported immediately to Campus Police at 401-456-8888. In the event of an immediate threat to a person's health or safety, there are 39 "Emergency Blue Light" telephones throughout the campus. Campus Police officers will respond to all calls for assistance, either by vehicle or foot, and will evaluate the situation and assist in its resolution. All persons are encouraged to report all crimes in an accurate and prompt manner to Campus Police and to local law enforcement agencies when the victim of a crime elects to, or is unable to, make such a report.

## **Making Timely Warning Reports to Members of the Campus Community Regarding the Occurrence of Clery Act Crimes**

A timely warning is a way to alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Timely warnings will be issued for all Clery Act crimes that occur in the College's Clery Act geography that are reported to Campus Police, campus security authorities, and local police agencies, which are considered by the Chief of Campus Police or designee to represent a serious or continuing threat to students and employees. The College will not issue a timely warning for non-Clery Act crimes or for crimes reported to those designated as confidential resources. Timely warnings will be issued as soon as pertinent information is available. The Chief of Campus Police or designee is responsible for issuing the timely warning. The timely warning will be disseminated by posting the warning in campus buildings, through emails, and through text messaging to those persons who have registered their cellular telephone numbers through the MyRIC computer system. In some instances, emergency blue light telephones on campus will be used as an alert system. For the purpose of making timely warning reports and annual statistical disclosure, students and employees should report Clery Act crimes to the Chief of Campus Police at 401-456-8888.

The College works cooperatively with Providence and North Providence Police, who inform the College about crimes reported to them that may warrant timely warnings being issued by the College.



## **Daily Crime Log**

Campus Police maintains a Daily Crime Log, written in a form that can be easily understood, in which all criminal incidents and alleged criminal incidents that are reported to Campus Police, which occur on campus, in or on non-campus buildings or property or on public property within the campus or immediately adjacent to and accessible from the campus, and within the patrol jurisdiction of Campus Police, are recorded. The Daily Crime Log includes the following information: the date the criminal incident or alleged criminal incident was reported, the date and time the criminal incident or alleged criminal incident occurred, if known; the nature of the criminal incident or alleged criminal incident, the general location in which the criminal incident or alleged criminal incident occurred and the disposition of the complaint, if known. All criminal incidents and alleged criminal incidents reported to Campus Police are entered into the Daily Crime Log within two business days of when the criminal incident or alleged criminal incident was reported. This includes crimes that are reported directly to Campus Police. All entries in the Daily Crime Log are open to public inspection within two business days of when an initial report is made to Campus Police unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim(s). Additionally, where there is clear and convincing evidence that the release of information would: jeopardize an ongoing investigation; jeopardize the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence, Campus Police will temporarily withhold only that information that could cause a specifically identified adverse effect, and will disclose such information once the adverse effect is no longer present. The most recent 60-day period of the Daily Crime Log is available for public inspection, free of charge, upon request, during normal business hours in the Campus Police office in the Welcome Center (East Entrance). Campus Police will make any portion of the log that is older than 60 days available within two business days of a request for public inspection.

## **Crimes of Violence**

The College will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim. Additionally, the College is required to provide both the accused and the accuser with simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking. In these cases, it is not necessary for a victim to make a written request.

## **Emergency Response and Evacuation Procedures**

Upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees, the College will immediately notify the campus community. An “immediate” threat includes an imminent or impending threat. Confirmation means that a College official(s) has verified that a legitimate emergency or dangerous situation exists. Confirmation doesn’t necessarily mean that all of the pertinent details are known or even available. In a significant emergency or a dangerous situation, Campus Police officers will secure all buildings, as necessary, and communicate information about the emergency through

emails, text messaging (to those persons who have registered their cellular telephone numbers for this service through the MyRIC computer system), and postings on the College website. In some instances, emergency blue light telephones on campus will be used as an alert system. An explanation of how to sign up for emergency mobile phone updates can be found on the website at <https://my.ric.edu/psp/portal/?cmd=login>. The College uses overlapping means of communication in case one method fails or malfunctions.

Individuals can report emergencies by calling Campus Police at 401-456-8888.

The Chief of Campus Police or designee is responsible for confirming that there is a significant emergency or dangerous situation. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. If the emergency requires that only a portion of the community be notified, then there will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action. The Chief of Campus Police will consult with members of the Office of the President and/or the College's CARE Team, to determine what information will be contained in a notification, including how much information is appropriate to disseminate at different points in time. Depending on what segments of the community the notification targets, the content may differ.

The Chief of Campus Police or designee will initiate notifying the campus community that there's an emergency or dangerous situation. The Chief of Campus Police or designee will, without delay, and taking into account the safety of the community, determine the content of the notification (as explained above) and initiate the notification system, unless issuing a notification will, in the professional judgment of the Chief of Campus Police or designee, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. As soon as the Chief of Campus Police or designee has confirmed that a significant emergency or dangerous situation exists, the Chief of Campus Police or designee will take into account the safety of the campus community; determine what information to release about the situation; and begin the notification process. The only reason the Chief of Campus Police or designee would not immediately issue a notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim; contain the emergency; respond to the emergency; or otherwise mitigate the emergency.

The College will disseminate emergency information to the larger community, i.e., individuals and/or organizations outside of the campus community via email. The Chief of Campus Police or designee is responsible for developing the information to be disclosed and making sure that it is disseminated to the larger community.

The College will test the emergency response and evacuation procedures on at least an annual basis. The test will be designed to assess and evaluate the emergency plans and capabilities. Campus Police will maintain information regarding annual tests, including a description of the test, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced.

The College posts information on the Campus Police website regarding emergency response, including but not limited to active shooter resources and information, which can be found at <http://www.ric.edu/campuspd/Pages/Emergency-Response-Training.aspx>

Additionally, the College publishes an emergency procedures reference guide, which includes the following information:

### Campus Violence/Active Shooter

If you are a victim or witness seek cover or safety. Call 911 and/or activate an emergency campus call box immediately! Advise the dispatcher of the following: • Your name, location and type of incident/violence. • Be prepared to answer questions related to injuries, weapons and information about the attacker. If the incident is in your location, hide: • HIDE in an area out of the attacker(s) view and remain quiet. • BLOCK entry to your hiding place, lock doors, if possible, turn off lights and ringers on mobile devices. • When an opportunity occurs to leave your location–seek cover or safety. If the incident is away from you, evacuate: • Have an escape route and plan in mind. • Leave your belongings behind. Keep your hands visible. If confronted by a threatening person: • Stay at a safe distance, if possible. • Try and get the attention of students and co-workers so they can call 911. • Distract and evade. Take action: • AS A LAST RESORT and only when your life or the lives of others are in imminent danger. What to do when law enforcement arrives: • Remain calm and follow officers' instructions. • Immediately raise your hands and spread your fingers. • Keep hands visible at all times. • Avoid making quick movements towards officers such as attempting to hold on to them for safety. • Avoid pointing, screaming and/or yelling. • DO NOT stop to ask officers for help or directions when evacuating, just proceed in direction from which officers are entering the premises.

### Medical Emergency

Immediately call 911 and notify the RIC Campus Police at x8888. • Send someone to the building entrance to guide first responders. • Comfort the victim. • Avoid moving victims.

### Bomb Threat/Explosions

If you receive a telephone threat: • Keep the caller on the line. • Listen carefully. Note the time of the call and the telephone number calling. • Write down pertinent information such as background noises, gender of the caller and voice pitches and patterns. • Ask the following questions: 1. Where is the bomb located? 2. When will it go off? 3. What does it look like? 4. What kind of bomb is it? 5. What will make it explode? 6. Did you place the bomb? 7. Why? 8. Name. • Immediately call 911 and RIC Campus Police at x8888. • Always err on the side of safety and evacuate the area. If you locate or find a suspicious item or package, call 911 and RIC Campus Police at x8888. • Stay away from the item or package. • DO NOT allow anyone to handle or go near the package. • Direct individuals to evacuate or move to a safer location and take personal items with you. • Follow the room/office evacuation plan. • If a suspicious package is handled, avoid dropping or any other abrupt movement; gently set the package down. • AVOID the use of cell phones, radios or other wireless devices. DO NOT turn light switches on or off, activate electrical devices or switches around the package. • If explosion occurs inside–evacuate or move to safer location. • If explosion occurs outside–remain inside.

### Hazardous Materials

All chemical fires and spills (no matter how small) should be reported to the RIC Police Department at x8888 or (401) 456-8888. If a chemical spill occurs: • Follow the posted instructions on the Material Data Sheets (MDS). • Evacuate the area if needed and call 911. Blood-borne Pathogens Contamination: • If you come into contact with a suspected Blood-borne Pathogen, immediately wash area to avoid spreading.

### Tornado/Severe Weather

If a tornado warning is issued: • Proceed to an interior room or corridor and crouch near the floor, covering your head. • Stay away from windows, mirrors, glass and large unsecured objects, such as desks or filing cabinets. • DO NOT use elevators. • If requested assist persons with disabilities to shelter areas on the same floor. • Remain in shelter areas until the college issues an “All Clear”.

### Fire

Rescue - Remove anyone from danger, close doors to confine smoke and fire after ensuring rooms are empty. Alarm–Call 911 or activate nearest pull station. • Notify the RIC Police Department at x8888 or (401) 456-8888. Evacuation–Proceed immediately to a safe exit and begin to evacuate UNLESS told otherwise by emergency personnel. • DO NOT open any door that appears or feels hot. • DO NOT return to your area for personal belongings. • IF SMOKE is PRESENT–“Stay low & Go.” The best air quality is near the floor. • DO NOT enter/use elevators in fires. • If you are in an elevator when the alarm sounds, DO NOT push the Emergency Stop Button. If trapped in your office or classroom: • Notify 911 and make yourself visible to responding emergency personnel. • Wedge cloth material along the bottom of the door. • Close as many doors as possible between you and the fire. If you catch fire: • DO NOT RUN. • STOP where you are, DROP to the ground and ROLL over to smother the flames.

### Power Outage/Gas Leak

If a power outage occurs: • If possible, call the RIC Police Department at x8888 or (401) 456-8888. • Provide assistance to others in your area that may not be familiar with the building/work space. • Turn off equipment such as computers and monitors to avoid potential damage from surges once the power is restored. • If you are in a dark area proceed to an area with emergency lights or natural lighting. • REMEMBER–many mobile devices are equipped with flashlight features. • If you are in an elevator, stay calm. Use the emergency button or contact Public Safety. If you suspect a gas leak: • Immediately evacuate the area. • Call 911 and Public Safety. • DO NOT turn on or ignite any electronic device or electrical equipment.

### Earthquake

Call 911. • Pick a Safe Place–under sturdy furniture away from windows and items that may fall. • Wait in Place until shaking stops. The shorter the distance to safety, the less likely you will be injured. • Be ready for aftershocks. Move carefully. Watch for debris and fires. • When evacuating Use Stairs, NOT elevators. • If you are outside during an earthquake STAY outside. Crouch down and cover your head.

The College works cooperatively with Providence and North Providence and is notified when there are situations off campus that may warrant an emergency response by the College.

## **Security of and Access to Campus Facilities, including Campus Residences**

Campus Police officers are responsible for unlocking most administrative and academic buildings each morning and securing these buildings in the evening, normally after 11:00 p.m., or when not in use. Buildings are also opened and closed for scheduled events that take place after normal working hours. If faculty or staff must gain entrance to a building outside normal working hours, Campus Police will assist. If faculty or staff enters their assigned area after hours without security assistance, they should notify Campus Police. Faculty, who have given students permission to work in academic buildings after

hours, must notify Campus Police in writing. Students are encouraged to work in groups and not alone when in buildings after hours. Campus Police can assist resident students who have locked themselves out of their rooms between the hours of 11:30 pm to 7:30 am and during the day on weekends. Campus Police will call the Resident Assistant on-call for the specific residence hall. Students must have proper identification. The Office of Residential Life and Housing will assist students with these problems during normal business hours. All entrances to the residence halls are locked 24-hours a day and monitored by residence hall desk staff during evening hours. These entrances are equipped with card-access locks. When not in their rooms, students should secure their windows and doors. This simple practice will help protect themselves and their property. Each residence hall is staffed with a Director and several student Resident Assistants, who are responsible for the enforcement of interior security and safety regulations.

### **Security Considerations used in the Maintenance of Campus Facilities**

Campus Police regularly checks to make sure pathways on campus are well lit and egress lighting is working in hallways and stairwells in buildings on campus.

### **Off-Campus Behavior**

Campus Police monitors off-campus criminal activity that may affect the College community in order to provide timely warnings and other advisories.

Campus Police does not routinely record statistics on crimes that occur off College property except as required by the Clery Act. Campus Police will assist any member of the College community in determining an appropriate point of contact for municipal and state police departments. Student behavior occurring off campus that is in violation of the Student Conduct Code and/or adversely affects the College or its relationship with the surrounding community may subject students and/or student organizations to disciplinary action. Victims of crimes occurring off campus, including, but not limited to sexual assault, domestic violence, dating violence or stalking, may obtain assistance from Campus Police in reporting the crime to the appropriate municipal or state police departments. Whether or not a crime is reported to law enforcement authorities, members of the College community may make an internal complaint to the College if the crime was committed by a member of the College community.

The College does not have any officially recognized student organizations with non-campus locations.

### **Possession, Use and Sale of Alcoholic Beverages or Illegal Drugs and Enforcement of State Underage Drinking Laws and Federal and State Drug Laws**

Possession, use and sale of alcohol or illegal drugs by any students and/or their guest(s) on campus is prohibited. This policy applies to all campus facilities, including residence halls, and at all student activities and events presented on campus by a College-sponsored or a non-sponsored host. Exceptions to the alcohol policy may be granted by the Vice President for Student Affairs. At all such scheduled events, it is required that nonalcoholic beverages also be served. No mention of alcohol is to be included in any publicity or promotion of said events. Students who violate the aforementioned policies regarding alcohol or illegal drugs are subject to the general principles of the College judicial process through the Dean of Students office and/or the Student Conduct Board. Possible sanctions range from warnings up

through removal of attendance privileges at College events or institutional expulsion. In addition, members of the College community who violate the existing laws of the State of Rhode Island pertaining to alcohol possession, use and sale (including underage drinking), as well as the possession, use and sale of illegal drugs may risk prosecution under state and/or federal laws.

## **Drug and Alcohol Abuse Education Programs**

The College has a drug and alcohol abuse prevention program available to students and employees. Specifically, the College organizes educational programs and events that address the issues and health risks associated with alcohol and illicit drug abuse. The College also provides referrals and information on alcohol and drug assistance programs for faculty, students, and staff. Resources currently available for those in need of assistance for alcohol and drug problems include the following: **On Campus:** Alcohol education programs and information are offered throughout the year in many campus settings such as: Orientation, Athletic department, Residential Life, Dining Center, Health Services, Health Promotion, Counseling Center and Human Resources. Alcohol education/awareness/self-assessment is frequently sponsored by the Counseling Center or Health Services in conjunction with other campus offices. On-line screening is offered through the Counseling Center (BASICS program). **Off Campus:** LifeWatch Employee Assistance Program 800-333-6228, Alcoholic Anonymous (A complete listing of every AA meeting held all over Rhode Island) 401-438-8860, Alanon Support groups for friends and relatives of alcoholics 401-781-0044, Rhode Island Council on Alcoholism 401-725-0410, Narcotics Anonymous 877-461-1110, Cocaine Hotline(s) 1-800-662-HELP and 1-800-COCAINE, Butler Hospital 401-455-6214, and Roger Williams Hospital 401-456-2363.

## **Weapons Policy**

Possession of Weapons, or weapon facsimile, are prohibited. This prohibition shall not apply to students who are law enforcement officers or uniformed members of the armed forces in connection with their duties. This prohibition shall also not apply to those facsimiles used as part of an organized College-sanctioned event or academic activity. The possession and/or use of weapons or weapons facsimile of any kind are prohibited in the residence halls. The possession and/or use of weapons, or weapons facsimile, in the residence halls will result in immediate probation and administrative action up to and possibly including the termination of housing and referral for disciplinary action. For the purpose of this policy, the term “weapons” includes, but is not limited to, firearms of any nature or description, including shotguns, rifles, pistols and revolvers, paint ball guns, or BB/pellet guns; firearm replicas; ammunition; martial arts-type weapons; explosives (including fireworks); bows, crossbows, arrows; slingshots; switchblade knives, double-edged knives, hunting (fixed-blade) style knives of any length, throwing knives, or folding (pocket-style) knives with a blade length of three inches or greater; swords; pointed metal darts; mace, pepper gas/spray and other dangerous chemicals; or any other destructive device or instrument that may be used to do bodily injury or damage to property.

## **Educational Programs and Campaigns to Promote the Prevention and Awareness of Dating Violence, Domestic Violence, Sexual Assault and Stalking**

The College prohibits dating violence, domestic violence, sexual assault and stalking, as they are defined in institutional policy and for purposes of the Clery Act. Accordingly, the College offers

educational programs and campaigns to promote the prevention and awareness of dating violence, domestic violence, sexual assault and stalking. The educational programs and campaigns are designed to promote awareness and to provide education about preventing dating violence, domestic violence, sexual assault and stalking. The College offers prevention and awareness programming through Title IX, Student Affairs, Orientation, Residential Life, Greek Life, Human Resources, Counseling Center, Women's Center, Library and Campus Police. Programming includes information on prevention, awareness, risk reduction, bystander intervention, etc. and is provided in-person and on-line.

Recent programming includes:

- The Women's Center offers classes and larger events to prevent sexual and relationship violence and discuss consent;
- Green dot representatives conduct six-hour student trainings, one-hour first-year orientation trainings for all incoming first-year students, two-hour trainings for all resident assistants, one-hour trainings for athletes at their Athletic 101 classes; six-hour faculty/staff trainings, one-hour Greek Life trainings; other trainings for specific classes at the request of the professors;
- Gender and Women's Studies host educational events;
- Human Resources conducts trainings at faculty orientation;
- The Title IX Coordinator conducts trainings for responsible employees, campus security authorities and other employees (both faculty and staff), including but not limited to Campus Police, Residential Life staff and Residential Assistants, Athletics staff, Unity Center staff, Women's Center Staff, L4L Navigators and staff, Human Resources staff. The Title IX Coordinator also conducts trainings for all students at orientation and for first-year students at College 101 and offers resources and trainings for all students, faculty and staff throughout the academic year (including hosting informative webinars at CED-Institutional Equity).

## **Policies and Procedures for Addressing Sexual Assault, Domestic Violence, Dating Violence and Stalking**

The College is overseen by the Council on Postsecondary Education, an independent public corporation vested with the responsibility of providing oversight for the system of public higher education in Rhode Island. This system consists of three public institutions of higher learning, the University of Rhode Island (URI), the Community College of Rhode Island (CCRI), and the College. Accordingly, in addition to the College's policies and procedures, the College community members must also comply with policies and procedures issued by the Council. Therefore, there are several applicable policies and procedures for addressing sexual assault, domestic violence, dating violence and stalking as set forth below. Community members are encouraged to contact the College's Title IX Coordinator for more information or to visit the College's Title Webpage at <http://www.ric.edu/titleIX/Pages/default.aspx>.

## **Sexual Misconduct and Relationship Violence Policy for Complaints Against Students**

It is the policy of Rhode Island College (the "College") to prohibit all forms of discrimination on the basis of sex in any education program or activity pursuant to Title IX of the Education Amendments of 1972. Title IX states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education

program or activity receiving Federal financial assistance.” This prohibition against discrimination on the basis of sex applies to all persons, including third- parties. In addition to prohibiting discrimination on the basis of sex, it is the policy of the College to prohibit the crimes of dating violence, domestic violence, sexual assault and stalking, as they are defined for purposes of this Policy and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the “Clery Act”).

*Title IX Coordinator:* Margaret Lynch-Gadaleta, Director-Institutional Equity, serves as the College’s Title IX Coordinator. The Title IX Coordinator’s office address is 301 Roberts Hall, Rhode Island College, Providence, RI 02908. The Title IX Coordinator can be contacted at (401) 456-8387 or at [mlynchgadaleta@ric.edu](mailto:mlynchgadaleta@ric.edu). The Title IX Coordinator is responsible for monitoring compliance with Title IX; and coordinating and implementing a prompt, fair, impartial and equitable complaint process for Title IX Complaints, from the time a report is made, or when the College knows about prohibited behavior, until the final result.

*Parties:* The person who is directly impacted by a violation(s) of this Policy, will be referred to as the “Complainant.” The student responding to the complaint (i.e., the student reported to have violated this Policy) will be referred to as the “Respondent.”

*Application of this Policy:* This Policy outlines the rights of the Complainant and the Respondent when a violation(s) of this Policy is reported. This Policy applies to complaints made against students enrolled in the College. This Policy applies to all forms of sexual misconduct and relationship violence, including complaints of sexual and gender-based harassment, sexual assault, non-consensual sexual conduct, sexual exploitation, dating violence, domestic violence, stalking and retaliation, whether they occur on or off campus. For more information on the complaint process for complaints made against employees, please see [the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy](#).

*Application of the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy:* In addition to this Policy, all students must also comply with the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy. The definitions set forth in the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy are incorporated herein. For purposes of adjudication of complaints against students under the Title IX Complaint Process, the definitions set forth herein shall be utilized.

*Privacy and Confidentiality:* The College will make all reasonable efforts to protect the confidentiality of the Complainant, Respondent and other necessary parties by keeping all complaints and investigations private to the extent possible and will only disclose on a “need to know” basis. It is the expectation of the College that any persons who participate in the investigation and/or adjudication of violations under this Policy or otherwise gain knowledge thereof shall treat all information acquired, whether written or oral, as confidential, provided however, that the Complainant and Respondent may share such information with their advisor and legal representative, or any other person who may assist them in obtaining relevant information or otherwise defending their interests in the Title IX Complaint Process, as if applicable. If a Complainant requests anonymity or asks that the College not investigate and/or adjudicate the alleged violation, the College will make all reasonable efforts to honor the Complainant’s request, to the extent permitted by law. However, in certain circumstances, the College may not be able to grant the 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 College community.



Additionally, if the Title IX Complaint Process is initiated, the Respondent is entitled to a summary of the allegations, which will include the identities of the parties involved, the conduct alleged, and the date and location of the alleged incident(s), if available. In cases where a Complainant's request for anonymity is granted, the College will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the Complainant. The College may maintain, as confidential, any accommodations or interim measures provided to the Complainant or Respondent, as permitted by law and to the extent that maintaining such confidentiality does not impair the ability of the College to provide the accommodations and/or interim measures.

*Employees' Responsibility to Report Violations of this Policy:* The following individuals shall be considered "Responsible Employees" at the College: (1) any employee who has the authority to take action to redress discrimination on the basis of sex; (2) any employee who has been given the duty to report discrimination on the basis of sex or other misconduct to the Title IX Coordinator or other appropriate school official; or (3) any individual who a student could reasonably believe has this authority or responsibility. All Responsible Employees are obligated to report discrimination on the basis of sex that they know, or in the exercise of reasonable care should have known about, to the Title IX Coordinator or designee. Mental health counselors, pastoral counselors, psychologists, health services staff or other employees with a professional license that requires confidentiality, and the individuals they supervise, are not Responsible Employees.

*Violations:* The types of sexual misconduct and relationship violence prohibited by this Policy are defined below. (It is important to note that sexual misconduct and relationship violence is prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Complainant or Respondent).

*Sexual Harassment:* Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when: (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's education, employment, or participation in programs or activities at the College; (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual's education, employment, or participation in programs or activities at the College; or (3) Such conduct is so severe or pervasive that it has the purpose or effect of unreasonably interfering with an individual's education, employment or participation in programs or activities at the College and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the College. Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following: (1) Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact. (2) Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts, and/or sharing sexual images via social media without consent. (3) Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence, stalking and rape. Sexual harassment need not be intentional. Examples may also include, persistent and inappropriate personal attention in the face of repeated

rejection; unwelcome comments about an individual's sexual orientation, gender, gender identity, or gender expression; inappropriate written conduct containing comments, words, jokes, or images that are lewd or sexually suggestive or relate in an unwelcome manner to an individual's sexual orientation, gender, gender identity, or gender expression. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender- stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment under this Policy. The College will consider the effects of both on and off campus conduct when evaluating whether there is a hostile environment on campus.

*Sexual Assault:* Sexual assault includes any of the following:

*Rape:* The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim; *Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where a person is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity; *Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or *Statutory Rape:* Sexual intercourse with a person who is under the statutory age of consent. The age of consent in Rhode Island is 16 years of age (See RIGL § 11-37-6).

*Non-Consensual Sexual Contact:* Non-consensual sexual contact includes any touching (however slight) with any part of the body or other object, by any person upon another, without consent, for the purpose of sexual gratification.

*Sexual Exploitation:* Sexual Exploitation is purposefully taking sexual advantage of another person without consent. (Sexual exploitation may include, but not be limited to, voyeurism; disseminating, streaming, or posting pictures or videos of another in a state of undress or of a sexual nature without the person's consent; exposing one's genitals to another person without consent, etc.).

*Dating Violence:* Dating violence is defined as physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the physical violence or the threat of physical violence has been committed. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

*Domestic Violence:* Domestic violence is defined as physical violence committed: (A) by a current or former spouse or intimate partner of the victim; (B) by a person with whom the victim shares a child in common; (C) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or

intimate partner; (D) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) 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 in which the crime of violence occurred.

*Stalking:* Stalking occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Retaliation:* Retaliation against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this Policy is prohibited by Title IX and by the College. Retaliation includes, but is not limited to threats (both verbal and physical), intimidation, harassment, coercion, and other adverse action. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of sexual misconduct or relationship violence as defined herein. Examples of retaliation may include pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property, 6 sending unwelcomed messages by electronic media, encouraging friends to relay unwelcomed messages, stalking or threatening, etc.

*Consent:* 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 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.

*Incapacitation:* 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 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, or due to intellectual or other disability. When determining incapacitation, the inquiry is whether a sober, reasonable person in the Respondent's position should have known that the Complainant was incapacitated and could not provide consent. Evidence of incapacitation may include, but is not limited to, slurred speech, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.

**Coercion:** Coercion is conduct, which can be verbal and/or physical, that includes intimidation, manipulation, or threats (either express or implied), that would reasonably cause a person to be in fear of immediate or future harm and that is undertaken to compel a person to engage in sexual activity or contact.

**Force:** Force is the use of or threat of physical violence or intimidation, which prevents an individual's from making a knowing and voluntary choice to engage in sexual activity or contact.

**Procedures Individuals Should Follow to Report a Violation of this Policy:** To report violations of this Policy, individuals (including students, employees and/or third- parties) should follow the procedures outlined below:

**Reporting a Violation of this Policy:** Violations of this Policy may be reported verbally or in writing to the Title IX Coordinator or to any Responsible Employee. The Responsible Employee will provide all known details of the violation(s) to the Title IX Coordinator or designee. The Title IX Coordinator or designee will review the report(s) in accordance with the College's Title IX Complaint Process. Reports may also be made to the following individuals: Title IX Deputy Coordinator, Dr. Marissa Weiss, Interim Associate Dean of Students, mweiss@ric.edu or 401-456-8149; or Title IX Deputy Coordinator, Jo-Ann D'Alessandro, Associate Director of Athletics, Intercollegiate Athletics, Intramurals, and Recreation, jdalessandro@ric.edu or 401- 456-9882.

**Confidential Reporting:** confidential reports can be made to: RIC Health Services: 401-456-8055, RIC Counseling Center: 401-456-8094, or to the RIC Interfaith Services: 401-456-8168.

**Law Enforcement:** While not required, the College strongly encourages anyone who becomes aware of behavior that may constitute a violation of Rhode Island State Law to report the incident to local law enforcement. The College can provide support, resources and assistance to those who do so. Regarding the involvement of law enforcement, the Complainant has several options, including: (1) to notify law enforcement authorities, including local police; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) to decline to notify such authorities. The College will comply with the Complainant's request for assistance in notifying law enforcement. The Complainant's choice to report to law enforcement will not impact the implementation of accommodations and/or protective measures if applicable. Information about Campus Police and local law enforcement agencies and how to make a police report can be found on the College's website under Campus Police. Campus Police may be reached by calling 401-456-8888. The Complainant has the right to file a criminal complaint and a complaint under the Title IX Complaint Process simultaneously.

**Time Limits:** There is no time limit on reporting violations of this Policy, although the College's ability to respond fully may be limited with the passage of time. **Written Explanation of Rights and Options:** When an individual reports a violation of this Policy, whether the offense occurred on or off campus, the College will provide the individual with a written explanation of the Complainant's rights and options.

**Preserving Evidence:** In cases of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking, as defined herein, it is critical that the Complainant preserve evidence because doing so may assist in proving that the alleged behavior occurred and/or may be helpful in obtaining a protective order. Forensic examinations for women may be obtained at Women &

Infants Hospital, 101 Dudley Street Providence, RI, (401) 274-1100. Males may seek treatment at any Rhode Island hospital, including Rhode Island Hospital, 593 Eddy Street Providence, RI, (401) 444-5411; and Miriam Hospital, 164 Summit Avenue Providence, RI, (401) 793-4220. Please be advised that completing a forensic examination would not require someone to file a police report, rather having a forensic examination will help preserve evidence in case a person decides at a later date to file a police report. For purposes of preserving evidence, it is recommended to preserve and record evidence as follows: do not wash anything (body, hair, clothing), and do not comb hair, change clothes, douche or use the toilet; and bring an extra set of clothing to the hospital (or bring the clothing worn at the time of the incident to the hospital in a paper bag).

*Procedures the College Will Follow When a Complaint is Reported:* The College will investigate and address all complaints of sexual misconduct and relationship violence in accordance with the Title IX Complaint Process. The Title IX Complaint Process outlines the procedures for institutional disciplinary action that the College will undertake when violations of this Policy are alleged. The Title IX Complaint Process outlines the steps, anticipated timelines and decision-making process for the disciplinary proceeding; including how to report a complaint, the standard of evidence that will be used (preponderance of the evidence); and a list of all possible sanctions that the College may impose following the results of the Title IX Complaint Process. The Title IX Complaint Process will be implemented by officials who, at a minimum, receive annual training on relevant issues and on how to conduct the Title IX Complaint Process in a way that protects safety and promotes accountability. Relevant issues include issues related to sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking. The College will provide for an adequate, reliable and impartial investigation of all complaints, which will include: interviews with the Complainant, the Respondent and any relevant witnesses; a review of any other relevant evidence; an equal opportunity for the parties to present witnesses and other evidence and equal access to information being considered in the Title IX Complaint Process (in accordance with the Family Educational Rights and Privacy Act). The Complainant and the Respondent will, to the extent possible, receive simultaneous notification, in writing, of the result of the Title IX Complaint Process; the procedures for the Complainant and the Respondent to appeal the result of the Title IX Complaint Process; any change to the result, if applicable; and when such results become final.

*Advisors:* The Complainant and the Respondent have the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice for support, guidance and/or advice. The College will not limit the choice of advisor or presence of the advisor for either the Complainant or Respondent in any meeting or proceeding provided the advisor complies with the guidelines for advisors outlined in this Policy. The advisor's role is to provide support, guidance and/or advice only. The advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. This advisor may not: (1) address or question the investigator, or other parties or witnesses; (2) present evidence or make arguments; and (3) have any role other than to accompany and communicate with the party requesting support and/or advice. The Complainant or the Respondent may request a break during any meeting and/or proceeding to allow the Complainant or the Respondent to confer with their respective advisors in private. Advisors who do not follow the guidelines outlined in this Policy will be asked to leave the meeting(s) and/or proceeding(s). The College may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the College is not required to do so and will not do so if it unreasonably delays the Title IX Complaint Process.

*Remedial and Protective Measures:* The College may provide interim measures, such as counseling, academic assistance, and no-contact mandates, to protect, support or provide for the safety of the Complainant, the Respondent and the campus community during the Title IX Complaint Process. Requests for interim measures may be made by or on behalf of the Complainant to the Title IX Coordinator or designee. The Title IX Coordinator or designee will be responsible for the implementation and coordination of interim measures. Interim measures will not disproportionately impact the Complainant, and are available even if the Complainant does not report or continue to pursue a complaint. If the College has made a finding of responsibility under this Policy, and if requested by the Complainant, the College will promptly implement a one-way no-contact mandate (with the burden of no contact on the Respondent), even if an appeal may be filed, or has been filed and is pending. If requested, the College will assist the Complainant in filing/applying for orders of protection, restraining orders or similar lawful orders issued by a criminal, civil or tribal court. The College may provide interim measures for the Respondents where reasonable and appropriate under the circumstances as determined by the Title IX Coordinator or designee. To request information about available remedial and protective measures, contact the Title IX Coordinator, and the Title IX Coordinator or designee will provide assistance and information regarding available options for remedial and protective measures, including assistance in obtaining, complying with and enforcing orders of protection issued by a criminal, civil or tribal court.

*Amnesty:* The health and safety of every student at the College is of utmost importance. The College 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 College strongly encourages students to report incidents of violence to institution officials. The Complainant, Respondent, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the College or law enforcement will not be subject to the College's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

*Resources:* The College will provide written notification to the Complainant about existing resources and services, which may include counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other resources and services that may be available for the Complainant at the College and in the community. The written information may include options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The College will make requested accommodations and protective measures if the Complainant requests them and if they are reasonably available, regardless of whether a report is made to Campus Police or local law enforcement. The following resources are available in the community: Women & Infants Hospital, 101 Dudley Street Providence, RI, (401) 274-1100; Rhode Island Hospital, 593 Eddy Street Providence, RI, (401) 444-5411; Miriam Hospital, 164 Summit Avenue Providence, RI, (401)-793-4220; Day One (Sexual Assault and Trauma Center), 100 Medway Street Providence, RI, (401) 421-4100; RI Coalition Against Domestic Violence, 422 Post Road, Warwick, RI, (401) 467-9940; 24 Hour Helpline, 1(800)-494-8100; Sojourner House, (401) 861-6191 (Office) or (401)765-3232 (Residential Services). The College is obligated to comply with a student's reasonable request for a living and/or academic situation change following an alleged sex offense.

*Prevention and Awareness Programs:* The College is committed to preventing sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking as they are defined in this Policy as well as in the Clery Act. The College conducts ongoing educational and prevention and awareness programs for all faculty, staff and employees (including incoming students and new employees) to: promote awareness; prevent sexual misconduct and relationship violence; and to remind the entire community of the College's prohibition against sexual and misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking. The institution's educational and primary prevention and awareness programs are described above.

*Bystander Intervention:* Bystander intervention refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying effective ways to intervene and take action provided that the intervention or action can be undertaken in a way that ensures the safety of the bystander. For more information about bystander intervention please contact [greendot@ric.edu](mailto:greendot@ric.edu) and a Green Dot member will reply or contact the Counseling Center at (401) 456-8094. The institution's educational and primary prevention and awareness programs, including bystander intervention, are described above.

*Risk Reduction:* Risk reductions are designed as options designed to decrease perpetration and bystander inaction, increase empowerment for victims in order to promote safety, and help individuals and communities address conditions that facilitate violence. The College's educational and primary prevention and awareness programs, including risk reductions, are described above.

*Violations of Rhode Island State Law:* Violations of this Policy will be determined in accordance with the Violations set forth above; however, individuals may also wish to pursue criminal charges through local law enforcement. Below are relevant violations under Rhode Island General Law:

*First Degree Sexual Assault (RIGL § 11-37-2):* A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist: (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused, through concealment or by the element of surprise, is able to overcome the victim. (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

*Second Degree Sexual Assault (RIGL § 11-37-4):* A person is guilty of second degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist: (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

*Third Degree Sexual Assault (RIGL § 11-37-6):* A person is guilty of third degree sexual assault if he or she is over the age of 18 years and engages in sexual penetration with another person over the age of 14 years and under the age of consent, 16 years of age.

*Stalking (RIGL § 11-59-2):* Any person who (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking. "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

*Cyberstalking and Cyberharassment (RIGL § 11-52-4.2):* Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor.

*Dating Violence (R.I.G.L. §16-22-24):* "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner. The following words and phrases, when used in the above definition, have the following meanings: "Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement whether casual, serious or long-term.

*Domestic Violence (RIGL § 12-29-2):* (a) "Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another: (1) Simple assault (§ 11-5-3); (2) Felony assaults (chapter 5 of title 11); (3) Vandalism (§ 11-44-1); (4) Disorderly conduct (§ 11-45-1); (5) Trespass (§ 11-44-26); (6) Kidnapping (§ 11-26-1); (7) Child-snatching (§ 11-26-1.1); (8) Sexual assault (§§ 11-37-2, 11-37-4); (9) Homicide (§§ 11-23-1 and 11-23-3); (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4; (11) Stalking (chapter 59 of title 11); (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14); (13) Burglary and Unlawful Entry (chapter 8 of title 11); (14) Arson (chapter 4 of title 11); (15) Cyberstalking and cyberharassment (§ 11-52-4.2); (16) Domestic assault by strangulation § 11-5-2.3; and (17) Electronic tracking of motor vehicles (§ 11-69-1). (b) "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors: (1) The length of time of the relationship; (2) The type of the relationship; (3) The frequency of the interaction between the parties. (c) "Protective order" means an order issued pursuant to § 15-5-19, chapter 15 of title 15, or chapter



8.1 of title 8. (d) "Victim" means a family or household member who has been subjected to domestic violence. Consent: Under Rhode Island Law, (RIGL § 11-37-6), A person is guilty of third degree sexual assault if he or she is over the age of 18 years and engages in sexual penetration with another person over the age of 14 years and under the age of consent, 16 years of age.

*Complaints and Inquires:* Complaints regarding the application or enforcement of this Policy should be made to The College's Title IX Coordinator. Margaret Lynch-Gadaleta, Director-Institutional Equity, serves as The College's Title IX Coordinator. The Title IX Coordinator's office address is 301 Roberts Hall, Rhode Island College, Providence, RI 02908. The Title IX Coordinator can be contacted at (401) 456-8387 or at [mlynchgadaleta@ric.edu](mailto:mlynchgadaleta@ric.edu). Inquiries regarding the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator or designee, or to the United States Department of Education, Office for Civil Rights, at [OCR@ed.gov](mailto:OCR@ed.gov) or (800) 421-3481. This Policy is in compliance with applicable legal requirements including Title IX of the Education Amendments of 1972; relevant provisions of the Violence Against Women Reauthorization Act of 2013; the Clery Act; and other applicable federal and Rhode Island state laws.

### **Title IX Complaint Process for Complaints Against Students**

The Title IX Complaint Process for Complaints Against Students (the "Title IX Complaint Process") is the complaint process used to promptly, fairly and impartially adjudicate violations of the Sexual Misconduct and Relationship Violence Policy alleged to have been committed by students against Rhode Island College (the "College") students, faculty and staff, as well as third-parties who are participating in the College's programs and/or activities at the time of the alleged violation. The Title IX Complaint Process will be implemented by officials who, at a minimum, receive annual training on relevant issues and on how to conduct the Title IX Complaint Process in a way that protects safety and promotes accountability. Relevant issues include issues related to sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking. The College has jurisdiction over all Title IX Complaints, including violation(s) of the Sexual Misconduct and Relationship Violence Policy. For purposes of the Title IX Complaint Process, the person who was directly impacted by the violation(s) of the Sexual Misconduct and Relationship Violence Policy will be referred to as the "Complainant." The student responding to the Complaint (i.e., the student reported to have violated the Sexual Misconduct and Relationship Violence Policy) will be referred to as the "Respondent." The Title IX Complaint Process constitutes the College's formal resolution process and disciplinary proceeding used by the College to respond to sexual misconduct and relationship violence (including sexual assault, dating and domestic violence and stalking) committed by students. Certain Complaints may be resolved informally in limited situations where the Complainant and the Respondent have been fully informed of all available options for resolution of the Complaint and have both voluntarily chosen to resolve the Complaint through an informal resolution process. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving a full disclosure of the allegations and their options for formal resolution and if the College determines that the particular Complaint is appropriate for such a process, the College may facilitate an informal resolution, including mediation, to assist the parties in reaching a voluntary resolution. Once a Complaint has been resolved through an informal resolution process, the matter will be closed. For some limited types of Complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy, an informal resolution may include mediation. Mediation is not, however,

an appropriate resolution for matters involving allegations of sexual assault, dating violence or domestic violence. The Title IX Coordinator or designee will have discretion to determine whether an informal resolution is appropriate given the circumstances. The College will take steps to prevent recurrence of any sexual misconduct and/or relationship violence and remedy discriminatory effects, if appropriate.

*Standard of Evidence:* The preponderance of the evidence standard (more likely than not) will be used under the Title IX Complaint Process and for making findings regarding all complaints of sexual misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking.

*Notice of Potential Violation(s):* When the Title IX Coordinator or designee becomes aware of a potential violation(s) of the Sexual Misconduct and Relationship Violence Policy, the Title IX Coordinator or designee will contact the Complainant and provide the Complainant with detailed information about the Complainant's rights and responsibilities under the Title IX Complaint Process, as well as information regarding resources and interim measures.

*Threat Assessment:* When the Title IX Coordinator or designee becomes aware of a potential violation of the Sexual Misconduct and Relationship Violence Policy, the Title IX Coordinator or designee will (in collaboration with the Campus Assessment Response Evaluation Team (the "CARE Team")) conduct an initial threat assessment to determine whether there is reasonable cause to believe that the Respondent poses a continuing, significant threat of harm to the health, safety, and welfare of others or to the College community, and whether interim measures are necessary to alleviate or mitigate that risk.

*Making a Complaint:* Complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy by students of the College may be made by submitting a written Complaint to the Title IX Coordinator or designee using the Complaint Form. The Complaint Form can be found on the College's Title IX webpage. Any individuals who believe they have experienced sexual misconduct or relationship violence by a student of the College may submit a Complaint Form. Except in limited circumstances that involve protecting the health and safety of the College community and its members, the Title IX Complaint Process will not be initiated unless a Complaint Form has been submitted. Specifically, in some limited instances, to protect the health and safety of the College community and its members, it may be necessary for the College to initiate the Title IX Complaint Process against the Respondent even if a Complaint Form has not been submitted. Upon receipt of the Complaint Form, the Title IX Coordinator or designee will determine whether the College has jurisdiction to resolve the Complaint under the Title IX Complaint Process. Matters that cannot be resolved under the Title IX Complaint Process, because of jurisdiction, will be referred to the appropriate departments on campus. Alleged violations of the Student Conduct Code or Statement of Nondiscrimination and Affirmative Action, which are ancillary and related to the Complaint, will be resolved under the Title IX Complaint Process.

*Meeting with the Respondent:* The Title IX Coordinator or designee will have a preliminary meeting with the Respondent at which the Title IX Coordinator will: share the written Complaint Form with the Respondent, which will include details of the Complaint; explain the Respondent's rights and responsibilities under the Title IX Complaint Process; describe any potential sanctions that may result from a finding of responsibility; and answer any questions the Respondent may have. At the preliminary meeting, the Respondent will also be provided with information regarding the Respondent's

constitutional rights, including the right to have the Complaint heard under the Title IX Complaint Process, which is the complaint process used for all similar matters; the right to receive notice of all violations of the Sexual Misconduct and Relationship Violence Policy, as well as any ancillary violations being alleged against the Respondent; the right to be heard by the investigator(s), who is an impartial arbiter under the Title IX Complaint Process; and the right to hear a description of all information presented to the investigator(s) that supports a finding of responsibility. During the Title IX Complaint Process, the Respondent will be informed of any new information that arises, which may impact the Respondent's rights under this Policy. At the conclusion of the preliminary meeting, the Respondent may: (I) voluntarily admit responsibility and execute a written Waiver of the Title IX Complaint Process (at which point the Respondent will be assigned a sanction(s) and the Title IX Complaint Process will be concluded); or (II) request that the alleged violation(s) be adjudicated in accordance with the Title IX Complaint Process. A Respondent who executes a written Waiver of the Title IX Complaint Process is not entitled to an appeal. If the Respondent chooses to have the Complaint adjudicated through the Title IX Complaint Process, then the Respondent has the opportunity to submit a written Response to the Complaint, within three (3) business days of the preliminary meeting, to the Title IX Coordinator or designee. If the Respondent requests that the Complaint be adjudicated through the Title IX Complaint Process, but does not submit a written Response to the Complaint, the Title IX Complaint Process will proceed without the written Response on the fourth (4<sup>th</sup>) business day after the preliminary meeting. If the Respondent fails to appear at the preliminary meeting after notification, or fails to respond to communications from the Title IX Coordinator or designee, the Title IX Coordinator or designee may proceed with the Title IX Complaint Process without the Respondent's participation.

*Investigation and Adjudication:*

Upon receipt of the Respondent's written Response, the Title IX Coordinator or designee will appoint a trained investigator(s). The role of the investigator(s) is to analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence—including both inculpatory and exculpatory evidence—and take into account the unique and complex circumstances of each case. The investigator(s) will conduct an investigation of the Complaint and issue a finding(s) and rationale regarding responsibility. If the Complaint presents more than a single allegation of misconduct, a decision will be reached separately as to each allegation of misconduct. The Title IX Coordinator or designee will have the discretion to appoint an internal investigator(s) or an external investigator(s), or both.

The College will ensure an adequate, reliable and impartial investigation of all complaints alleging violations of the Sexual Misconduct and Relationship Violence Policy, including the opportunity for both the Complainant and the Respondent to present witnesses and evidence. The investigation will include interviews with the Complainant, the Respondent and witnesses, if applicable. The investigator(s) will determine, in the investigator(s)' sole discretion, what information is relevant. Character evidence will not be considered; and pattern evidence (evidence of previous conduct) will only be considered if the previous conduct is so substantially similar to the conduct cited in the instant matter to indicate a pattern of behavior. In cases involving sexual misconduct, past sexual history will typically not be considered except possibly where consent is at issue. Specifically, prior consensual sexual activity between the Complainant and the Respondent, while not determinative, may be relevant to determining whether consent was sought and received. Past sexual history may also be considered under very limited circumstances, for example, to explain injury. However, consent to one sexual act

will never be considered to constitute consent to another sexual act. Medical and counseling records are privileged and confidential. Therefore, those records will not be required to be disclosed.

*Draft Investigation Report:* At the conclusion of the investigation, the investigator(s) will complete a Draft Investigation Report. The Draft Investigation Report will contain the relevant information and facts learned during the investigation, including direct observations and reasonable inferences drawn from the facts and any consistencies or inconsistencies between the various sources of information. Once the Draft Investigation Report has been completed, the Complainant and the Respondent will have the opportunity to review the Draft Investigation Report. After reviewing the Draft Investigation Report, the Complainant and the Respondent will have three (3) business days to respond to the investigator(s) in writing to ask clarifying questions, seek clarifying information, clarify information previously shared, offer additional comments, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation.

*Final Investigation Report:* If, after receiving the written responses from the Complainant and the Respondent regarding the Draft Investigation Report, the investigator(s) determines that no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator(s), further inquiry is necessary, the investigator(s) will follow up on the information and ask any clarifying questions of the parties and witnesses before finalizing and completing the investigation. Once the investigation is deemed by the investigator(s) to be complete and final, the investigator(s) will make a finding of “Responsible” or “Not Responsible” for each alleged violation of the Sexual Misconduct and Relationship Violence Policy, as well as any ancillary violations, and then provide the Title IX Coordinator or designee with the Final Investigation Report, which will include the findings and rationale for each alleged violation. The Title IX Coordinator or designee will review the Final Investigation Report to ensure that it has been completed in accordance with institutional policy, relevant federal and state law and federal guidance. The Title IX Coordinator or designee will notify the investigator(s) of any inconsistencies with institutional policy, relevant federal and state law and federal guidance that are present in the Final Investigation Report so that the investigator(s) can make corrections.

*Sanctions:* If the Final Investigation Report includes any findings of Responsibility, the Title IX Coordinator or designee will provide a copy of the Final Investigation Report to the Associate Vice President for Professional Studies and Continuing Education or designee (the “Sanctioning Officer”) for a determination of sanctions for each “Responsible” finding. The Sanctioning Officer or designee may consider prior violations of the Title IX Complaint Process or Student Conduct Code for which the Respondent was found Responsible when determining what sanction(s) to impose. The Sanctioning Officer or designee will provide the Title IX Coordinator or designee with a written decision regarding which sanction(s) will be imposed for each “Responsible” finding, along with the rationale for each sanction imposed. An individual found responsible for violating the Sexual Misconduct or Relationship Violence Policy (and/or the Student Conduct Code or Statement of Nondiscrimination and Affirmative Action, if ancillary to the Complaint) is subject to one or more sanctions, included but not limited to the following: **A. Written Warning** that shall become part of the student's record until the student graduates from the College. **B. Fines** – a monetary sanction assigned by the college officer making the Administrative Determination or conducting the Formal Adjudication. **C. Restitution** either to the Complainant or the College. Completion of a work assignment(s) may, in some circumstances, be substituted for a monetary payment. **D. Restriction** either from specific locations on campus such as the

residence halls, and/or during specific times. The restriction may be for a fixed period of time or permanent. **E. Educational Sanction** used to provide additional education related to the behavior or incident by the hearing officer. Students assigned an educational sanction will be given a detailed description of the assignment by the hearing officer. Examples of educational sanctions include, but are not limited to: self-assessment surveys, written assignments and presentations. **F. Probation** with or without conditions such as exclusion from participation in extracurricular activities, the requirement to make restitution, or to complete some specific assignment. Satisfying the conditions of probation is a prerequisite to receiving a degree or certificate and failure to honor the terms of the probation shall result in the reconsideration of the original sanction by the relevant adjudicating board. **G. Residence Probation** is a specified period of time where any further unacceptable behavior may be cause for removal from the residential living community. **H. Residence Relocation** is the requirement of a residential student to move from one residential living community to another residential living community due to unacceptable and inappropriate behavior. The student will be re-assigned by the relevant residential living community staff. **I. Residence Removal** is the immediate termination of a residential student's on-campus housing contract after one serious violation or repeated violations of community standards in a residential living community. **J. Revocation of Admission. K. Revocation of Degree. L. Suspension** is forced withdrawal from the College for a specified period of time, including exclusion from classes, termination of student status and all related privileges and activities, and exclusion from the campus if set forth in the notice of suspension. If a student, while suspended, violates any of the terms set forth in the notice of suspension, the student shall be subject to further discipline in the form of expulsion. **M. Suspension held in abeyance** is an action to seriously warn a student or student organization that suspension is being withheld pending no additional evidence being discovered regarding the incident. If additional violations of college policy occur, the student may be immediately suspended from the College pending an investigation of the new incident. **N. Treatment Compliance** where the student will be required to comply with any treatment, referrals and educational activities which may be recommended and to provide documentation of official discharge from treatment provider upon completion. **O. Trespass** A suspension of a student's right to enter a specific building on College property. When appropriate, a trespass notice may include the suspension of a student's right to represent the College at College-sponsored or related events. When a trespass notice is given, the student will receive a detailed explanation of the parameters of this trespass. In the event there is a report that the student has violated the trespass, it will be recommended to the Vice President for Student Affairs that the student be Emergency Suspended, as defined in the Student Handbook. **P. Expulsion** is a permanent separation from the College.

*Notice of Outcome:* After receipt of the sanctions, the Title IX Coordinator or designee will simultaneously provide a written Notice of Outcome to the Complainant and the Respondent, which will include the finding(s), sanction(s) (if applicable), and rationale. The Title IX Coordinator or designee will offer the Complainant and the Respondent the opportunity to request an appointment to review the Final Investigation Report. If requested, the review will be scheduled to occur within three (3) business days of the request.

*Appeal:* The Complainant and the Respondent have the right to appeal and participate in the appeal process if: (1) a substantial procedural error occurred during the Title IX Complaint Process; (2) new (material) evidence has come to light, which was not reasonably available prior to the investigator issuing the Final Investigation Report, which is substantially material and has the likelihood of changing the findings made by the investigator(s) in the Final Investigation Report; and/or (3) the sanction(s) is

clearly contrary to the weight of the evidence. Requests for appeal must be submitted in writing to the Title IX Coordinator or designee within five (5) business days following delivery of the written Notice of the Outcome. Appeals are heard by the Vice President of Student Success or designee (the “Appeal Officer”) and will be strictly limited to the grounds for appeal outlined above. The Appeal Officer or designee is an impartial decision-maker and will conduct the appeal in an impartial manner. If the appeal is denied, the matter will be closed, and the outcome set forth in the Notice of Outcome will be final. If the appeal is granted, the Appeal Officer or designee may: (1) remand the case for a new investigation (the results of the new investigation, including the finding(s) and sanction(s) will be final and not subject to further appeal); (2) make modifications to the sanction(s) imposed; or (3) if, due to the discovery of new evidence not reasonably available at the time of the initial investigation, return the matter to the investigator(s) for reconsideration in light of the new evidence. The Appeal Officer or designee will provide a written decision regarding the Appeal to the Title IX Coordinator who will simultaneously notify the Complainant and the Respondent within a reasonable period of time. The decision of the Appeal Officer or designee regarding the appeal will be final.

*Timelines for the Student Complaint Process:* The timelines for the various steps in the Title IX Complaint Process are set forth herein. The College will at all times make a good faith effort to conduct a fair, impartial investigation in a timely manner designed to provide all parties with resolution.

*Law Enforcement:* The College will comply with law enforcement requests for cooperation. Such cooperation may require the College to temporarily suspend an investigation, for a short period, while law enforcement gathers evidence. The College will promptly resume its investigation as soon as it is notified by law enforcement that its evidence gathering process is complete. The Complainant has the right to file a criminal complaint and a complaint under the Title IX Complaint Process simultaneously.

*Confidentiality:* The College will keep all complaints and investigations private to the extent possible, and information will be disclosed only on a “need to know” basis. See additional information about confidentiality and expectations set forth in the College’s Sexual Misconduct and Relationship Violence Policy.

*Requests for Anonymity or No Action:* Please see the [College’s Sexual Misconduct and Relationship Violence Policy](#) for more information.

*Conflicts of Interest:* The Complainant and the Respondent may notify the Title IX Coordinator or designee in writing if there is a concern that the investigator(s) assigned, or any other person implementing the Title IX Complaint Process, creates a conflict of interest. The Title IX Coordinator or designee will make adjustments only if a substantiated conflict of interest exists.

*Advisors:* Advisors are permitted as outlined in the Sexual Misconduct and Relationship Violence Policy.

*Retaliation:* Retaliation is prohibited. Please see the [Sexual Misconduct and Relationship Violence Policy for more information](#).

## **Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy**

It is the policy of the Council on Postsecondary Education (“CPE”), its constituent institutions of higher education (specifically, the University of Rhode Island, Rhode Island College, the Community College of Rhode Island) and the Office of Postsecondary Commissioner (collectively referred to as the “Covered Entities”) to prohibit all forms of unlawful sexual harassment and sexual violence, as those terms are defined herein.

*Purpose and Goals of the Policy:* (1) Defines the types of conduct that will be considered to be prohibited sexual harassment, sexual assault and sexual violence at the Covered Entities; (2) Provides examples of such prohibited conduct; (3) Sets forth the mandatory and discretionary reporting obligations and procedures pertaining to such conduct that is witnessed, experienced or learned about by, or reported to, employees of the Covered Entities; and (4) Provides a list of contacts, and internal and external resources, available to individuals who experience or witness acts of sexual harassment, sexual assault and sexual violence or who have questions relating to those subjects.

*Background:* Sexual harassment, as defined herein, is prohibited in employment by Title VII of the 1964 Civil Rights Act and the Rhode Island Fair Employment Practices Act, and in education programs, activities and benefits by Title IX of the Educational Amendments of 1972 and Title VI of the 1964 Civil Rights Act. Sexual violence (as defined herein) is prohibited in both the employment context, as well as in the educational programs, activities and benefits context, under Title IX of the Educational Amendments of 1972 (“Title IX”) and the Violence Against Woman Reauthorization Act of 2013 (“VAWA”).

*Applicability:* All faculty, staff, and students at all Covered Entities must comply with this policy in an effort to foster an inclusive and safe academic and work environment. This policy applies to the perpetration of sexual harassment, sexual assault or sexual violence by one member of the Covered Entity’s community (faculty, staff, student, or volunteer) against another. Depending on the context, the policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity. The policy applies to all such behavior occurring on campus, and to behavior occurring off campus when the behavior arises in the context of a Covered Entity event or otherwise has a significant relation to, or could have a significant impact on, the Covered Entity’s living, learning or employment environments.

*Sexual Harassment:* Sexual Harassment is defined as unwelcome sexual advances, request for sexual favors, and any other verbal, non-verbal or physical conduct of a sexual nature when: (1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual’s education, employment, or participation in programs or activities at the Covered Entity; (2) Submission to or rejection of such conduct by an individual is used as a basis for decisions affecting that individual’s education, employment, or participation in programs or activities at the Covered Entity; or (3) Such conduct is so severe and pervasive that it has the purpose or effect of unreasonably interfering with an individual’s education, employment or participation in programs or activities at the Covered Entity and/or creating an intimidating, hostile, offensive or abusive employment, academic, extracurricular or living or learning environment for the individual at the Covered Entity. The following are just two examples of conduct and behavior that will very likely be considered sexual harassment under this policy: (1) A faculty member conditions a student’s favorable evaluation on the student’s submission to

sexual advances. The faculty member then gives the student a poor evaluation after the student rejects the faculty member's advances. (2) A student editor for the college newspaper continually and inappropriately touches another student newspaper staff member in a sexual manner over an extended period of time. The touching is unwelcome and continues even after the student editor is asked to stop. The conduct makes the staff member uncomfortable and creates an offensive and hostile environment in the newsroom. Sexual harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Examples of such conduct and behaviors that may lead to a finding of sexual harassment include, but are not limited to, the following: (1) Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact. (2) Non-verbal: The display of sexually explicit stares, gestures or suggestive pictures, including secretly video recording sexual acts or objects. (3) Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence stalking and rape. Sexual harassment need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be sexual harassment. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender- stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered sexual harassment under this policy. Specific examples of such behavior that may lead to a finding of sexual harassment include the following: (1) A male employee is repeatedly taunted and insulted verbally by his co-workers for his "looking like a girl," "for acting like a girl" and "acting like a queer." (2) A female program director is repeatedly called "bossy", "overly aggressive" and "un- lady like" by her male supervisors with some of these criticisms noted in her performance evaluations.

*Sexual Violence:* As used in this policy, the term sexual violence shall refer to (a) "sexual violence under Title IX" as that term is defined herein; (b) "sexual or relationship assault or violence under VAWA" as that term is defined herein; and/or (c) "sexual assault or relationship violence under Rhode Island law" as defined herein. All forms of sexual assault and violence are prohibited under this policy.

*Sexual Violence Under Title IX:* Sexual violence under Title IX, as described in the April 4, 2011 guidance issued by the U.S. Department of Education, is a form of sexual harassment, and refers to: physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and other forms of sexual coercion.

*Sexual or Relationship Violence or Assault Under VAWA:* Sexual or relationship violence or assault under VAWA refers to the following offenses, as defined herein. An offense that meets one of the following definitions of rape, fondling, incest, or statutory rape used in the FBI's Uniform Crime Reporting Program. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.



*Incest*: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. *Statutory Rape*: Sexual intercourse with a person who is under the statutory age of consent.

*Dating Violence- VAWA*: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition: (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) Dating violence does not include acts covered under the definition of domestic violence.

*Domestic Violence- VAWA*: A felony or misdemeanor crime of violence committed: (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or (E) 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 in which the crime of violence occurred.

*Stalking – VAWA*: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. (ii) For the purposes of this definition: (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property; (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim; (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Sexual or Relationship Violence or Assault Under Rhode Island Law*: Sexual or Relationship Assault or Violence under Rhode Island Law refers to the following offenses, as defined herein: Sexual Assault – RI (as defined in R.I.G.L. §11-37-1 through §11-37-6); Dating Violence – RI (as defined in R.I.G.L. §16-22-24); Domestic Violence–RI (as defined in R.I.G.L. §12-29-2); Stalking – RI (as defined in R.I.G.L. §11-59-1 though §11-59-2).

*Retaliation*: Retaliation against any complainant or witness is prohibited and shall be treated as a separate violation under this policy as well as any of the Covered Entity's community standards and Non-Discrimination Policy. Furthermore, no officer, employee, student or agent of any of the Covered Entities shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of law, or any of the Covered Entity's policies or procedures, relating to campus security or campus crime reporting, including any laws and policies relating to the reporting of, and required responses to, allegations of sexual violence.

*Reporting Procedures and Available Resources*: Each of the Covered Entities shall establish, and make known to their students and employees, their (legally compliant) "reporting procedures" for the

reporting of instances or complaints of sexual harassment and sexual violence, including a description of which employees shall be responsible for reporting, and which official(s) shall be responsible for receiving such reports. The Covered Entities shall also publish and make available to all of their students and employees information about “available resources” for individuals who believe they are victims of, witnesses to, or are simply concerned about, sexual harassment or sexual violence. Such “available information” should include a list of internal and external agencies, offices, hotlines, websites, or other information resources or service providers the Covered Entity believes would be important or valuable resources for their students and employees. The current “reporting procedures” descriptions, and “available resources” listings, for the University of Rhode Island, Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner, are attached hereto as Exhibits B, C, D and E respectively, and are incorporated by reference into this policy. Each Covered Entity shall be obligated to keep their “reporting procedures” descriptions and “available resources” listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits B, C, D or E) to the Council, which will substitute the updated exhibits for the old ones and attach them to this policy.

*Investigations and Disciplinary Actions:* Each Covered Entity shall investigate complaints and allegations of sexual harassment and sexual violence against their employees, pursuant to the Council for Postsecondary Education Discrimination Complaint Procedures. Each Covered Entity shall also investigate complaints and allegations of sexual harassment and sexual violence against their students in accordance with procedures described in their respective student conduct policies. Individual Covered Entity employees found in violation of this policy may be subject to disciplinary action up to and including remedial education, written reprimand, suspension and/or termination.

## **Council on Postsecondary Education - Complaint Procedures for Discrimination, Sexual Harassment & Sexual Violence**

These complaint procedures apply to complaints by or regarding employees of the Council on Postsecondary Education (the “Council”), at the University of Rhode Island, Rhode Island College, and The Community College of Rhode Island (the “Institutions”) and the Office of the Postsecondary Commissioner (“OPC”), alleging unlawful discrimination, harassment, and retaliation as well as all types of sexual harassment and sexual violence that are prohibited by Title IX (including sexual assault, sexual battery, rape and sexual coercion) and all types of sexual or relationship assault or violence that are prohibited by the Violence Against Women Reauthorization Act (“VAWA”) of 2013, (which are sexual assault, domestic violence, dating violence, and stalking). All of the sexual and relationship offenses prohibited under Title IX and VAWA, which are also all prohibited by the Council’s Sexual Harassment and Sexual Violence Policy, will hereinafter be collectively referred to by the general term “sexual violence.”

The Council prohibits discrimination, including harassment and retaliation, on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. The Council also prohibits all forms of sexual harassment and sexual violence.

These procedures are also applicable to complaints and cases that may arise under, and are intended to be consistent and compliant with the procedural and substantive provisions of, applicable state and federal law and regulations including but not limited to Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Educational Amendments to the Higher Education Act; the Age Discrimination in Employment Act of 1967; Sections 503 and 504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended; the Equal Pay Act of 1963; the Americans with Disabilities Act of 1990; ADA Amendment Act of 2008; the Higher Education Act of 1965, as amended; the Violence Against Women Reauthorization Act of 2013; the Genetic Information Nondiscrimination Act, Executive Order 11246, as amended; Executive Order 91-39; Executive Order 92-2; and Rhode Island General Law §28-5.1, as amended.

These procedures also describe the process for individual members of the relevant campus communities (e.g., faculty, staff or students), and employees of the Office of Postsecondary Commissioner (“OPC”), to follow in the event they believe themselves or others, to have been victim of unlawful discrimination, harassment, retaliation, sexual harassment, or sexual violence. These procedures also describe the required process for the investigation and resolution of allegations of such wrongful conduct by the institutions and OPC.

Complaints regarding the institutions' President or the Commissioner of Postsecondary Education should be filed with the Office of General Counsel for the Council on Postsecondary Education.

A complaint may also be filed against institutional service providers, vendors, and other contractors. In these instances, the Affirmative Action Office shall determine, within its discretion, appropriate response and action.

The provisions of the collective bargaining agreements governing unionized employees may provide additional mechanisms for addressing allegations of discrimination.

*Offices for Complainants to Contact:* If any member of the College believe that their rights (and/or the rights of others) have been violated and wish further information, advice or assistance in filing a complaint, they should, as a first step contact the Title IX coordinator.

*Information for Complainants Alleging Sexual Violence:* In cases involving allegations of sexual violence (including dating violence, domestic violence, sexual assault and stalking), Complainants shall be provided an explanation of his/her rights and options, which shall include a description of available options for, and assistance in, changing academic, living, transportation, and working situations, as well as information about: 1. the importance of seeking immediate medical attention for sexual violence; 2. other available health care and counseling services; 3. the importance of preserving evidence for proof in the investigation or subsequent proceedings, or for obtaining a protective order; 4. to whom the alleged sexual violence should be reported; 5. options regarding notifying law enforcement and/or campus authorities, including notification of the Complainant regarding the Complainant’s right to: a. notify either police (local or campus) or campus authorities b. be assisted by campus authorities in notifying law enforcement if the Complainant so chooses c. decline to notify such authorities; and 6. the rights of Complainants and the institutions in notifying law enforcement if the protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

*Complaints Against Students:* See Title IX Complaint Process for Complaints Against Students.

*Reporting by Responsible Employees:* See definition of Responsible Employee

*Filing Deadlines:* To provide adequate opportunity for a prompt investigation, that enables access to the most current evidence, parties are encouraged to file complaints as soon as possible. All complaints under this procedure must normally be filed within 365 days after the last of alleged discriminatory act occurred. The Institution's/Office's ability to respond to complaints filed beyond this time is limited. However, complaints or cases involving allegations of continuing unlawful discrimination, harassment, sexual harassment, sexual violence, or retaliation may be fully investigated, including occurrences beyond the 365-day time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline (365 days).

*Advisors and Supporters:* All parties meeting with an Affirmative Action Officer/Title IX Coordinator may be accompanied by an individual of their choice (who may be an attorney) for support and/or advice. This individual: may not address or question the investigator, other parties or witnesses; may not present evidence or make arguments; and shall not have any role other than to accompany and communicate with the party requesting support.

*Discrimination Against Groups:* Cases involving unlawful discrimination, including harassment or retaliation, against a group or class of individuals, reflecting an apparent pattern and practice of discrimination, must be appropriately acted upon by the Affirmative Action Officer/Title IX Coordinator regardless of whether there is an identified complainant.

*Criminal Violations:* If a complaint or case reported to the Title IX Coordinator or Affirmative Action Office involves potential criminal violations, that Coordinator or Office shall forward a report of the complaint or case to the campus police and to the appropriate President or the Commissioner of Postsecondary Education where applicable. In cases involving allegations of sexual violence or other crimes, Complainants shall also be informed of their right to file a complaint with campus police or local law enforcement authorities. However, regardless of whether a Complainant files a complaint with local law enforcement authorities, and regardless of any investigations or other actions taken by local law enforcement, the Institution/OPC will continue to have an obligation to undertake and duly complete its own internal complaint and investigation procedure.

*Non-Retaliation:* Retaliation against any Complainant or witness is prohibited and shall be treated as a separate violation of the Institution's or OPC's community standards and Nondiscrimination Policy. Specifically, no officer, employee, or agent of the Institutions or OPC under the Council's jurisdiction shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for filing a complaint or participating in any investigation or proceeding brought pursuant to this policy. There shall be no disciplinary action, retaliation or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of discrimination, harassment, retaliation, sexual harassment, or sexual violence.

*Modification of Procedures:* These procedures constitute the general complaint process to be followed by the Institutions and OPC in addressing and resolving complaints and cases of unlawful discrimination, harassment, retaliation, sexual harassment and sexual violence. The Institutions and OPC

shall have the right to reasonably alter and/or deviate from the procedural guidelines contained herein when it is warranted by either the circumstances of a case or required by applicable state and federal law and regulations. The Institutions and OPC shall also have the right to authorize and appoint a designee to serve in the Affirmative Action Officer's capacity in the execution of these procedures. The parties are to be provided timely written notice of any such designation and of any substantive deviation from the procedural guidelines.

### *Specific Procedures*

*Initial Consultation:* The Affirmative Action Officer/Title IX Coordinator shall meet with the Complainant to discuss the Complainant's concerns, and review the complaint procedure, determine the appropriate jurisdiction, and explain the different methods available to resolve the complaint under these procedures. (See: formal resolution and informal resolution, where applicable). The purpose of this initial step is to assist individuals to identify the source of the concern and provide the Complainant with information concerning Institutional/OPC resources, policies and procedures; so that the Complainant might best assess the most appropriate course of action, given their circumstances.

*Procedural Options:* If it is determined that the Affirmative Action Office shall retain responsibility for the case, the Affirmative Action Officer/Title IX Coordinator will ascertain from the Complainant which of the following procedural resolution options he/she prefers to utilize. Informal Resolution (Not an Option for Sexual Violence Cases) Formal Resolution The selected option will be verified by the Complainant's signature. Selection of an option at this time will not preclude the Complainant from electing another option at a later time, where appropriate, as determined in consultation with the Affirmative Action Officer/Title IX Coordinator. Informal Resolution may only be utilized when both the Complainant and Respondent agree to it. If it is determined that the case should not be addressed by the Affirmative Action Office, the Affirmative Action Officer or Title IX Coordinator will refer the Complainant to the appropriate office or department.

*Interim Protective Measures:* If, during the initial consultation, the Affirmative Action Officer/Title IX Coordinator determines that immediate action may be necessary to protect the rights, interests, or safety of the Complainant, Respondent or the campus community, the Affirmative Action Officer/Title IX Coordinator will advise the institution's/OPC's human resources office and Division/Office of Student Affairs (if applicable) of the situation. Upon consultation with appropriate institution/OPC officials, immediate action may be taken which may include temporary changes in duties and responsibilities, directives to Complainant and Respondent regarding personal contact, warnings to the Respondent and, in severe cases, and the immediate suspension of the Respondent pending the completion of a formal investigation. These remedial and protective actions may be coordinated with any similar actions independently provided by the Institution upon the request of the Complainant.

*Witnesses:* The Affirmative Action Officer/Title IX Coordinator may contact any other pertinent individuals who may have knowledge of or information relating to the matter.

*Confidentiality:* At the time at which a procedural option is selected, the Complainant will also be asked to make a decision regarding confidentiality. The Institution/OPC will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, it must be understood that while some concerns or complaints can be resolved without disclosing one's identity, often successful

resolution cannot be achieved under such circumstances. Further, individuals who are directly accused of unlawful and/or discriminatory behavior and who, as a result, may be subject to disciplinary action, are entitled to a copy of the formal complaint and/or a summary of the charges against them so that they may prepare a proper defense. Any member of the Council, employees of the Office of the Postsecondary Commissioner, or students or employees of the colleges or university who participate in formal or informal proceeding under this policy or otherwise gain knowledge thereof shall treat all information acquired, whether written or oral, as confidential, provided however, that the parties to a proceeding may share such information with their personal advisors, advocates and representatives.

The Institutions and OPC will keep identifying information about Complainants and victims confidential in accordance with all applicable legal requirements, and such information will generally only be shared on a need-to-know basis with those college, university, and OPC officials such as investigators, campus security personnel, student affairs officials, and other institutional or OPC officials who are involved in responding to the complaint or who are legally required to receive such information. In cases where an individual wishes to file a complaint but not be identified, their request will be honored to the full extent permitted by law, but the individual will be advised that the colleges', university's, or OPC's ability to investigate the complaint or proceed with appropriate corrective or disciplinary action may be prevented or significantly hampered. The identity of, and identifying information about, Complainants and victims will not be disclosed in any public safety notices, final determination reports, or statistical reports that may be issued or made publically available as required or permitted by law. If the Institution or Office is compelled by law, such as through a subpoena or court order issued in a legal proceeding, or through a public records request, to provide such information to third parties, the Institution or Office will make a reasonable effort, prior to complying with the request, to notify the individual, so that the individual may seek a protective order or take other actions as they may deem appropriate.

*Informal Resolution:* This informal procedure is intended to affect the resolution of a complaint by reconciling the parties' differences and/or rectifying the alleged discriminatory action(s). Complaints that the Affirmative Action Officer/Title IX Coordinator determines as involving discrimination against a group or class of individuals, or involving likely criminal violations may not be resolved through use of the informal resolution process. Informal resolution will also not be used in cases involving allegations of sexual violence.

If, after preliminary review of the matter, it is the judgment of the Affirmative Action Officer/Title IX Coordinator that the case should not be addressed by the Affirmative Action Office/Title IX Coordinator, the informal procedure shall be terminated and the case shall, if applicable, be referred to the appropriate office.

If the parties agree to the informal resolution procedure, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution. If attempts at informal resolution are not effective, if the terms of the informal resolution are subsequently broken, or if for any reason the Complainant wishes to discontinue the informal resolution process, the Complainant may exercise the remaining option.

If the complaint is resolved during the informal procedure the terms of the resolution will be reduced to writing and signed by the parties.

The Informal Resolution Procedure offers an option to discuss, evaluate and resolve allegations of discrimination without beginning a Formal Resolution/Investigation. No official findings of fact are made about the alleged behavior, which may be discriminatory and/or violate Institution/OPC policy. Rather, emphasis is placed on: 1. Identifying the source of the allegations/concerns(s). 2. Exploring alternatives to resolve the complaint. 3. Instituting solutions to address the current concerns(s) and eliminate the possibility of similar issues occurring in the future.

*Steps in the Informal Resolution Process:* The following steps shall be taken in an effort to resolve complaints in an informal manner.

*Step 1: Notifying the parties* Upon receipt of a complaint, the Office of Affirmative Action/Title IX Coordinator shall notify and meet with the Complainant and the Respondent.

*Step 2: Information gathering* In an effort to fully understand the facts and positions of the Complainant and the Respondent, the Investigator shall take steps that he/she deems necessary to gather additional information from the parties or from others perceived to have knowledge of the allegations.

*Step 3: Resolution or Next Steps* If all parties agree to the informal resolution process, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution. If the informal resolution process fails to resolve the matter to the satisfaction of both the parties, or the terms of the informal resolution as subsequently broken, either may request a Formal Resolution/Investigation of the charge within 10 calendar days of concluding the Informal Resolution Process.

*Formal Resolution:* Any person(s) who believes they have been the victim of discrimination, harassment, retaliation, sexual harassment or sexual violence, or who witnesses acts of discrimination, harassment, retaliation, sexual harassment or sexual violence against others, may file a formal complaint with the Affirmative Action Office/Title IX Coordinator. Utilizing the informal process is not a prerequisite. A formal review consists of conducting an investigation, fact-finding, determining whether sufficient credible evidence exists to support the allegation(s), and issuing written findings. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations.

*Step 1: Complainant's Written Statement* Normally, a signed incident complaint form containing a written statement of allegations initiates the formal process. In order to enable the Investigator to most effectively investigate the complaint, the written statement of allegations should contain a detailed description of the conduct being complained about, the name(s) of the alleged offender(s), the name(s) of the alleged victim(s), the names of any alleged witnesses, and the name of the person filing the complaint. The Affirmative Action Officer/Title IX Coordinator will provide assistance to anyone for whom completion of the complaint form is difficult or impractical. The person or persons filing the complaint and/or the alleged victim of discrimination shall be referred to hereinafter as the "Complainant." Anonymous complaints, and complaints filed by individuals who request confidentiality, will be investigated by the Institution/OPC to the extent possible pursuant to the procedures set forth herein.

*Step 2: Notifying the Respondent* The person or persons identified as the alleged offender shall be referred to hereinafter as the “Respondent.” Once the complaint has been filed, the Affirmative Action Officer/Title IX Coordinator will notify the Respondent(s) by written letter of its existence and provide him/her/ them with a copy of the signed complaint.

*Step 3: Respondent’s Written Response* The Respondent(s) will be provided an opportunity to file a formal response. The formal response shall be filed with the Affirmative Action Office/Title IX Coordinator by the Respondent(s) within twenty (20) days from the date the Respondent(s) received the signed complaint.

If the Respondent fails to timely file a formal response and/or elect(s) not to participate in the formal resolution process, the case will proceed and be investigated with or without the involvement of the Respondent.

If, during the investigation, the Complainant indicates a desire to withdraw his/her complaint, the Complainant shall sign a written statement of withdrawal containing the 15 reasons therefore and the case may be closed in the discretion of the Affirmative Action Officer/Title IX Coordinator. However, the Affirmative Action Officer/Title IX Coordinator may continue to conduct the investigation and take action to address the issues raised by the Complainant regardless of the Complainant’s wishes.

*Step 4: Investigation Process* The Affirmative Action Officer/Title IX Coordinator or designee will act as investigator. The investigator is neutral, objective, and does not act as an advocate for either party. The investigator is authorized to contact any and all persons who may have information relevant to the complaint and shall have access to all relevant College/ University/OPC records. The investigator shall also collect and evaluate other available records and information relevant to the complaint and investigation (e.g. email communications, medical test results, photographs), as appropriate. The investigator shall maintain a record of the investigation, including any interviews, which shall be retained as an official Affirmative Action Office record.

*Step 5: Final Investigative Report* A final investigative report shall be prepared which sets forth the findings of the Affirmative Action Officer/Title IX Coordinator or designee and the basis and rationale for his/her conclusion(s). Unless otherwise indicated in the report, the date of the report shall be considered the date upon which the results of the investigation become final. In making his/her findings, the Affirmative Action Officer/Title IX Coordinator or designee shall utilize the evidentiary standard of “preponderance of the evidence.” The final investigative report shall normally be issued within sixty (60) days after the complaint is filed. When more than sixty (60) days is needed to complete the investigation, the Affirmative Action Officer/Title IX Coordinator or designee shall notify the parties and proceed as expeditiously as possible. Allegations or evidence of violations of policies and procedures that are discovered during the investigation but which are outside the jurisdiction of the Affirmative Action Officer/Title IX Coordinator shall be referred to the appropriate office for resolution. The Affirmative Action Officer/Title IX Coordinator or designee will simultaneously provide copies of the report to the Complainant and the Respondent, and will also send a copy to the appropriate Vice President/Provost or Associate Commissioner. The Complainant and Respondent will also be advised of the appeal process at that time.



## *Post-Investigation Procedures*

*Appeal Procedures:* Either party (Complainant or Respondent) may appeal the Affirmative Action Officer's/Title IX Coordinator's findings. Such appeals shall be filed with the Institution's President or the Commissioner of Postsecondary Education as appropriate. The Appeal may be conducted by the President or the Commissioner or their designee. Parties wishing to file an appeal must do so within ten (10) days after receiving the Affirmative Action Officer's/Title IX Coordinator's final report. The appeal process will not involve reinvestigation of the complaint. Appeals must raise specific issues related to the Affirmative Action Officer's/Title IX Coordinator's findings. Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the Appeals Officer. Copies of the appeal decision shall be simultaneously provided to the parties, with a copy also to be sent to the appropriate Vice President/Provost or Associate Commissioner.

*Disciplinary Action:* When the investigative findings of the Affirmative Action Officer/Title IX Coordinator or designee (together with the appeal decision in cases in which there is an appeal) are received by the appropriate Vice President, Provost, or Associate Commissioner, he/she in consultation with the Institution's/OPC's Office of Human Resources, shall render a written determination (which includes a statement of the rationale for the determination) regarding the appropriate disciplinary and/or corrective action, if any, and provide a copy of the written determination to the Respondent. In cases involving allegations of sexual violence, a copy of the written determination will also be provided to the Complainant. Such disciplinary and/or corrective action may include but are not limited to: reprimand, required counseling, suspension, demotion, or termination. Disciplinary action will follow the procedural requirements of applicable collective bargaining agreements and any applicable statutory and judicial mandates. The Vice President/Provost/Associate Commissioner will be responsible for the implementation of all such disciplinary/corrective action measures. A record of the outcome of each case will remain a part of the permanent file of the case maintained by the Affirmative Action Office/Title IX Coordinator.

*Post-Proceeding Protective Measures:* In appropriate cases, the Vice President/Provost or Associate Commissioner, in consultation with the Institution's/OPC's Office of Human Resources and/or Director/Office of Student Affairs, may direct that certain measures be instituted or provided, to protect or safeguard the Complainant or victim of the misconduct, and/or to prevent or minimize the possibility of a further harmful incident or offense. Such protective measures may include: no trespass orders, no contact directives, counseling, reassignment of work duties, workplace relocation, referral to institutional offices capable of providing support, advice or other resources (e.g. EAP, Housing, Woman's Center, Residence Life), or any such other action(s) that may be described in the Institution's/OPC's policies and that are deemed appropriate under the circumstances.

*Outside Agencies:* All individuals shall be informed regarding their right to seek redress through the following outside agencies: Office of Civil Rights, Region I, US Department of Education, 5 Post Office Square, 8th Floor Boston, MA 02109-3921 Tel.: (617) 289-0111 Fax: (617) 289-0150 <http://www2.ed.gov/about/offices/list/ocr/docs/howto.html> United States Equal Employment Opportunity Commission John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 Phone: 1-800-669-4000 Fax: 617-565-3196 <http://www.eeoc.gov/field/boston/index.cfm> Rhode

## **Registered Sex Offender Information**

In accordance with federal regulations, members of the College community are advised that information regarding registered sex offenders, as defined by section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)) may be obtained by contacting the Rhode Island Parole Board and Sex Offender Community Notification Unit, 1 Center Place, Providence, Rhode Island 02903. Phone: 401-222-5180, Fax: 401-222-5186; [www.paroletboard.ri.gov/](http://www.paroletboard.ri.gov/).

## **Missing Student Policy for Students Living on Campus (Residential Students)**

If a residential student is determined to have been missing for 24 hours, the College will initiate the notification procedures contained herein within 24 hours after receiving information that the residential student is missing.

### *College Procedures for Missing Residential Students*

- a. Any individual who has information that a residential student has been missing for 24 hours must **immediately** file an official report with Campus Police by calling extension 8888, or if calling from off-campus, 401-456-8888.
- b. When an official report is filed, Campus Police or other College officials will, absent extraordinary circumstances, make reasonable efforts to contact the residential student (e.g. through residential student's acquaintances, cell phone number, email, etc.). Additionally, Campus Police will gather other information about the missing residential student from the reporting person and from the residential student's acquaintances (e.g. description, clothes last worn, where the residential student might be, who the residential student might be with, vehicle description, information about the physical and mental well-being of the residential student, an up-to-date photograph, class schedule, etc.).
- c. If Campus Police's reasonable efforts to contact the residential student outlined in "b" above are unsuccessful in locating the residential student, the Dean of Students or designee will notify the residential student's emergency contact person. If the missing residential student is under 18 years of age and not emancipated, the College must notify the custodial parent or guardian at this time. The College also will notify the local law enforcement agency if Campus Police's reasonable efforts to contact the residential student outlined in "b" above are unsuccessful in locating the residential student, unless the local law enforcement agency was the entity that made the determination that the residential student is missing.
- d. Prior to providing the College community with any information about a missing residential student, College personnel shall consult with the Campus Police and/or with local law enforcement authorities to ensure that no statements are made that are likely to hinder the investigation.

### *Procedures for Registering an Emergency Contact Person*

Residential students have the option to register an emergency contact person to be notified by the College in the event that the residential student is reported missing. The emergency contact person can be any person and will remain in effect until changed or revoked by the residential student. The residential student can update the emergency contact information as applicable at any time. The emergency contact information will be registered confidentially and only authorized campus officials and law enforcement officers in furtherance of a missing person investigation will have access to this information. Residential students may register an emergency contact by filling out a separate form during the move-in process or at any point throughout the academic year by visiting the Residential Life and Housing office. The student will provide the following information: student's name, RIC ID number, student cell phone, name and relationship of who to be contacted, a home and cell phone # for that person(s), and an email address for that person(s). The information will be stored separately, securely and confidentially in the main Residential Life and Housing Office at Penfield Hall.

## **FIRE SAFETY REPORT**

This information represents the most current fire safety guidelines for the College, including Residence Halls and works in conjunction with all other College generated documentation pertaining to fire safety.

### **Why You Should Care...**

With so many things to think about, why should students pay much attention to fire and life safety policies and procedures? The answer is clear: it can be **a matter of life and death**. Proper fire prevention measures and the knowledge of life safety procedures within residential communities save lives. Since 1973, there have been more than 45 residence hall fires across the United States, including the tragic Seton Hall fire of January 2000 that killed three students and injured 62. With so many people living in such close proximity within our halls, every resident plays an important role in preventing fires and responding appropriately to life safety emergencies. Every resident assumes the responsibility of complying with fire safety policies, procedures, and guidelines as put forth in the College Student Handbook and the Residential Life and Housing Rental Agreement. Violations of College fire safety related policies and procedures - **including the defacement of hallway exit signs, falsely activating fire alarms, discharging fire extinguishers, and activating fire suppression/sprinkler systems** - are treated with the highest priority and may result in removal from residence halls and other disciplinary action.

### **Fire Log**

Campus Police maintains a Fire Log of any fires that occurs in on-campus student housing facilities. For each fire, the log includes the date the fire was reported; the nature of the fire; the date and time of the fire; and the general location of the fire. Campus Police makes an entry or an addition to an entry to the log within two business days of receiving the information. A business day is any day Monday through Friday, except for days when the institution is closed. The Fire Log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. Any portion of the log

older than 60 days will be available within two business days of a request for public inspection. Anyone may have access to the log, whether or not they are associated with the College.

## **On-Campus Student Housing Facility Fire Safety Systems**

**Penfield Hall:** Penfield Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Penfield Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

**Browne Hall:** Browne Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Browne Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

**Sweet Hall:** Sweet Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Sweet Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

**Thorp Hall:** Thorp Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Thorp Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

**Weber Hall:** Weber Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Weber Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

**Willard Hall:** Willard Hall is outfitted with a sprinkler system and has an addressable fire alarm system. Willard Hall is also equipped with fire extinguishers in the hallways and suite areas. The fire alarm and sprinkler systems are tested every quarter and the extinguishers are inspected once a year. The testing and inspection of all the fire safety equipment on campus is done per the National Fire Protection Association and Rhode Island Fire Code.

## **Fire Safety Equipment & Inspection**

Fire alarm systems, the most important component of the fire safety program, along with all other fire safety equipment, are properly tested and maintained in compliance with all governing codes. All other equipment is inspected and maintained according to governing codes. Residential Life

and Housing and Department of Public Safety Fire/Life Safety Division personnel randomly inspect student rooms each semester. Students are given no less than 24-hour notice of these random inspections. Residents who are found in violation of fire safety guidelines are given one day to make corrections without penalty. Candles will be confiscated and discarded immediately. The College takes seriously any deliberate defacement, tampering, or theft of fire safety equipment including fire extinguishers and exit signs. Students found responsible for such behavior may face removal from residence halls, as a recommended judicial sanction. Fire Safety equipment is strategically located throughout the residence halls for use during an emergency. If a situation warrants the use of Fire Safety equipment, a residence hall staff member should be notified so any necessary repairs to the equipment can be made.

Fire suppression systems, *or sprinklers*, have been installed in all residence halls. Sprinkler heads protrude from the walls and ceilings of common areas and student bedrooms in all residence halls. A sprinkler head is designed to discharge a large volume of water in a short period of time and can cause extensive damage to residential units. **Students may not hang any items from sprinkler heads and must not tamper with, or attempt to modify, fire suppression systems and sprinkler heads.** The accidental or intentional discharge of a fire suppression system will result in financial restitution and Campus Police, student conduct, and State Fire Marshal investigation.

Smoke/fire detectors have been installed in all residence halls. Detectors are located on ceilings and walls, and trigger building fire alarms that are designed to save lives. **The covering of, or tampering with, any fire detector in any residence hall location so as to render this equipment inoperable is strictly prohibited** and will result in financial restitution and Campus Police, student conduct, and State Fire Marshal investigation.

Tampering with fire safety equipment (including, but not limited to, fire extinguishers, exit signs, automatic sprinkler heads, local smoke and heat detectors, and emergency lights) is prohibited. Safety equipment, such as exit lights, fire alarms, sprinkler systems, smoke alarms, or other safety or fire-fighting equipment must not be used inappropriately or rendered inoperable. Emergency exit charts shall not be removed or covered. Self-closing mechanisms on interior doors shall not be disabled and interior doors shall not be propped open.

### **Number of Fire Drills Held During the Previous Calendar Year**

Fire Drills are run in each residence hall. During the previous calendar year, in accordance with the Rhode Island Fire Safety Code, the College ran two fire drills in the spring, two drills in the fall and one drill in the summer semester in each residence hall. During the fall and spring semesters, the first drill is always completed within the first three weeks and the second drill is always completed by the end of the fifth week. The College also runs fire drills in academic buildings.

### **Policies and Rules on Portable Electrical Appliances, Smoking and Open Flames in Residence Halls**

**Portable Electrical Appliances** - The following appliances are prohibited in the Residence Halls: ANY heating or cooking appliances: hot pot, coffee pot, toaster, toaster oven, George Forman Cooker (or other similar type of grill), hot plate, oil popcorn popper (hot air poppers ARE allowed), etc.; electric

heaters of any kind (only UL listed electric blankets are allowed), including space heaters, immersion heaters; Halogen desk or floor lamps, sun lamps For your protection, any electrical items brought into the Residence Halls must be UL (United Laboratories) approved. This means that the item has been checked and is considered electrically safe. Any items without this sticker or tag will not be allowed in the Residence Halls. Residents are encouraged to take precautions when using high wattage lamps (anything above 60 watts) or using flammable items or solutions. In case of electrical power failure, only flashlights or battery powered lanterns may be used.

**Microwaves:** A maximum of one microwave is permitted only in each suite area in Browne, Thorp, Weber, and Willard Halls. Microwaves are not permitted in individual rooms in these buildings. Due to the structure of the building, a maximum of one microwave is permitted in each room in Sweet Hall. Microwaves are not permitted in the bathroom of any building. Microwaves must be 0.7 cu. ft. or smaller and cannot exceed 700 watts. Microwaves can be banned if used inappropriately or if usage results in false fire alarms. Repeat offenses in a suite or the building may result in the banishment of microwaves for up to one semester. If more than the maximum number of microwaves is found in an area it can be confiscated and will not be returned until semester break.

**Extension cords:** Extension cords of any kind are not allowed in the halls. As an alternative, students can continue to use (UL Listed) surge protectors and power strips in their rooms. Surge protectors and power strips need to be directly plugged into the outlet. Plugging in multiple surge protectors and power strips into each other (daisy chaining) is prohibitive.

**Smoking:** The residence halls are a smoke free community. Pursuant to RI State Law, smoking is illegal in all areas of the residence halls, including but not limited to rooms, bathrooms, suites, lounges, lobbies, courtyards, front desks, kitchens, rec rooms, laundry rooms, hallways, stairways, and elevators. Smoking outside a residence hall can be done 50 feet away from the building or at a designated location by the residence hall staff. Smoking in other areas around the residence halls will be in violation of this policy. These areas may also be designated as non-smoking when necessary by the Residential Life & Housing staff. Smoking in other areas around the residence halls will be in violation of this policy. All items, such as cigarettes and ashtrays, found in the student's room or suite area will be confiscated and the appropriate administrative actions taken. Please note that hookahs are not allowed in the residence halls.

**Open flames:** Candles of any kind (this includes white-wicked decorative candles), candle warmers, lighters, incense, incense burners or potpourri burners, oil lamps, kerosene lamps and related paraphernalia are prohibited in the residence halls. Fire safety for the residence halls is the responsibility for the whole community within the halls. These items are considered to be significant causes of fire on college campuses around the world. These items will be confiscated from the room or suite area upon discovery of their presence. The smell of incense or candles is sufficient evidence to request to do a plain view search of the room or suite area. The evidence and/or smell of these items will be documented and the individual(s) will be given a warning. Further administrative actions may occur if a person is found to have large amounts of these items or if the person violates the policy on a repetitive basis. Items confiscated by the Residential Life and Housing Staff must be claimed within 30 days after the official closing of the residence halls each semester or the items will be disposed.

## **Cooking Policy**

Residents are not allowed to cook any meals in their rooms or suite areas. Some of the residence halls have a kitchen facility with an oven and stove (some have refrigerators) where students may prepare meals or bake. Residents are responsible for cleaning up after themselves and must leave the entire kitchen area clean for the next person. Failure to do this may result in the loss of kitchen privileges or other administrative actions.

The Residential Life and Housing staff reserves the right to confiscate any prohibited items and warnings can be issued based on smell alone. Students are also prohibited from hanging any items/decorations from or on the pipes, or from the ceiling within their room and/or suites.

## **Fire Safety for Decorations (Year Round)**

When decorating the residence halls, it is required that we comply with the State Fire Safety Codes in order to insure your safety. Decorative lighting is not allowed, which includes rope and Christmas lights. Natural trees and wreaths are not allowed. Artificial trees that are certified flame resistant are allowed. All decorations must be certified by the manufacturer as being flame resistant. Any decorations that are found to not meet these regulations will be confiscated. All holiday decorations must be taken down before the residence halls close for winter break. Any suites/floors that fail to do this will be fined and the items will be confiscated.

## **Procedures for Student Housing Evacuation in the Case of a Fire**

All Residence Hall buildings have evacuation posters mounted on the suite doors showing them two different ways to get out of the building. Students must learn the plan and not remove or cover the evacuation plan. If the evacuation plan is missing from a room, students must notify their Resident Hall Director, Resident Assistant or Area Coordinator immediately. Students must always know two escape paths from their room in the event that one is blocked. Students should practice fire safety on the first day they arrive in the residence halls by doing the following: **Find the exits nearest your room.** Make sure they are not locked or obstructed. Count the number of doors between your room and the exits. This will enable you to find them in the dark or in the smoke. **Be sure you can find and unlock your room in the dark.** Keep your room key close to your bed. **Locate the fire alarm on your floor or near your suite.**

### ***Evacuation Procedures in the Event a Fire Alarm Sounds in Your Residence Hall:***

- Grab your key and/or ID card
- Feel your room door before opening it. Feel the doorknob and the space between the door and its frame with the back of your hand. If your door is cool, open it slowly and go to the nearest safe exit. If it is hot, stay in your room, phone for help, and wait for a fire fighter. **If your door is hot, DO NOT open it.**
- If your room has another exit, check it and use it if it's cool. If the fire is outside your room, your room may be the safest place for you. Call Campus Police (401-456-8888) to report the fire and let them know where you are trapped. Seal all cracks with towels/clothing and/or tape. If there is smoke in the room, open the window to let it out. Signal at your window for assistance by hanging a large article of cloth out of a corner of the window.
- If your door is not hot, and smoke has not filled the hallway, proceed to the nearest exit and **immediately leave the building; do not attempt to fight the fire!**

- If you encounter smoke or fire as you're crawling, turn around and find another exit. If no exit is clear, return to your room and follow the steps above. **Crawl low under the smoke because the air is cooler and less toxic nearer the floor.**
- Never, never ignore a fire alarm; failure to evacuate a building during a fire alarm is a violation of the College's student conduct code. Anyone who fails to leave the residence hall when the fire alarm sounds will face judicial action that may result in sanctioning including fines.
- DO NOT use the building elevator. An elevator might stop where the fire is or malfunction as a result of the fire. Use the stairs.
- Once outside, move away from the building and wait for further instructions; check around for your roommates to make sure they are safe. Stay out of the way of the firefighters.

In the case of a catastrophic event or disaster on or near the campus, students are instructed to immediately contact and advise family members of their status and wellbeing; and check the College voice mail system or website for further instructions.

**Emergency Exits.** Stairways, corridors, and doors are emergency exits, and objects of any type cannot be kept in these areas at any time. Objects of any type, including bicycles, left in these areas will be confiscated at owner's risk and expense.

**Sign Postings:** Any signs to be posted in the residence halls must be approved by the Professional Hall staff member and posted in designated posting areas. If a sign is not approved, it will be taken down and disposed of. Signs posted for the benefit of all residents (Fire Safety Regulations, Evacuation Procedures, RA posters, Hall banners, Policy Signs, etc.) should not be tampered with. Those found to be tampering with such postings will be held responsible for a violation of the Vandalism Policy.

**Suite/External Door Propping:** Due to fire, theft, and safety hazards, the propping of fire doors and/or suite/external doors is restricted and residents will receive warnings if violations occur. Any student or guest who intentionally violates this policy by propping, damaging, or vandalizing a suite or external door will be subject to a fine of \$50.00 and Judicial actions.

## **Fire Safety Education and Training Programs Provided to the Students and Employees**

The College provides an educational and training program for the Hall Directors and Resident Assistants from each of the Residence Halls. This program is conducted just before students move back on to campus. During the year, students are informed of the emergency evacuation routes at their suite meetings, and are shown these through regularly scheduled and unannounced drills. Alarm systems will also be tested periodically to insure their proper functioning. Malfunctioning of these devices should be reported immediately to the Resident Assistant.

## **Reporting by Students and Employees that a Fire Occurred for Purposes of Including a Fire in the Statistics in the Annual Fire Safety Report**

For the purpose of including a fire in the statistics in the annual fire safety report, students and employees should notify Campus Police. In cases of a fire emergency, students and employees should immediately call 911 and then call Campus Police at **401- 456-8888**.



## **Future Improvements in Fire Safety**

As of the date of this report, the College is up to date on all the codes for residence halls. The residence halls are inspected by the Rhode Island State Fire Marshal Office once a year, and if there is any change to the code that should be made, the Fire Marshal informs the College and the College makes the necessary changes. Accordingly, future improvements in fire safety are not necessary at this time.

## **Resident Privacy**

Authorized college representatives shall have the right to enter housing spaces for the purposes of:

- A. Fire, safety, and health inspections
- B. Compliance with multiple dwelling unit laws
- C. Responding to clear indications of immediate danger to life, safety, health, or property
- D. Maintaining the conditions of facilities and furnishings

Whenever possible and feasible, students will be present during these entries. Room checks may also be conducted; however, students will be notified at least 24 hours before they are held. Entrance of premises occupied by students or the search of personal possessions of students may be conducted upon authorization of designated college officers to determine compliance with Rhode Island College regulations and State laws where there is probable cause to believe that a violation has occurred or is taking place. The resident will be held responsible for any violations that may be found in their room.

## **Fines for Abusing or Tampering with Fire Detection, Fire Safety, and Alarm Devices**

Abuse or tampering with fire detection, fire safety, and alarm devices is prohibited. The following fines will be assessed:

- A. Illegal Exit through Fire Door/Emergency Exit - \$50.00.
- B. Failure to Leave Building during a Fire Alarm - \$100.00 and potential further judicial action.
- C. Misuse of Fire Extinguisher - \$100.00 and other sanctioning as deemed appropriate by the Director of Residential Life & Housing.
- D. Abuse or Tampering of Detection, Suppression, and Alarm Devices - \$100.00 additional educational sanctions and possible dismissal from the residence halls.
- E. Misuse or Activation of Fire Alarm Pull Box - \$200.00 and immediate dismissal from the halls.
- F. Disruption or misuse of Residential Life on-call phones, including prank calls, is prohibited - \$100, additional educational sanctions and possible dismissal from the residence halls.
- G. Unauthorized or misuse of the intercom system is prohibited - \$100, additional educational sanctions and possible dismissal from the residence halls.
- H. False Fire Alarm as a Result of Microwave Use:
  - 1st Offense- would result in written warning unless the situation is determined by the Professional Hall staff member to be a purposeful violation in which case greater sanctions would be immediately applied.
  - 2nd Offense- would result in \$100.00 fine, loss of microwave for one semester and housing probation for one month.

## **Department of Facilities and Operations/ Fire Safety**

The Department of Facilities and Operations/ Fire Safety oversees all campus fire safety and code requirements at the College. This department performs regular fire inspections and random room inspection in all campus facilities; provides training programs and presentations to faculty, staff and students; and provides direct liaison activities with local Fire Departments.

**Table 1—TOTAL CRIMES**

CRIME CATEGORY	REPORTED CRIMES		
	2015	2016	2017
<b>A. Murder and Non-negligent Manslaughter</b>	0	0	0
<b>B. Negligent Manslaughter</b>	0	0	0
<b>C. Rape</b>	1	2	1
<b>D. Fondling</b>	0	0	0
<b>E. Incest</b>	0	0	0
<b>F. Statutory Rape</b>	0	0	0
<b>G. Robbery</b>	0	0	1
<b>H. Aggravated Assault</b>	1	0	0
<b>I. Burglary</b>	0	4	0
<b>J. Motor Vehicle Theft</b>	0	0	2
<b>K. Arson</b>	0	0	0
<b>VAWA OFFENSES<sup>1</sup></b>			
1. Domestic Violence	0	0	0
2. Dating Violence	0	0	0
3. Stalking	0	0	0
<b>Arrests for:</b>			
1. Liquor Law Violations	0	0	0
2. Drug Law Violations	0	0	0
3. Illegal Weapons Possession	0	0	0
<b>Disciplinary Action (but not arrested):</b>			
1. Liquor Law Violations	33	79	20
2. Drug Law Violations	7	4	22
3. Illegal Weapons Possession	0	0	0

<sup>1</sup> VAWA statistics not federally mandated to track until 2014

**Table 2—CRIME CATEGORY BY LOCATION**

CRIME CATEGORY	ON CAMPUS <sup>2</sup>			NON-CAMPUS PUBLIC PROPERTY <sup>3</sup>			DORM/RESIDENCE		
	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>A. Murder and Non-negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0
<b>B. Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0
<b>C. Rape</b>	0	0	0	0	0	0	1	2	1
<b>D. Fondling</b>	0	0	0	0	0	0	0	0	0
<b>E. Incest</b>	0	0	0	0	0	0	0	0	0
<b>F. Statutory Rape</b>	0	0	0	0	0	0	0	0	0
<b>G. Robbery</b>	0	0	0	0	0	1	0	0	0
<b>H. Aggravated Assault</b>	1	0	0	0	0	0	0	0	0
<b>I. Burglary</b>	0	4	0	0	0	0	0	1	0
<b>J. Motor Vehicle Theft</b>	0	0	2	0	0	0	0	0	0
<b>K. Arson</b>	0	0	0	0	0	0	0	0	0
<b>VAWA OFFENSES</b>									
1. Domestic Violence	0	0	0	0	0	0	0	0	0
2. Dating Violence	0	0	0	0	0	0	0	0	0
3. Stalking	0	0	0	0	0	0	0	0	0
<b>ARRESTS FOR:</b>									
1. Liquor Law Violations	0	0	0	0	0	0	0	0	0
2. Drug Violations	0	0	0	0	0	0	0	0	0
3. Illegal Weapon Possessions	0	0	0	0	0	0	0	0	0
<b>DISCIPLINARY (not arrested):</b>									
1. Liquor Law Violations	0	0	0	0	0	0	33	79	20
2. Drug Violations	0	0	0	0	0	0	7	4	22
3. Illegal Weapons Possessions	0	0	0	0	0	0	0	0	0

<sup>2</sup> On campus in a location other than a dormitory or other student residence.

<sup>3</sup> On public property not under the control of the College but located immediately adjacent to the campus.

**Table 3--HATE CRIMES**

CRIME CATEGORY	Number of crimes-category of bias, location of crime		
	2015	2016	2017
<b>A. Murder and Non-negligent Manslaughter</b>	0	0	0
<b>B. Negligent Manslaughter</b>	0	0	0
<b>C. Sex Offenses-Forcible</b>	0	0	0
<b>D. Rape</b>	0	0	0
<b>E. Fondling</b>	0	0	0
<b>F. Sex Offenses-Non Forcible</b>	0	0	0
<b>G. Incest</b>	0	0	0
<b>H. Statutory Rape</b>	0	0	0
<b>I. Robbery</b>	0	0	0
<b>J. Aggravated Assault</b>	0	0	0
<b>K. Burglary</b>	0	0	0
<b>L. Motor Vehicle Theft</b>	0	0	0
<b>M. Arson</b>	0	0	0
<b>N. Simple Assault</b>	0	0	0
<b>O. Larceny—theft</b>	0	0	0
<b>P. Intimidation</b>	0	0	0
<b>Q. Destruction/damage/vandalism of property</b>	2—race, on-campus in location other than dorm	2—race, on-campus in dorm	0

**Table 4--FIRE REPORT**

<b>SUMMARY OF FIRES</b>									
<b>Name of Facility</b>	<b>2015</b>			<b>2016</b>			<b>2017</b>		
	<b>Fires</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Fires</b>	<b>Injuries</b>	<b>Deaths</b>	<b>Fires</b>	<b>Injuries</b>	<b>Deaths</b>
Browne	0	0	0	0	0	0	0	0	0
Sweet	0	0	0	0	0	0	0	0	0
Thorp	0	0	0	0	0	0	0	0	0
Weber	0	0	0	0	0	0	0	0	0
Willard	0	0	0	0	0	0	0	0	0
Penfield	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>