



2024

# Annual Campus Security and Fire Safety Report



SARAH  
LAWRENCE  
COLLEGE

# Campus Safety Department

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# Services & Resources

## SERVICES

### Important Telephone Numbers

There are emergency phones/towers located throughout the campus. Pushing the button on an emergency phone automatically connects the caller to Campus Safety Communications Desk. In addition, please make a note of these important phone numbers:

<b>Campus Safety Emergency .....</b>	<b>x2222</b>
Campus Safety at Swinford Annex Communication Desk, 24 hours a day .....	x2209
Campus Safety at Hill House.....	x6249
Campus Safety shuttle/escort service .....	x2209
Emergency repairs/operations (9 a.m. to 5 p.m., Monday through Friday) .....	x2385
After-hours emergency repairs/Campus Safety .....	x2209
Health Services .....	x2350
Student Life .....	x2575
Confidential Substance Abuse Counseling .....	x2212
Yonkers Emergency (ambulance, police, fire).....	911
Lawrence Hospital .....	914.787.1000
Victims Assistance Services of Westchester .....	914.965.0217

### Campus Safety Measures

Sarah Lawrence College Campus Safety measures include the following:

- 24/7 Campus Safety services
- Campus Safety vehicle, bicycle and foot patrols (uniformed)
- Sprinkler systems
- Fire and burglar alarms
- Emergency phones located throughout the campus
- Campus Safety escorts
- Campus shuttle service operated by Campus Safety
- Safety workshops
- Campus CCTV system

- Access control system
- Self-defense workshops
- Defibrillators on campus
- Campus Alert emergency notification system (email, text, phone) available to all students, faculty, and staff

### **Swinford Annex Communication Desk: Campus Safety Central Dispatch**

Swinford Annex Communication Desk is covered 24 hours a day and is the central dispatch location for Campus Safety and the student shuttle. When you pick up any of the emergency phones located around campus or when you dial the emergency number (2222), you will reach Swinford Annex Communication Desk. The map shows the locations of emergency telephones around campus which connect you directly, without dialing. We ask you not to use the 2222 emergency number for any calls other than emergencies in order to keep the line clear for real emergencies. Swinford Annex Communication Desk can be reached by dialing ext. 2209 for non-emergency phone calls.

Swinford Annex Communication Desk also houses the College's Lost and Found. Identification is required when claiming a lost item.

### **Campus Shuttle**

The Campus Shuttle that is operated by Department of Campus Safety and vehicles are driven by Campus Safety Officers which operates when school is in session from 7:30 a.m. to 2:30 a.m., 7 days a week. For more information on the current campus shuttle route and times, please see MySLC Campus Safety page.

### **Medical Transport**

Students, faculty, and staff who are on the College's medical transport list are transported throughout the campus by Campus Safety personnel.

### **Campus Facilities**

The Campus Facilities Department maintains the College facilities and grounds with a concern for safety. Reports of safety hazards such as broken windows, locks, or lighting should be made immediately for prompt repair. Safety officers regularly submit lighting and physical on site safety reports to the Campus Facilities Department for appropriate actions.

### **Special Attention List**

Students are free to call Swinford Annex Communication Desk at ext. 2209 to request special patrols of specific areas/buildings of the campus whenever needed.

## **RESOURCES**

### **Crime Prevention Tips**

- Always lock your bedroom, apartment, and exterior doors.
- Never leave any valuables out in the open and walk away from them, even if only for a few minutes.
- When walking at night, try to walk in groups or use the campus shuttle.
- When walking, plan your route in advance and know where to find emergency phones.
- Immediately report any suspicious persons or activity to Campus Safety and the police.
- When not in your room, close and lock all windows, especially windows that can be easily reached from ground level.
- Have all deliveries sent to Westlands Gate Campus Safety Booth or Hill House Lobby and meet the delivery person there.

- If you are ever facing an armed criminal, the risk of injury is minimized by cooperation, avoidance of sudden moves, and giving the criminal what is wanted.
- If it will be dark when you return to your car, park in a place that will be well lit and not deserted.
- Have your keys ready when returning to your car.

## **How to Be an Active Bystander**

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or to intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive toward another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like he/she could be in trouble or need help, ask if he/she is okay.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on- or off-campus resources listed in this document for support in health, for counseling, or with legal assistance.

## **Campus Safety Awareness Program**

At the start of each academic year, all incoming students receive a Campus Safety orientation that outlines Campus Safety procedures and practices and also encourages the campus community to look out for themselves and for one another. In addition, each year Campus Safety designs a number of programs and workshops to inform and educate students about campus safety issues and procedures. Campus Safety offers these workshops each semester on topics including personal safety awareness, safety tips, fire safety, and self-defense. At the beginning of the academic year, resident advisers have meetings with their new advisees in which they speak about safety issues.

## **Personal Safety & Campus Safety**

The cooperation and involvement of all members of the community in the College's safety program is absolutely necessary for the program to succeed. Students must assume responsibility for their own personal safety and for the security of their belongings by taking simple, common-sense precautions. For example, although the campus is well lit, all students should use the campus escort shuttle or travel in pairs on College pathways when returning to residence halls late at night. Room doors and windows should always be locked when they are unoccupied. Students should always report any suspicious-looking individuals to Campus Safety.

## **Health & Safety Emergencies**

The health and safety of our community members is a top priority at Sarah Lawrence College. However, the College, a microcosm of the greater community, is not immune from emergencies that may pose a threat to the health and safety of students, faculty, staff, and campus visitors. Given this, the College reserves the right to take appropriate action in emergency situations that pose an immediate threat to the health and safety of its community members, the determination of which will be made in the sole discretion of the College. Examples of such emergency situations may include, but are not limited to, violence against community members or an outbreak of serious illness on campus. Responsive emergency action by the College may include entering residence halls, classrooms, and other campus facilities without prior notice when necessary to address immediate risks, campus evacuation, medical intervention, suspension of activities on

campus, and contacting emergency services. At any time deemed necessary by the College, additional measures, including the adoption and implementation of policies, procedures, and programs, may be taken to prevent future health and safety threats to those in the Sarah Lawrence community. This policy applies to all situations and activities occurring on the campus of Sarah Lawrence College, as well as College-sponsored events occurring off-campus, to the degree they have a direct impact on campus safety.

Campus members may report concerns about potential health and safety threats to Campus Safety, Residential Life staff, or through appropriate online reporting forms available in MySLC. Such reports will be reviewed, and action will be taken by the College when deemed necessary in its sole discretion.

## **Access to Residence Halls**

The College has both single-sex and coed residence halls. Some of the residence halls are multiuse buildings with classrooms and/or offices. Residence halls are kept locked 24 hours a day. Multiuse residence halls without swipe-card access are opened and closed by Campus Safety personnel on a specific schedule. Students are issued keys or cards to the outside doors of the residences and are required to keep the doors locked at all times. Propping doors open is strictly prohibited.

The College has a resident Student Affairs staff, including administration, and student resident advisers. Administrators from Student Affairs and Campus Facilities are on call 24 hours a day. The College also expects students to be responsible for a number of measures to ensure that they and their possessions are protected as much as possible.

All deliveries coming onto campus go to the mail room. Students should not give out individual dormitory addresses to vendors nor should students prop doors open for them. Delivery persons are strangers. The proper procedure for deliveries is to have them delivered to Westlands Gate Campus Safety Booth. Westlands Gate Campus Safety Booth will call students when they have a delivery waiting. Vendors who persist in making direct deliveries will be banned and should not have privileged access to the dorms.

All residence halls are patrolled by Campus Safety officers. Students, faculty, and staff are required to carry proper College ID cards and must show them upon request to any Campus Safety officer.

## **Campus Safety Team**

The Campus Safety Department consists of an assistant vice president, four associate directors, three lieutenants, three sergeants, two corporals, 31 full-time officers, and four part-time officers.

## **Assistant Vice President of Campus Safety — James (Jim) Verdicchio**

The assistant vice president of campus safety has the primary responsibility for College safety and security. He works closely with all members of the College community and representatives of the local police and fire departments. He is on call 24 hours a day for safety and security emergencies. He welcomes questions, suggestions, and ideas relating to safety and security and can be reached at 914.323.6001 or email [jverdicchio@sarahlawrence.edu](mailto:jverdicchio@sarahlawrence.edu).

## **Campus Safety Officers**

Campus safety officers are trained, certified, and registered in compliance with the New York State Security Act of 1992. The officers receive additional training by the College in various areas, including the use of AEDs, Title IX/Clergy training, fire safety, and CPR/first aid. Officers must obey and enforce the laws and regulations of the federal government, New York State, the City of Yonkers, and Sarah Lawrence College. Campus safety officers do not have arrest powers above those of a private citizen. They do have the authority to ask persons on campus property for identification and to determine whether individuals have lawful business at Sarah Lawrence College. Campus safety officers have the authority to issue parking tickets on campus. Parking tickets issued to students are billed to their College financial accounts. The College works closely with state and local police agencies/authorities, where appropriate.

Campus safety officers patrol the campus on foot and in vehicles throughout the day and night. In addition to their regular patrols, officers respond immediately to emergencies, escort students, open and close various facilities, patrol parking areas, issue parking tickets, control and respond to all burglar and fire alarms, and respond when students, faculty, or staff are locked out of dorms or offices.

# Crime Statistics

## Policies for Preparing the Annual Disclosure of Crime Statistics

As required by federal law, Sarah Lawrence College's yearly crime statistics for this report are compiled by the Sarah Lawrence College Department of Campus Safety on a calendar-year basis and in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. These statistics include the previous three years concerning reported crimes that occurred on campus, in the College's non-campus buildings, and on public property within, or immediately adjacent to and accessible from, the campus. In addition, statistics are gathered from crimes reported to the Campus Safety officers, crimes reported to other campus officials with significant responsibility (Campus Security authorities) for student and campus activities (i.e., Student Life, Judicial Affairs, Career Counseling, College Events, Community Partnerships, athletic coaches, deans, Human Resources, Health Services, and advisers to students/student organizations), as well as those crimes reported to the local police precincts (Yonkers Police Department). These statistics also include persons referred for campus disciplinary action for categories required under the Clery Act, including liquor law violations, drug law violations, and illegal weapons possession. In completing all publicly available record keeping for the purposes of Clery Act reporting, the College will not include any identifying information about victims of crimes. It will also maintain the confidentiality of any accommodations or protective measures given to the victim to the extent that such exclusions would not impair the ability of the institution to provide such accommodations or protective measures.

## Definition of Clery Act Geography

- **On-Campus:** Defined as: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- **Non-Campus Building or Property:** Defined as: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
- **Public Property:** Defined as: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.
- **Non-Campus Violations:** Students, faculty, and staff are encouraged to report to Campus Safety and the police all criminal activity that occurs in all Sarah Lawrence College non-campus locations.

## 2021–2023 Statistics

The Jeanne Clery Act requires colleges to publish yearly security reports that include campus crime statistics for the past three years and specific campus security policy disclosures. Each year, an email notification is made to all enrolled students, current faculty, and staff that provides a link to the College website in order to access this report. The Advisory Committee on Campus Safety will provide, upon request, a hard copy of all campus crime statistics as reported to the United States Department of Education. If an individual requires such a copy, he/she should call the Office of the College's Director of Campus Safety. The copy will be sent free of charge within 10 days of the request. Sarah Lawrence College's crime statistics and those of other US colleges can also be found at the United States Department of Education's website address: <http://ope.ed.gov/security>.



## Definitions of Crimes

**Murder and Non Negligent Manslaughter.** Defined as the willful (non negligent) killing of one human being by another.

**Negligent Manslaughter.** Defined as the killing of another person through gross negligence.

**Sex Offenses.** Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape (except Statutory Rape).** 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. This offense includes the rape of both males and females.
- **Sodomy.** Oral or anal sexual intercourse with another person 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 or physical incapacity.
- **Sexual Assault.** An offense that meets the definition of rape, sodomy, sexual assault with an object, fondling, incest, or statutory rape as used in the FBI's UCR program.
- **Sexual Assault with an Object.** Use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person 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 or physical incapacity. An "object" or "instrument" is anything used by the offender other than the offender's genitalia (e.g., a finger, bottle, handgun, stick).
- **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 or physical incapacity.

**Sex Offenses, Nonforcible.** Unlawful, nonforcible sexual intercourse.

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

**Dating Violence.** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

A. 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.

B. For the purposes of this definition:

1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
2. Dating violence does not include acts covered under the definition of domestic violence.

C. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence.** A felony or misdemeanor crime of violence committed:

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. 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
5. By any other person against an adult or youth victim who is protected.

**Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear for the person's safety or the safety of others; or

2. 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 — follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

**Robbery.** Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault.** Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary.** Burglary is the unlawful entry of a structure to commit a felony or a theft. The UCR classifies offenses locally known as burglary (any degree); unlawful entry with intent to commit a felony or larceny; breaking and entering with intent to commit larceny; housebreaking; safecracking; and all attempts at these offenses.

**Motor Vehicle Theft.** Motor vehicle theft is the theft or attempted theft of a motor vehicle.

**Arson.** Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

## Hate Crimes in the Following Categories

**Larceny/Theft (except motor vehicle theft).** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article which is not taken by force and violence or by fraud. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Simple Assault.** An unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation.** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property.** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## Hate Crimes Categories

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, Blacks, whites).
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term not found in the FBI's Hate Crime Data Collection Guidelines.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Ethnicity/national origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions (e.g., Arabs, Hispanics).
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

Classifying a crime as a Hate Crime is sometimes difficult.

## Criminal Offenses — On-Campus

Numbers indicate total occurrences on campus per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	1 (rape) 5 (fondling)	1 (rape) 5 (fondling)	7 (rape) 2 (fondling)
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	1
f. Aggravated assault	0	0	0
g. Burglary	2	4	1
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic violence	0	1	0
k. Stalking	2	4	3
l. Dating violence	0	1	2

## Criminal Offenses — On-Campus: Student Housing Facilities

Numbers indicate total occurrences in residence halls per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	1 (rape) 5 (fondling)	0 (rape) 4 (fondling)	7 (rape) 1 (fondling)
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	3	1
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic violence	0	0	0
k. Stalking	0	3	1
l. Dating violence	0	0	0

## Criminal Offenses — Non-Campus

Numbers indicate total occurrences in or on non-campus buildings or properties per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0 (rape) 0 (fondling)	0 (rape) 0 (fondling)	0 (rape) 0 (fondling)
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic violence	0	0	0
k. Stalking	0	0	0
l. Dating violence	0	0	0

## Criminal Offenses — Public Property

Numbers indicate total occurrences on public property per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0 (rape) 0 (fondling)	0 (rape) 0 (fondling)	0 (rape) 0 (fondling)
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Domestic violence	0	0	0
k. Stalking	0	0	0
l. Dating violence	0	0	0

## Hate Crimes — On-Campus

Numbers indicate occurrences of hate crimes per year; categories of bias are for crimes reported in that year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0	0	0
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny/theft	0	1	0
l. Intimidation	1	1	0
m. Destruction/damage/vandalism of property	0	0	0

## Hate Crimes — On-Campus: Student Housing Facilities

Numbers indicate occurrences of hate crimes per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0	0	0
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny/theft	0	1	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0

## Hate Crimes — Public Property

Numbers indicate occurrences of hate crimes per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0	0	0
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny/theft	0	0	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0

## Hate Crimes — Non-Campus

Numbers indicate occurrences of hate crimes per year.

CRIMINAL OFFENSE	2021	2022	2023
a. Murder/Non negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses — Forcible	0	0	0
d. Sex offenses — Nonforcible (includes only incest and statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)	0 (incest) 0 (statutory rape)
e. Robbery	0	0	0
f. Aggravated assault	0	0	0
g. Burglary	0	0	0
h. Motor vehicle theft	0	0	0
i. Arson	0	0	0
j. Simple assault	0	0	0
k. Larceny/theft	0	0	0
l. Intimidation	0	0	0
m. Destruction/damage/vandalism of property	0	0	0

## Arrests — On-Campus

Numbers indicate arrests per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Arrests — On-Campus: Student Housing Facilities

Numbers indicate arrests per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Arrests — Non-Campus

Numbers indicate arrests per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Arrests — Public Property

Numbers indicate arrests per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Disciplinary Actions — On-Campus

Numbers indicate persons referred for disciplinary action per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	1	1	0
b. Drug law violations	16	8	12
c. Liquor law violations	42	20	24

## Disciplinary Actions — On-Campus: Student Housing Facilities

Numbers indicate persons referred for disciplinary action per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	1	0
b. Drug law violations	6	8	9
c. Liquor law violations	37	20	22

## Disciplinary Actions — Non-Campus

Numbers indicate persons referred for disciplinary action per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Disciplinary Actions — Public Property

Numbers indicate persons referred for disciplinary action per year.

CRIME	2021	2022	2023
a. Illegal weapons possession	0	0	0
b. Drug law violations	0	0	0
c. Liquor law violations	0	0	0

## Unfounded Crimes

CRIME	2021	2022	2023
On-Campus	0	0	0
Student Housing Facilities	0	0	0
Non-Campus	0	0	0
Public Property	0	0	0

# REPORTING POLICY

All crime victims and witnesses are strongly encouraged to immediately report any crimes to the College's Campus Safety Office (914.395.2209 non-emergency, 914.395.2222 emergency) and the appropriate police agency (911). Prompt reporting will ensure timely warning notices on campus and will increase the chances of perpetrators being caught. Officers are available 24 hours a day, seven days a week, to receive calls.

Employees and students may also report past criminal offenses to a College official designated as Campus Security authorities who have significant responsibility for student and campus activities, including, but not limited to, student life. This includes the Dean of Studies & Student Life, ext. 2252 and the Director of Human Resources, ext. 2315. Upon receiving a report of criminal activity, these people must forward it to the Department of Campus Safety. Other than Health Services personnel, the College is required to report all violent felonies and missing students to the local police, even if the victim(s)/witness(es) refuse to make a police report.



Upon receipt of a report, Campus Safety officers are dispatched immediately to the site of the complaint. Any incident to which an officer responds is reported and filed. Officers prepare and submit incident reports, which are investigated and, where applicable, filed with the local police authorities. This includes but is not limited to assault, rape, theft of car, thefts from rooms, robberies, vandalism to College property, external disturbances, internal disturbances, harassment by outsiders, harassment by members of the College community, injuries occurring on campus, and trespassing.

If an officer is called to an incident, it is his/her responsibility to file a report. If an incident occurs and an officer is not called, then the complainant/reporter should file a report at the Campus Safety Office. This is important. A report must be filed; otherwise the incident "did not happen" or is "unknown." Without a report, it is very difficult for College officials to take appropriate action and alert the campus community.

## **Voluntary Confidential Reporting**

The College has a policy in which professional counselors and medical personnel from Health Services report the number and types of crimes (statistics only) on an annual basis to be included in the Clery Report each year.

Other than through Health Services, the College does not have any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

Health Services counselors encourage victims of crimes to report criminal activity to campus public safety. These reports would not be anonymous.

## **Emergency Notification**

Sarah Lawrence College will immediately notify the campus community upon confirmation of an emergency or dangerous situation that constitutes an ongoing or continuing threat to the College community. In such a situation, the AVP of Campus Safety or his associate directors, will send out a campus alert via text and email. If time permits, the AVP of Campus Safety will confer with senior management prior to sending the message. Please see Sarah Lawrence College's Emergency Response Plan for specific information on how the College will handle emergencies.

## **Timely Warning**

In an effort to provide timely notice to the SLC community, in the event of a crime within the SLC Clery geography that may pose a serious or ongoing threat to members of the SLC community, a "Timely Warning" will be sent to all students and employees via the SLC community email list. These alerts will be prepared and distributed by the AVP of Campus Safety or his associate directors. Timely warning notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of the victims as confidential, and with the goal of aiding in the prevention of similar occurrences. As per Clery regulation, the decision to issue a timely warning is decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the following:

- The nature of the crime
- The continuing danger to the College community
- The possible risk of compromising law enforcement efforts

# **HOW TO FILE A REPORT**

To file a report of an incident, call ext. 2209, 24/7, or go to Swinford Annex Campus Communication Center anytime.

Please be prepared to answer the following questions as best as you can:

## **Who? What? Where? When? Why? How?**

When you call to file a report, identifying yourself and a call back number allows the Campus Safety Department to conduct a proper follow-up. Safety will respond to all reports of suspicious activity — whether you choose to identify yourself or remain anonymous. Failing to make a report places the entire community at risk.

How to Describe a Vehicle

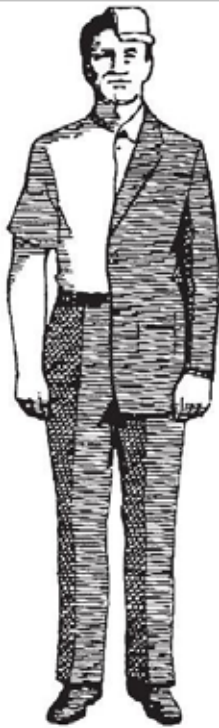
Make a note of the following:

- Color
- License Plate Number (Marker) & State
- Make & Year
- Body Type (sedan; two-door convertible; station wagon)
- Exterior Attachments or Damage

**Example:** Gray, late-model Ford, four-door sedan, New York license number XRZ 616 with a roof rack and dent on the passenger side.

How to Describe a Person

This chart shows the characteristics to keep in mind when describing a person:

Sex Male <input type="checkbox"/> Female <input type="checkbox"/>	Race White <input type="checkbox"/> Black <input type="checkbox"/> Other <input type="checkbox"/>	Age
Height		Left/Right Handed
Weight		Hat (Color/Type)
Hair (Color/Style)		Tie
Eyes		Coat
Glasses Type		Shirt
Tattoos		Trousers
Scars/Marks		Shoes
Complexion		Weapon
Facial Hair		Accent

Indications a Crime Might Be in Progress

- A scream for help
- A strange car repeatedly driving by
- A broken window
- Seeing someone you don't know or recognize leaving your personal space
- Someone entering an office or lab with no apparent business to transact

## **If a crime has occurred, call Campus Safety and report all details of the incident:**

There are outdoor emergency telephones marked by a blue light strategically located throughout the campus along College paths and in College parking lots. The map shows their locations. The telephones are connected directly (without dialing) to Campus Safety. Or you can call ext. 2222. In an emergency, give:

1. Your location
2. The nature of the emergency
3. Your name

Campus Safety will respond immediately. Remember details so you can tell the investigators:

1. Where the incident took place
2. A description of the suspect(s)
3. A description of any vehicle and the direction of escape

## **SEXUAL OFFENDER REGISTRATION**

As per the Campus Sex Crimes Prevention Act, all institutions of higher learning must advise the campus community where law enforcement agency information provided by the state concerning registered sex offenders may be obtained. This information may be obtained by going to [criminaljustice.ny.gov/nsor](https://criminaljustice.ny.gov/nsor). A search can be done by zip code, county, or name.

# Fire Safety

## POLICIES & SANCTIONS

### Possession of Prohibited Items

The following items are considered fire hazards and are prohibited in student rooms:

- Paper lanterns and/or paper lampshades
- Extension cords
- Open flames of any kind
- Hot plates
- Window air conditioners
- Toasters
- Toaster ovens
- Electric heaters
- Halogen lamps
- Heavy-duty appliances (except for cube-size refrigerators and small microwaves)
- Appliances with a heating unit (except UL-listed hair dryers and irons)

Tapestries, posters, and papers are permitted in student residence halls as long as they are hung to the wall and secured on all sides. Nothing may be hung from the ceiling.

### Possession and/or Use of Candles and/or Incense

The majority of residence hall fires are caused by candles and incense in student rooms. Therefore, candles and incense (whether lit or unlit) are prohibited in student rooms, and the sanctions for possession of these items are significantly higher. Candles and incense discovered in student rooms will be confiscated and destroyed.

Candles needed for religious purposes must be registered with the Office of Student Affairs at the beginning of the year. These candles may not be lit in student rooms or common areas. Groups must seek approval from the Office of Student Affairs, and no more than six candles can be used at one time (except for Chanukah). Candles must be placed in the center of a nonflammable plate/vessel that has a circumference twice the length of the candle and is filled with sand.

### Unauthorized Burning of Any Item on Campus

State and local laws prevent the burning of paper, wood, leaves, rubber, plastic, or any toxic material on campus.

## **Tampering with Fire Safety Equipment**

All fire safety equipment on campus is vital in case of an emergency, and therefore tampering with fire safety equipment in any way is strictly prohibited. Tampering with fire safety equipment includes, but is not limited to: moving or removing fire extinguishers, signs, and poles; unnecessarily discharging a fire extinguisher; marking on or covering fire safety signs; or hanging anything from a sprinkler system, including all pipes and sprinkler heads.

## **Tampering with Smoke Detectors/Carbon Monoxide Detectors**

Covering, removing, and/or damaging the heads of smoke detectors is extremely dangerous. In the event of a fire in a residence hall room, the smoke detector engages the sprinklers in order to contain the fire within that room. If a fire were to break out in a room with a covered or damaged smoke detector, the fire would likely grow to an unmanageable size before it was detected.

If a smoke detector in a common area or shared room is disabled, all occupants will be assessed the sanctions regardless of who tampered with the smoke detector. In this case, not removing the cover or reporting that the smoke detector is disabled is as dangerous as covering the detector.

Covering, removing, disabling, or damaging carbon monoxide detectors is strictly prohibited. If a carbon monoxide detector in a common area or shared room is disabled, all occupants will be assessed the sanctions.

## **Blocking of Fire Exit and Propping Fire Doors**

In the case of a fire in a campus building, timely evacuation of the building is imperative. Therefore, all members of the community must take care not to block the fire exits that make evacuation possible (i.e., hallways, entrances, and any area that leads to an outside door) or prop open the fire doors that help contain a fire.

## **Failure to Leave a Building During a Fire Alarm or Fire Drill**

Students, faculty, and staff must vacate any building when an alarm sounds. Fire drills will be held periodically throughout the year. Any student who fails to leave a building/area during a fire alarm is subject to disciplinary action.

## **Activating a False Fire Alarm (Malicious)**

Intentionally activating a fire alarm when there is no safety emergency necessitating the alarm is a criminal offense, and any student found to have done so is subject to criminal charges along with College disciplinary action.

## **Activating a False Fire Alarm (Unintentional)**

Some violations of policy result in the unintentional activation of the fire alarm, bringing the Yonkers Fire Department. In these cases, the violation places our own community in danger, as well as those community members around us who may be in serious need of emergency assistance. Therefore, in cases where a policy violation leads to the activation of a fire alarm, further sanctions will be assessed. For example, students who set off a fire alarm by smoking in their rooms will be subject not only to the smoking policy sanctions but also to the fines listed below.

## **Careless Cooking**

All of the common-area kitchens in residence halls are equipped with smoke and heat detectors. The sensitivity of the detectors is set as low as allowed by law. However, burnt toast, unmonitored pans of oil or butter, pizza boxes in ovens, cooking in dirty ovens, or other burning food will set off the fire alarm and bring the Yonkers Fire Department. It is the responsibility of the person(s) using the kitchen to ensure that the food does not burn or set off an alarm.

In communal living environments, if no one takes responsibility for the alarm, each member of the house/apartment will be found responsible. If the person responsible comes forward at the time of the alarm, the fine will be reduced by 20 percent. The same rules apply to students using microwaves in their residence hall rooms.

## ROOFS, ATTICS, BALCONIES, & FIRE ESCAPES

Students are prohibited from entering attics and climbing on roofs, balconies, or fire escapes (except in emergencies). Students will also receive appropriate sanctions for any other violations of College policy that occur while in an attic or on a roof/balcony/fire escape including, but not limited to, violations of the smoking or alcohol and other drugs policies.

*Sanctions for fire safety violations will be reviewed with student conduct for resolution.*

## SMOKING

Sarah Lawrence College is committed to providing a smoke-free environment for students, faculty, staff, and visitors. As of August 1, 2015, the campus is smoke-free; smoking is not permitted anywhere on campus in order to ensure the health of our students, faculty, staff, and visitors. Learn more at [https://my.slc.edu/ICS/Campus\\_Life/Resources/Smoke\\_Free\\_SLC](https://my.slc.edu/ICS/Campus_Life/Resources/Smoke_Free_SLC).

## EDUCATION & TRAINING POLICIES

- Each year, the SLC Fire Safety Director conducts a fire safety class for all resident advisers.
- Each year, the SLC Fire Safety Director conducts a fire safety class for all Campus Safety officers.
- Fire safety rules, policies, and procedures are published in College handbooks.
- Fire drills are utilized as teaching tools.

# CAMPUS FIRE LOG/STATISTICS

## 2023 Chart of Fire Safety Equipment in Student Housing Buildings

SARAH LAWRENCE COLLEGE RESIDENTIAL FACILITIES	FIRE ALARM MONITORING CENTRAL STATION	PARTIAL (1) SPRINKLER SYSTEM	FULL (2) SPRINKLER SYSTEM	SMOKE DETECTOR	FIRE EXTINGUISHER DEVICES	EVACUATION PLANS/ PLACARDS	NUMBER OF EVACUATION (FIRE) DRILLS PER YEAR
Brebner House	Yes		Yes	Yes	Yes	Yes	4
Mansell House	Yes		Yes	Yes	Yes	Yes	4
Perkins House	Yes		Yes	Yes	Yes	Yes	4
Morris House	Yes		Yes	Yes	Yes	Yes	4
Warren House	Yes		Yes	Yes	Yes	Yes	4
Schmidt House	Yes		Yes	Yes	Yes	Yes	4
Westlands Building	Yes	Yes	No	Yes	Yes	Yes	4
MacCracken	Yes		Yes	Yes	Yes	Yes	4
Dudley Lawrence	Yes		Yes	Yes	Yes	Yes	4
Titsworth	Yes		Yes	Yes	Yes	Yes	4
OSilas	Yes		Yes	Yes	Yes	Yes	4
Rothschild	Yes		Yes	Yes	Yes	Yes	4
Garrison	Yes		Yes	Yes	Yes	Yes	4
Taylor	Yes		Yes	Yes	Yes	Yes	4
Andrews House Building	Yes	Yes	No	Yes	Yes	Yes	4
Andrews Courts — Bldg 1-12	Yes		Yes	Yes	Yes	Yes	4
Andrews East	Yes		Yes	Yes	Yes	Yes	4
Lynd House	Yes		Yes	Yes	Yes	Yes	4
Lynd Annex	Yes		Yes	Yes	Yes	Yes	4
Tweed Building	Yes	Yes	No	Yes	Yes	Yes	4
Slonim House Dorm	Yes		Yes	Yes	Yes	Yes	4
Slonim Woods — Bldg 1-11	Yes		Yes	Yes	Yes	Yes	4
Slonim Woods Faculty House	Yes		Yes	Yes	Yes	Yes	4
Kober Building	Yes	Yes	No	Yes	Yes	Yes	4
Curtis House	Yes		Yes	Yes	Yes	Yes	4
Hill House	Yes	No	No	Yes	Yes	Yes	4

# CAMPUS FIRE LOG/STATISTICS

## Fires — On-Campus Student Housing Facilities 2023

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2023	DETAILS
MacCracken	1 Mead Way	1	Fire inside heating coil/No property damage
Hill House	1225 Midland Avenue	0	
Rothschild	976 Kimball Avenue	0	
Brebner	12 Mead Way	0	
Mansell	10 Mead Way	0	
Perkins	9 Mead Way	0	
Morris	8 Mead Way	0	
Warren	7 Mead Way	0	
Schmidt	6 Mead Way	0	
Westlands	1 Mead Way	0	
Dudley Lawrence	1 Mead Way	0	
Titsworth	1 Mead Way	1	Fire inside microwavel/No property damage
OSilas	1 Mead Way	0	
Garrison	976 Kimball Avenue	0	
Taylor	976 Kimball Avenue	0	
Andrews House	968 Kimball Avenue	0	
Andrews Court #1	968 Kimball Avenue	0	
Andrews Court #2	968 Kimball Avenue	0	
Andrews Court #3	968 Kimball Avenue	0	
Andrews Court #4	968 Kimball Avenue	0	
Andrews Court #5	968 Kimball Avenue	0	
Andrews Court #6	968 Kimball Avenue	0	
Andrews Court #7	968 Kimball Avenue	0	
Andrews Court #8	968 Kimball Avenue	0	
Andrews Court #9	968 Kimball Avenue	0	
Andrews Court #10	968 Kimball Avenue	0	
Andrews Court #11	968 Kimball Avenue	0	
Andrews Court #12	968 Kimball Avenue	0	
Curtis House	1 Wilgarth Road	0	
Andrews East	968 Kimball Avenue	0	
Lynd House	947 Kimball Avenue	0	
Lynd Annex	947 Kimball Avenue	0	
Tweed House	39 Glen Washington	0	



## Fires — On-Campus Student Housing Facilities 2023 CONTINUED

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2023	DETAILS
Morrill House	935 Kimball Avenue	0	
Slonim House Dorm	911 Kimball Avenue	0	
Slonim Woods #1	915 Kimball Avenue	0	
Slonim Woods #2	915 Kimball Avenue	0	
Slonim Woods #3	915 Kimball Avenue	0	
Slonim Woods #4	915 Kimball Avenue	0	
Slonim Woods #5	915 Kimball Avenue	0	
Slonim Woods #6	915 Kimball Avenue	0	
Slonim Woods #7	915 Kimball Avenue	0	
Slonim Woods #8	915 Kimball Avenue	0	
Slonim Woods #9	915 Kimball Avenue	0	
Slonim Woods #10	915 Kimball Avenue	0	
Slonim Woods #11	915 Kimball Avenue	0	
Slonim Faculty House	915 Kimball Avenue	0	
Kober House Dorm	1 Wilgarth Road	0	

## Fires — On-Campus Student Housing Facilities 2022

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2022	DETAILS
MacCracken	1 Mead Way	0	
Hill House	1225 Midland Avenue	0	
Rothschild	976 Kimball Avenue	0	
Brebner	12 Mead Way	0	
Mansell	10 Mead Way	0	
Perkins	9 Mead Way	0	
Morris	8 Mead Way	0	
Warren	7 Mead Way	0	
Schmidt	6 Mead Way	0	
Westlands	1 Mead Way	0	
Dudley Lawrence	1 Mead Way	0	
Titsworth	1 Mead Way	0	
OSilas	1 Mead Way	0	
Garrison	976 Kimball Avenue	0	
Taylor	976 Kimball Avenue	0	
Andrews House	968 Kimball Avenue	0	
Andrews Court #1	968 Kimball Avenue	0	

## Fires — On-Campus Student Housing Facilities 2022 CONTINUED

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2022	DETAILS
Andrews Court #2	968 Kimball Avenue	0	
Andrews Court #3	968 Kimball Avenue	0	
Andrews Court #4	968 Kimball Avenue	0	
Andrews Court #5	968 Kimball Avenue	0	
Andrews Court #6	968 Kimball Avenue	0	
Andrews Court #7	968 Kimball Avenue	0	
Andrews Court #8	968 Kimball Avenue	0	
Andrews Court #9	968 Kimball Avenue	0	
Andrews Court #10	968 Kimball Avenue	0	
Andrews Court #11	968 Kimball Avenue	0	
Andrews Court #12	968 Kimball Avenue	0	
Curtis House	1 Wilgarth Road	0	
Andrews East	968 Kimball Avenue	0	
Lynd House	947 Kimball Avenue	0	
Lynd Annex	947 Kimball Avenue	0	
Tweed House	39 Glen Washington	0	
Morrill House	935 Kimball Avenue	0	
Slonim House Dorm	911 Kimball Avenue	0	
Slonim Woods #1	915 Kimball Avenue	0	
Slonim Woods #2	915 Kimball Avenue	0	
Slonim Woods #3	915 Kimball Avenue	0	
Slonim Woods #4	915 Kimball Avenue	0	
Slonim Woods #5	915 Kimball Avenue	0	
Slonim Woods #6	915 Kimball Avenue	0	
Slonim Woods #7	915 Kimball Avenue	0	
Slonim Woods #8	915 Kimball Avenue	0	
Slonim Woods #9	915 Kimball Avenue	0	
Slonim Woods #10	915 Kimball Avenue	0	
Slonim Woods #11	915 Kimball Avenue	0	
Slonim Faculty House	915 Kimball Avenue	0	
Kober House Dorm	1 Wilgarth Road	0	

## Fires — On-Campus Student Housing Facilities 2021

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2021	DETAILS
MacCracken	1 Mead Way	0	
Hill House	1225 Midland Avenue	0	
Rothschild	976 Kimball Avenue	0	
Brebner	12 Mead Way	0	
Mansell	10 Mead Way	0	
Perkins	9 Mead Way	0	
Morris	8 Mead Way	0	
Warren	7 Mead Way	0	
Schmidt	6 Mead Way	0	
Westlands	1 Mead Way	0	
Dudley Lawrence	1 Mead Way	0	
Titsworth	1 Mead Way	0	
Gilbert	1 Mead Way	0	
Garrison	976 Kimball Avenue	0	
Taylor	976 Kimball Avenue	0	
Andrews House	968 Kimball Avenue	0	
Andrews Court #1	968 Kimball Avenue	0	
Andrews Court #2	968 Kimball Avenue	0	
Andrews Court #3	968 Kimball Avenue	0	
Andrews Court #4	968 Kimball Avenue	0	
Andrews Court #5	968 Kimball Avenue	0	
Andrews Court #6	968 Kimball Avenue	0	
Andrews Court #7	968 Kimball Avenue	0	
Andrews Court #8	968 Kimball Avenue	0	
Andrews Court #9	968 Kimball Avenue	0	
Andrews Court #10	968 Kimball Avenue	0	
Andrews Court #11	968 Kimball Avenue	0	
Andrews Court #12	968 Kimball Avenue	0	
Curtis House	1 Wilgarth Road	0	
Andrews East	968 Kimball Avenue	0	
Lynd House	947 Kimball Avenue	0	
Lynd Annex	947 Kimball Avenue	0	
Tweed House	39 Glen Washington	0	
Morrill House	935 Kimball Avenue	0	
Slonim House Dorm	911 Kimball Avenue	0	

## Fires – On-Campus Student Housing Facilities 2021 CONTINUED

NAME OF FACILITY	STREET ADDRESS	# OF FIRES 2021	DETAILS
Slonim Woods #1	915 Kimball Avenue	0	
Slonim Woods #2	915 Kimball Avenue	0	
Slonim Woods #3	915 Kimball Avenue	0	
Slonim Woods #4	915 Kimball Avenue	0	
Slonim Woods #5	915 Kimball Avenue	0	
Slonim Woods #6	915 Kimball Avenue	0	
Slonim Woods #7	915 Kimball Avenue	0	
Slonim Woods #8	915 Kimball Avenue	0	
Slonim Woods #9	915 Kimball Avenue	0	
Slonim Woods #10	915 Kimball Avenue	0	
Slonim Woods #11	915 Kimball Avenue	0	
Slonim Faculty House	915 Kimball Avenue	0	
Kober House Dorm	1 Wilgarth Road	0	

# Drug and Alcohol Prevention Program

## OVERVIEW

Sarah Lawrence is a prestigious, residential, coeducational liberal arts college. Founded in 1926 and consistently ranked among the leading liberal arts colleges in the country, Sarah Lawrence is known for its pioneering approach to education, rich history of impassioned intellectual and civic engagement, and vibrant, successful alumni. In close proximity to the unparalleled offerings of New York City, our historic campus is home to an inclusive, intellectually curious, and diverse community.

Talented, creative students choose Sarah Lawrence for the opportunity to take charge of their education. In close collaboration with our dedicated, distinguished faculty, students create a rigorous, personalized course of study, conduct independent research, and connect a wide array of disciplines. They graduate knowing how to apply the knowledge, skills, and critical thinking necessary for life after college. Sarah Lawrence College occupies 44 wooded acres in Yonkers, NY, near the Village of Bronxville — just north of New York City.

## PURPOSE

Sarah Lawrence College is committed to compliance with all federal, state, and local laws. In accordance with the Drug-Free Schools and Campuses Regulations (EDGAR Part 86), institutions of higher education receiving federal funds for financial assistance are required to maintain programs which prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. This report will document the Sarah Lawrence College prevention program and the College's biennial self-assessment of the program. A biennial review is required to be conducted in odd years covering the previous two-year period. This review covers the calendar years 2020–2022 and is required to be completed by January 31, 2023.

### Summary Findings

Sarah Lawrence College is in compliance with Drug-Free Schools and Campuses Regulations. The College incident history and information collected confirm that the College has an effective on-campus safety, support, reporting, and counseling program in place. Human Resources and Counseling have referral program support in place, and the campus is conveniently located within easy access to health care providers. Opportunities exist to strengthen the program through greater collaboration, education, awareness, and prevention activities, with a focus on recognizing the signs and symptoms of use/abuse and promoting the resources available for support and treatment.

### Education and Prevention

The College provides alcohol and other drug education to all new students via EVERFI, as well as programming about alcohol and other drug use and abuse throughout the academic year. Additionally, the College provides both counseling support and education for students referred by Residential Life to Health & Wellness. In addition, the Student Life staff,

working with Health & Wellness, provides evaluative and educational programs regarding substance use on campus and focuses on developing strategies for promoting and educating the Sarah Lawrence College community about responsible decision making with regard to substance use, as well as assessing and evaluating the culture of substance use within the community.

## **Risks Associated with Abuse of Alcohol and Drugs**

Sarah Lawrence College recognizes that alcohol and other drug abuse is harmful to the social, personal, and academic lives of students, as well as the health and safety of the College community as a whole. The following risks are associated with the use and/or abuse of alcohol and other drugs:

**Illness and Health Problems.** All drugs can be toxic when abused. Alcohol and other drugs can interact negatively with over-the-counter and prescription drugs, and every individual reacts differently to the effects of both these drugs and the combination involved. Short-term alcohol and other drug abuse can hinder a person's immune system, and long-term abuse can lead to serious health risks such as addiction, liver disease, heart disease, and certain kinds of cancer.

**Academics.** Difficulty meeting academic responsibilities is one of the most common consequences of alcohol and other drug use. Academic problems may include missing classes, falling behind on assignments and conference work, poor evaluations and the possibility of academic probation, leave with review, or suspension.

**Impaired Judgment.** The use of alcohol and other drugs can impact a person's judgment, normal reaction, and perception; impair motor skills; lower inhibitions; and intensify emotions. All of these increase the chances of accidents either to the user or to others.

**Interpersonal Problems.** The more a person abuses alcohol or other drugs, the greater the potential for problems with relationships. Students who do not drink or do not abuse alcohol experience secondhand consequences from others' excessive use, which may include unwanted sexual advances and disturbed study and sleep.

For more information on the effects of the use and/or abuse of specific substances, please see [www.nida.nih.gov](http://www.nida.nih.gov).

## **Services for students include:**

- Initial psychological or medical assessment
- Harm-reduction therapy group
- Short-term individual therapy
- Referrals for higher levels of care off-campus as indicated

## **Don, Resident Adviser, Resident Fellow**

In addition, students are encouraged to speak to their don, RA, GHD, a member of the dean of studies or student affairs staff, or the dean of graduate studies if they are concerned about their own alcohol/substance use or the alcohol/substance use of a peer.

## **Local and Other Resources**

The following list includes some of the local resources available to those seeking information, support, and help regarding alcohol and other drug use. The College does not endorse any of the organizations or vouch for the efficacy of any treatment or recovery option.

### **Alcoholics Anonymous**

Meeting dates and times available in the Health Services section of MySLC

### **Narcotics Anonymous**

Meeting dates and times available in the Health Services section of MySLC

### **Addiction Institute of New York**

**212.280.0100**

The Addiction Institute utilizes the College Outreach and Prevention Education (COPE) program.

COPE is group therapy for college students based on the principles of the stages of change and of motivational interviewing

**Al-Anon/Alateen**

[www.al-anon.org/al-anon-meetings/find-an-al-anon-meeting/](http://www.al-anon.org/al-anon-meetings/find-an-al-anon-meeting/)  
[www.al-anon.org/for-members/group-resources/alateen/](http://www.al-anon.org/for-members/group-resources/alateen/)  
Help for families and friends of alcoholics

**Smart Recovery Self-Help Network**

[www.smartrecovery.org](http://www.smartrecovery.org)  
Abstinence-based, but not 12-step or spiritually based

**Moderation Management**

[www.moderation.org](http://www.moderation.org)  
Moderation, balance, self-management, personal responsibility

**Legal Sanctions**

Employees are responsible for obeying all local, state, and federal laws concerning drugs and alcohol. Legal sanctions, as a result of conviction for unlawful possession, use, or distribution of illegal drugs or alcohol, could include fines; community service work; required participation in a local, state, or federally approved rehabilitation program; and/or imprisonment:

**Available Resources for Treatment**

The primary interest of the College is the well-being of its employees. For that reason, we urge any employee who may be suffering from substance abuse or related problems to seek appropriate counseling and rehabilitation immediately. Such counseling is available through the College's Employee Assistance Program (EAP), through the College's health insurer, and through public and private drug and alcohol agencies throughout Westchester County.

**Campus Resources for Evaluation and Treatment****EAP: Wellness Corporation**

800.828.6025

**Off-Campus Resources for Evaluation and Treatment****United Way of Westchester Referral Service & Help-line**

914.949.INFO/914.949.4636

**Westchester Department of Community Mental Health Addiction Institute of New York**

St. Luke's Roosevelt Hospital Center  
100 Tenth Avenue, New York, NY 10019  
212.523.6491

**Harm Reduction Psychotherapy and Training Associates, New York City**

[info@harmreductioncounseling.com](mailto:info@harmreductioncounseling.com)  
212.633.8157

**Pride Institute at Cornerstone (LGBT Outpatient Chemical Dependency)**

57 West 57th Street, New York, NY 10019  
1.800.54.PRIDE

# Reporting and Investigating Hate Crimes on Campus

## INTRODUCTION

Bias crimes, also known as hate crimes, are criminal activities motivated by the perpetrator’s bias toward certain actual or perceived personal characteristics of the victim. Sarah Lawrence College policy and federal and state law prohibit crimes motivated by bias on the basis of race, color, creed, sex or gender, gender identity or expression, age, ancestry, national origin, caste, religious belief or practice, disability, sexual orientation, pregnancy, military status, or political persuasion. The College is required to report all hate crimes to the Yonkers Police Department in a timely fashion as per Article 129A NYS Education Law, as well as report annually on the statistical incidence of bias crimes on or around campus as part of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act — Federal Law. The College will separately and clearly post on its website the hate crime data from its most recently published Annual Security Report. See <https://www.sarahlawrence.edu/media/security/pdf/slc-annualsecurityreport.pdf>.

**Reported — NO Reported Hate Crimes to the Department of of Campus Safety from January 1, 2023 to September 15, 2024.**

SLC IR #	MAXIENT INCIDENT #	DATE (reported)	TIME (reported)	CLASSIFICATION	LOCATION	DESCRIPTION	DISPOSITION

Not all expressions of hate or group bias rise to the level of hate crime as defined in state and federal statutes. Derogatory words or epithets directed against an individual because they are a member of a particular group are not considered hate crimes if not accompanied by a threat or other crime. Such hate-related bias incidents may, however, violate Sarah Lawrence College policies, standards, and norms and should be reported through the Bias Incident Reporting Form.

Additionally, Sarah Lawrence College is firmly committed to educating students, faculty, and staff about preventing all expressions of bias and hate through impactful trainings, seminars, discussion groups, and presentations.

See <https://www.sarahlawrence.edu/about/diversity/reporting/prevention.html>.

By fostering open discussions and encouraging the Sarah Lawrence community to promptly report such incidents, we can enhance our ability to effectively prevent them and encourage community interactions consistent with our mission and standards.



Note: Tracking and analyzing hate incidents provides the needed information for the community to identify potential threats and assess the level of tension in their community. Please report hate crimes to the Sarah Lawrence College Office of Campus Safety, to a campus official, or to the Yonkers Police Department.

## **Federal Law**

The Clery Act defines hate crimes as any of the crimes otherwise reportable under the Clery Act or any bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

## **New York State Law**

New York State Education Law Sections 6433, 6434, and 6435 require the reporting and investigation of certain bias and hate crimes, as well as specific disclosure and training to help prevent such crimes. The College shall notify the Yonkers Police Department as soon as practicable, but in no case more than 24 hours after a report of a hate crime.

New York Penal Law Section 485.05 specifies that a person commits a hate crime when he or she commits a specified offense and either intentionally selects the person against whom the offense is committed or is intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability, or sexual orientation of the person, regardless of whether the perception or belief is correct, or intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception with respect to the categories enumerated above. The specified offenses applicable under this legislation are spelled out in New York Penal Law Section 485.05, Section 3.

For purposes of this policy, New York Penal Law Section 485.05, Section 4 defines the following:

- (a) the term “age” means 60 years old or more;
- (b) the term “disability” means a physical or mental impairment that substantially limits a major life activity;
- (c) the term “gender identity or expression” means a person’s actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related characteristics regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender, or any attempt or conspiracy to commit any of the foregoing offenses.

When a person is convicted of a hate crime where the specified offense is a violent felony offense, the hate crime shall be deemed a violent felony offense. When a person is convicted of a hate crime where the specified offense is a misdemeanor or a class C, D, or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.

## **Policy and Procedure**

Any Sarah Lawrence College community member who believes they may have been the victim of a hate crime or may have witnessed a hate crime should contact the Sarah Lawrence College Office of Campus Safety at 914.395.2222 or the Yonkers Police Department via 911. Campus Safety is located in Swinford Annex and is staffed 24 hours a day, seven days a week, 365 days a year.

When Sarah Lawrence Campus Safety receives a report of a hate crime, the Yonkers Police will be notified and will initiate an investigation. Sarah Lawrence College is in the process of establishing a Memorandum of Understanding with the Yonkers Police to investigate any hate crime, in addendum to the established Memorandum of Understanding for all Violent Felony Incidents and Missing Person Reports on Campus. Campus Safety will assist Yonkers Police in the investigation of a hate crime, violent felony, or missing person. Campus Safety may also conduct an investigation and refer the matter to the appropriate college administrator or supervisor for student conduct or other action.

There are times when an individual may believe that they have been a victim of or witnessed an act of biased activity, but there has been no apparent crime committed. In those incidents, victims or witnesses may submit a report through the Bias Incident Reporting Form, which will be reviewed by the Bias Incident Response Team.

## Educating Our Community

In accordance with Section 6436 of the New York State Education Law, and in order to inform the college community about bias-related and hate crime prevention and reporting procedures, the College utilizes a series of methods to educate our community, including during the onboarding of all new students and employees via new student and new employee orientations. In addition, the Campus Safety Management Team received added training in hate crimes led by the Westchester County District Attorney's Office in fall 2023 and by the NY State Police in January 2024. Also, Campus Safety hosted a one-day training on NYS Education Law Articles 129A, 129B, and the Federal Clery Law — with an emphasis on the new NYS Hate Crimes related to the Education Law — which was attended by staff from Student Life, Campus Safety, Diversity, Equity & Inclusion, and Title IX in January 2024.

## Reporting

Under the Campus Security Act, a hate crime is a crime that is committed because of the victim's race, religion, ethnicity, disability, gender, or sexual orientation.

While Sarah Lawrence College takes all bias-related conduct seriously, the Campus Security Act identifies only certain crimes as potential hate crimes:

- Aggravated Assault
- Arson
- Burglary
- Destruction to Property, Damage to Property, and Vandalism
- Intimidation
- Larceny — Theft
- Manslaughter (Negligent)
- Murder/Non-Negligent Manslaughter
- Motor Vehicle Theft
- Robbery
- Sex Offenses — Forcible
- Sex Offenses — Non-Forcible
- Simple Assault

Reporting hate crimes and incidents, even those that you might not consider “serious,” is important to monitoring and stopping future incidents. By keeping detailed information on incidents, you can strengthen the case for official action.

Responsible Office: Campus Safety

Effective Date: June 20, 2024

# Campus Safety & Local Law Enforcement

## Campus Safety Department and Their Relationship with Local Law Enforcement

All Campus Safety officers are NYS-certified security officers with no law enforcement authority beyond that of a regular citizen. The College maintains a good working relationship with the Yonkers Police Department. The 2nd Police Precinct of Yonkers responds to all calls for service from the College. The police captain of the 2nd Precinct and the College's AVP of Campus Safety are in regular communication regarding campus safety issues within and next to the College. Campus emergency plans and procedures were designed in consultation with the Yonkers Police Department. Victims of crimes on or near campus property are strongly encouraged by the College to promptly and accurately report all crimes to the local police and to the College's Campus Safety Department. Campus Safety personnel are available to assist victims in making such reports to the police.

## The College Has a Memorandum of Understanding with the Yonkers Police Department

The parties to this Memorandum of Understanding have agreed to the following:

1. The Police Department has primary law enforcement jurisdiction over all property within the City of Yonkers that is owned, leased, or under the control of the College and will provide police services on said property.
2. The Sarah Lawrence Campus Safety Department will notify the Yonkers Police Department as soon as practicable, but in no case more than 24 hours after a report of a violent felony occurring on or a missing student from any property within the City of Yonkers owned, leased, or under the control of the College. However, any college-aged or older individual who reports that they are a victim of a sexual offense shall retain the right to decide whether to report such offense to the Yonkers Police Department. The College will only report sexual offense allegations made by a college-aged individual if the College obtains permission. The College reserves the right to report sexual offenses of victims younger than 18, regardless of their permission, if it determines that reporting is appropriate and warranted. Victims will be strongly encouraged by the College to report all crimes, and the Public Safety Department will assist victims in making reports to the police if they choose.

In accordance with the provisions of the Campus Save Act, the following definitions shall apply:

1. "Missing Student" means any student at the College, subject to the provisions of Section 355 (17) of the New York State Education Law, who resides in a facility owned or operated by the College and who is reported to the College as missing from his or her residence.
2. "Violent Felony Offense" means a violent felony offense as defined in Section 70.02 (1) of the Penal Law of the State of New York.
3. The Yonkers City Police Department will respond to College notifications and will take appropriate action. When the Police Department executes a warrant on any property owned, leased, or under control of the College, the Police Department, when practical, will contact the Director of Campus Safety and request that a Campus Safety officer accompany the city police officer. Efforts will be taken to refrain from interrupting a class to effect an arrest or execute a search warrant.

# Safety & Emergency Response Plan

## INTRODUCTION

### Institutional Preparedness

Sarah Lawrence College is committed to providing a safe environment for our students, faculty and staff. Most minor emergencies are routinely handled behind the scenes, and conditions that potentially could cause accidents are repaired or mitigated.

However, from time to time, the College community may be faced with major emergencies. The College's Crisis Management team maintains an up-to-date plan to mobilize resources in the event of a major emergency. As part of the preparation plans, the College coordinates regular training and emergency drills for faculty, staff, and students. Your cooperation and participation in those programs are appreciated.

### Personal Preparedness

While the College maintains processes to manage emergencies, all members of the community should take steps to ensure personal preparedness, responsibility, and knowledge. To partner in your safety:

- **Report all emergencies to Campus Safety Communications Desk 914.395.2222.**
- Be attentive to your surroundings.
- Prevent accidents by reporting hazardous situations; never assume someone else has reported the situation. It is better for something to have been reported twice than not at all.
- Be informed and sign up for the College's Emergency Notification System (RAVE).
- Take safety drills seriously.
- Remember: Those responding to an emergency call — Campus First Responders and Yonkers First Responders — are usually responding based on an alarm activation or call to the Campus Safety emergency line — 914.395.2222 or 911. On an emergency call responding personnel are responding on possibly limited information to the scene forthwith, and may need additional information at the scene — please cooperate and provide the best information possible.
- Know the location of fire extinguishers and emergency exits.
- Participate in CPR/AED Basic First Aid Training as well as active Threat Training — ALICE/CRASE.
- Familiarize yourself with the differences between, and the recommended actions, for the following emergency situations: Lockout/Lock-Down/Shelter-in-Place/Evacuation.

## Responder Preparedness

Those potentially responding to Emergencies — Campus Safety, Facilities, Health & Wellness, Residence Life and Administrators — it is key to be prepared with the following as Campus Emergency Responders:

- Know your role and Emergency Response Procedures pertaining to your function.
- Stay Calm and Professional during emergency responses — you are providing service to those who may be scared/ in crises/in pain/unsure what to do — your professionalism, demeanor and knowledge are key.
- Know Emergency Evacuation Routes and Rally Points in Case of Emergency Evacuation.

# REPORTING AN EMERGENCY

**Ideal Notification is to call Campus Safety by Campus Phone (2222) or cell phone at (914.395.2222)**

(24 hours day/7 days a week) Give the nature of the emergency and as much information as possible.

**Campus Safety strongly recommends programming you cell phone with the Campus Emergency number.**

Other notification points:

**Fire Alarm device/Smoke Detector** is activated/or Staff member observes fire and smoke and utilizes a **Pull Station** — notifying YFD via Central Station monitoring and simultaneously Campus Safety.

**Panic/Duress Alarm activated** — notifying Campus Safety. Duress Alarms are located in Human Resources — Andrews Annex, Health & Wellnes — Lyles House, Student Affairs Suite, Early Child Hood Center — Kober and Early Childhood Center Wilfred House.

- **By using blue light tower emergency telephones** found throughout campus, including elevators (see below). All College emergency phones connect directly, without dialing, to Campus Safety Communications Desk, 24 hours a day.

## BLUE LIGHT TOWER EMERGENCY PHONE LOCATIONS

North Lot
Bates/Dining Hall Entrance
Mead Way/Morris House
Glen Washington Road/PAC
Lynd House
Marshall Field
Slonim House
Slonim Woods/Building #8
Kober/Sports Center/Lot Entrance
Kober Lot/Upper Level Staircase
Kober Lot/Lower Level Entrance

## ELEVATOR EMERGENCY PHONE LOCATIONS

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B.W.C.C. Elevator

---

Science Center Elevator

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Bates Elevator

---

Rothschild Elevator

---

Library Elevator

---

Heimbold Elevator

---

Sports Center Elevator

---

45 Wrexham Elevator

---

Hill House Elevator East

---

Hill House Elevator West

---

Titsworth Elevator

### Report the Emergency

1. Describe the emergency, speaking slowly and calmly.
2. Give your name and phone number.
3. Provide location/address and nearby landmarks.
4. If a medical emergency, give age of patient if known.
5. Follow dispatcher's instructions and answer all questions.
6. Don't hang up until you are instructed to do so.
7. Campus Safety Desk will dispatch Officers (Campus First Responders) to the scene of the emergency and call 911 (Yonkers First Responders — Police/Fire/Emergency Medical), if necessary.

## ASSISTING PERSONS WITH DISABILITIES

If you have a disability and are unable to leave an emergency situation, call Campus Safety Desk at 914.395.2222 and tell the dispatcher your location and what assistance you require. In an evacuation, ask persons exiting by way of the hallway or stairway to notify the Fire Department and/or 911 of your location. If you cannot evacuate, shelter in place and call 911. We ask everyone to be aware of people with disabilities in your area who might require assistance in an emergency and be prepared to render assistance, if necessary and you are able.

### Assisting visually impaired individuals

- In assisting visually impaired individuals, advise the person of the nature of the emergency and offer your arm for guidance.
- As you walk, inform the person where you are and of any obstacles in your path.
- When you reach safety, guide them to a safe location and ask if they need any further assistance. Give them your contact information in case they need assistance in the future.

### Assisting hearing impaired individuals

- Persons who are hearing impaired may not perceive an audible warning such as a fire alarm.
- Write a note to inform the person of the situation, the nearest evacuation route, and the assembly area.
- Provided the emergency is not related to a gas leak, you can also turn the light switch on and off to gain their attention.
- When you reach safety, guide them to a safe location and ask if they need any further assistance. Give them your contact information in case they need assistance in the future.

**Assisting non-ambulatory persons/persons using crutches, canes or walkers. Always consult the person as to their preferences regarding:**

- Ways of being removed from a wheelchair.
- The number of people necessary for assistance.
- Whether to move or extend extremities when lifting.
- The need for a seat cushion or pad.
- When you reach safety, guide them to a safe location and ask if they need any further assistance.  
Give them your contact information in case they need assistance in the future.

## THE COLLEGE CRISIS MANAGEMENT TEAM

The College Crisis Management Team is comprised of members of the College's senior academic and administrative staff. The College President serves as the emergency director and the leader of the team. Usually, the College President, Senior Management Team — Vice Presidents, or the AVP of Public Safety will assemble the College's Crisis Management Team; however, any member of the team may request that the full team be assembled. The responsibilities of the College Crisis Management Team include:

- Prepare and plan for campus-wide emergencies
- Assess the specific emergency and its ramifications for the campus
- Determine the scope of the campus emergency response
- Communicate with faculty, staff, students, parents, neighbors and alumni
- Conduct liaison activities with Federal, State, County and City governmental agencies
- Establish liaison with the news media to disseminate information
- Supervise clean up and restoration post emergency
- Arrange for psychological debriefing and counseling to individuals, as required
- Liaise with local hospitals

### Members of the Crisis Management Team

The members of the crisis management team noted below shall meet a minimum of once a year to update and evaluate the College's emergency response plan. Depending on the specific emergency, not all members of the crisis management team may be required. The President and the VP of Finance & Operations will determine which members of the team should be called upon given the specific emergency situation.

- |   |   |
|---|---|
| 1. President of the College   | 9. Director of Medical Services                     |
| 2. Provost and Dean of the Faculty                                      | 10. Director of Counseling & Psychological Services |
| 3. Vice President of Human Resources & Organizational Development       | 11. AVP of Residence Life & Well Being              |
| 4. Vice President of Finance & Operations                               | 12. AVP of Facilities and/or Director of Facilities |
| 5. Vice President of Advancement & External Relations                   | 13. AVP of Public Safety                            |
| 6. General Counsel  | 14. Chief Information Technology Officer            |
| 7. Vice President & Dean of Students                                    | 15. Dining Services Resident Director               |
| 8. Vice President for Enrollment & Dean of Admissions and Financial Aid |   |

# CRISIS MANAGEMENT TEAM MEMBER RESPONSIBILITIES

## **College President or her Senior Team Designee**

- Declares state of emergency and declares an end to campus emergencies
- Provides overall management and implementation of the Emergency Response Plan and serves as the crisis management team leader
- Functions as the highest level of authority during an emergency
- May act as spokesperson to media and College community

## **Vice President for Finance and Operations**

- Responsible for the coordination of the College's Emergency Response Plan
- Assesses the type and magnitude of the emergency
- Initiates immediate contact with the President
- Notifies the members of the College Crisis Management Team or Executive Team
- Along with VP of Advancement and External Affairs and AVP of Public Safety, implements the campus emergency warning system
- Along with the College's General Counsel, serves as liaison to insurance carriers and legal services as needed.

## **Vice President of Advancement and External Affairs**

- Leads the crisis communication team
- Facilitates circulation of information to the College community to ensure they are up to date as the crisis unfolds
- Establishes liaison with the news media for dissemination of information
- Responsible for internal messages sent to members of the College community
- Responsible for messages and emergency information posted on social media and the College website

## **Director of Medical Services**

- Identifies and prioritizes health concerns and needs and requests appropriate resources from the College Crisis Management Team
- Plans for, provides, and supervises the College's medical services
- Advises the College Crisis Management Team on health protection measures

## **Director of Counseling and Psychological Services**

- Plans for, provides, and supervises the College's counseling and psychological services
- Accesses support services for victims and affected individuals
- Coordinates and oversees any necessary student/staff/faculty debriefing after event in coordination if appropriate with Human Resources VP

## **Vice President & Dean of Students**

- Coordinates all matters relating to undergraduate student activities including Student Protest and Death of a Student Notification.
- Coordinates relocation of undergraduate students in alternate housing
- Provides undergraduate housing and student data
- Supervises the team of campus resident advisers during the emergency



- Advises faculty members about situations involving undergraduate students
- Coordinates housing for undergraduate students that cannot get home
- Provides information and communication to students and their families in coordination with the Vice President of Advancement and External Affairs

### **AVP of Public Safety**

- Serves as liaison with community emergency services such as police, fire, and ambulance
- Maintains campus safety operations
- Updates Crisis Management Team with regular status reports
- Takes immediate action to protect life and property
- Provides traffic control, access control, perimeter and internal security patrols as required
- Provides or coordinates transportation services
- Collects, inventories, and secures personal property left at the emergency site and returns such property to the rightful owners
- Provides vehicles, equipment, and operators for movement of personnel and supplies
- Obtains the assistance of utility companies for emergency operations, as required
- Maintains an inventory of building conditions including power, door locks, food and water supplies, and life-safety systems

### **Vice President of Human Resources & Organizational Development**

- Coordinates housing for faculty and staff that cannot get home
- Coordinates reporting of employee personal injuries with insurance companies
- In consultation with the College President, notifies the family of injured staff
- Provides staff data during crisis, as needed
- Coordinates staff replacements
- Enacts Essential Worker Notification

### **AVP of Facilities and or Director of Facilities**

- Liaison to utility companies and snow removal services
- Provides equipment and personnel to perform shutdown procedures, hazardous area control, damage assessment, debris clearance, emergency repairs, and equipment protection
- Surveys habitable space and assists with relocating essential services and functions
- Establishes liaison with vendors and outside contractors to secure equipment, supplies, and materials needed
- Maintains and provides information on building infrastructure and construction descriptions
- Coordinates all damage surveys and securing of utilities, buildings, or areas
- Directs services, restorations, and clean-up operations
- Manages Card Key Door Access.

### **Provost and Dean of the Faculty**

- Manages communications with faculty
- Makes decisions regarding canceling classes post emergencies
- In consultation with the College President, notifies the family of injured faculty

- Provides faculty data during crisis as needed
- Coordinates faculty replacements
- Coordinates all matters relating to graduate student activities
- Advises faculty members about situations involving graduate students
- Provides information and communication to students, if necessary

### **Chief Information Technology Officer**

- Assures the integrity of the telecommunications infrastructure and data systems
- Implements the data disaster recovery plan
- Provides evaluation and assessment of communications and data retrieval capabilities
- Assures with IT Team appropriate actions taken during power outages and to bring systems back on line when power is restored

## **DEFINITIONS OF AN EMERGENCY**

### **MINOR EMERGENCY:**

- An incident does not seriously affect the overall functional capacity of the College and is readily contained.
- Often, minor emergencies are handled directly by Campus Safety and Facilities.

### **MAJOR EMERGENCY:**

- An incident has or may occur that affects an entire building or buildings and will disrupt the overall operations of the College.
- Major emergencies usually require implementation of the Emergency Response Plan.
- Outside emergency services such as Yonkers Police, Yonkers Fire, and Emergency Medical Services — Empress, and Con Edison will likely be required, as well as additional resources from Campus Facilities/Operations and/or outside contractors.

### **DISASTER:**

- An event that has occurred that has seriously impaired or halted College operations.
- Disasters require implementation of the Emergency Response Plan.
- Mass personnel casualties and/or severe property damage may be sustained.
- A coordinated effort of all campus-wide resources is required to effectively mitigate the emergency.
- Outside emergency services will be essential.
- In all cases of disaster, an emergency command center, occupied by the Crisis Management Team, will be activated, and the appropriate support and operational plans will be executed.

# FOUR PHASES OF EMERGENCY MANAGEMENT

## Mitigation/Prevention

These activities are intended to reduce and eliminate hazards and vulnerabilities leading to emergency situations.

## Preparedness

Preparedness activities will be conducted to develop emergency response capabilities. Anticipating what can go wrong, determining effective responses, and preparing resources are critical steps to respond to the unexpected.

## Response

Response operations aim to resolve an emergency situation quickly, while minimizing physical harm to community members and damage to property.

## Recovery

Short-term recovery operations seek to restore vital services and provide for the basic needs of the community. Long-term recovery operations focus on restoring normal operations.

# EMERGENCY NOTIFICATION TO THE COLLEGE COMMUNITY

The College requests that all members of the Sarah Lawrence College community notify the Sarah Lawrence Campus Safety Department immediately at 914.395.2222 of any situation or incident on/adjacent to campus that involves an emergency or danger that may pose a threat to the health and safety of students and/or employees on campus. Members of the College Campus Safety Department will respond to assess the threat and summon the necessary resources to mitigate, investigate, and/or document the situation. The Campus Safety Department will notify the campus community, or the appropriate segments of the community, using various systems implemented to provide timely emergency information, such as global emails or Emergency Notification System — RAVE.

Time permitting, the AVP of Campus Safety, the Vice President for Finance and Operations, and the Vice President of Advancement and External Relations jointly will initiate the notification process and determine the content of the notification(s) to be sent. However, in situations in which time is of the essence, any of the following can individually initiate the notification process and determine the content of the notification:

- The AVP of Campus Safety or his Associate Directors
- The Vice President for Finance and Operations
- The Vice President of Advancement and External Relations

## Rave Safety Alert System

Sarah Lawrence College utilizes Rave Safety as its emergency notification system. All students, faculty, and staff are automatically placed into the system and do not need to manually input their data.

Visitors/guests/vendors/summer conference participants can temporarily join the system by sending a text message as noted below. Temporary alerts will continue to be sent for 90 days, and users can remove themselves from the system as noted below. If you know someone who will be visiting the campus and they would like to temporarily receive emergency text messages from the College, please give them the instructions below:

### To temporarily join the College's Emergency Notification System

Text to: 67283

Text Message: Enter **SLCALERT** (one word, not case sensitive)

### To be removed from the College's Temporary Emergency Notification System

Text to: 67283

Text Message: Enter **STOP** (not case sensitive)

Please email SLC Campus Safety [campussafety@sarahlawrence.edu](mailto:campussafety@sarahlawrence.edu) if any of the following apply to you:

1. You want to opt out of the system.
2. You are presently not in the system but would like to join.
3. You would like to change any of your data in the system.

## Examples of Initial Communications for Immediate or Ongoing Threat

1. **The AVP of Campus Safety** or their designee will decide whether the crisis is an immediate or ongoing threat to the College community.
2. All immediate and ongoing threats will warrant an emergency communication to the College community.
3. Depending on the level and specific nature of the threat, the AVP of Campus Safety or their designee, and if possible, in consultation with Vice President of Operations & Finance or other Senior Manager will determine what emergency actions members of the campus community will be instructed to take:
  - **Lockdown** (Armed person is a threat to the College community)
  - **Lockout/modified lockdown** (Unarmed person or animal is a threat to the College community)
  - **Shelter in place** (Weather and environmental issues)
  - **Evacuation** (Fire, bomb threats, and environmental issues)
4. Although situations often require varying language, specific phrases shall be used to indicate actions to be taken (see examples below):
  - **Lockdown text message:** Active Threat on Sarah Lawrence campus, go into lockdown now, hide or escape if necessary, check email.
  - **Lockout text message:** Suspicious person under heightened circumstances on Sarah Lawrence campus, stay indoors, lock door, continue your activities, check email.
  - **Shelter in place:** Due to weather conditions, stay indoors and away from windows, check email.
  - **Evacuate:** Sarah Lawrence College is evacuating campus due to fire, check email, or a specific threat to a part of Campus requiring evacuation.

## LOCKDOWN, LOCKOUT, SHELTER IN PLACE, AND EVACUATION

**Lockdown:** Person with a weapon is causing or attempting to cause deadly harm to individuals.

- People not in building/vicinity of active shooter, hide indoors.
- People in building/vicinity of active shooter, escape from the area.
- All activities inside and outside cease.
- Building windows and doors are locked.

**Lockout (Modified Lockdowns):** Unarmed person/animal is a threat to members of the College community.

- Individuals go indoors.
- Building exterior doors locked.
- Lock windows.
- All activities go on as normal within the building.
- Individuals remain indoors and exercise caution if unknown individuals attempt to enter

**Shelter-in-Place:** Severe weather or other threats make going outdoors dangerous

- Individuals go indoors and make a shelter of the area until it is safe to go outside.
- Building exterior doors and windows are not locked.
- Collect any emergency supplies and a telephone to be used in case of emergency.
- Monitor the College's website, public website, TV, or radio for further information.
- Individuals remain indoors and exercise caution.

**Evacuations:** Most commonly as a result of bomb threats, fires, or environmental emergencies

- Individuals follow instructions from emergency personnel to evacuate a building or area.
- If necessary or if directed to do so by emergency personnel, activate the building alarm (pull station).
- Do not use elevators during an emergency evacuation. Emergency personnel may use an elevator for evacuation after assessing the circumstances.
- Walk quickly to the nearest marked exit and ask others to do the same.
- Once outside, move clear of the building to allow others to exit.
- Do not return to an evacuated building until advised by emergency personnel.

# FOOD DROP-OFFS DURING EXTENDED SHELTER-IN-PLACE INSTANCES

If College community members are in a shelter-in-place situation for an extended period of time, and it is safe to do so, Campus Safety personnel will work with the College's food service vendor to drop off food at specific key locations on campus. These food drops will be coordinated with Residence Life staff to ensure the food gets distributed to all people within the building. Resident advisors will be responsible for the actual food distribution.

**Zone #1:**

BUILDING	DROP LOCATION	OCCUPANTS	ACCESS METHOD
OSilas	Lounge	35	Key Card
Titsworth	Living Room	40	Key Card
Dudley Lawrence	Kitchen	45	Key Card
MacCracken	Meeting Room	67	Key Card
Rothschild	Rothschild Classroom	30	Key
Garrison	Kitchen	71	Key Card
Taylor	Kitchen	74	Key Card
Westlands	2nd Floor Landing	24	Key Card

**Zone #2:**

BUILDING	DROP LOCATION	OCCUPANTS	ACCESS METHOD
Hill House	RA Conference Room	392	Key Card
Andrews Court	Building 1–12	96	Key
Tweed	Kitchen	14	Key Card
Andrews House	2nd Floor Kitchen	16	Key Card
Andrews East	Living Room 2nd Floor	10	Key

**Zone #3:**

BUILDING	DROP LOCATION	OCCUPANTS	ACCESS METHOD
Kober	3rd Floor Kitchen	8	Key
Curtis	First Floor	8	Key
Slonim Woods	Building 1–11	92	Key
Slonim House	Common Room	8	Key
Lynd House	Kitchen	14	Key Card
Lynd Annex	Kitchen	6	Key

**Zone #4:**

BUILDING	DROP LOCATION	OCCUPANTS	ACCESS METHOD
Morris	Kitchen	12	Key Card
Schmidt	Kitchen	8	Key
Brebner	Kitchen	12	Key
Warren Green	Kitchen	12	Key Card
Mansell	Kitchen	12	Key Card
Perkins	Kitchen	12	Key

## RESPONSES TO EMERGENCY SITUATIONS: WEATHER RELATED EMERGENCIES

For all weather-related situations please monitor College text alerts, voicemails, and website, as well as local radio and television for weather reports and emergency information.

### SITUATION: Winter Storm

**Before storm:**

- To facilitate campus snow removal, move your vehicle to Kober Lot prior to the storm.
- Prior to leaving your residence, please be aware that the campus and Bronxville shuttles will only continue to run as long as it is safe to do so.

**During the storm:**

- If you must go outside, stay away from any downed trees and power lines.
- Avoid overexertion when shoveling snow.
- Protect your lungs from extremely cold air by covering your mouth when outdoors.
- Change wet clothing frequently to prevent a loss of body heat.
- Watch for signs of frostbite such as the loss of feeling and white or pale appearance in extremities such as fingers, toes, ear lobes, and the tip of the nose. If symptoms are detected, get medical help immediately.
- Watch for signs of hypothermia such as uncontrollable shivering, memory loss, disorientation, incoherence, slurred speech, drowsiness, and apparent exhaustion. If symptoms are detected, get medical help immediately.

### SITUATION: Thunderstorm and Lightning

- Postpone outdoor activities
- Get inside a home, building, or hard-top automobile.

- Remember, rubber-soled shoes and tires do NOT provide protection from lightning.
- Secure outside doors and outdoor objects that could blow away or cause damage.
- Avoid showering or bathing as bathroom fixtures can conduct electricity.
- Unplug appliances and other electrical items such as computers and turn off air conditioners, as power surges from lightning can cause serious damage.
- Avoid natural lightning rods such as a tall, isolated tree in an open area, or isolated sheds or other small structures in open areas.

## **SITUATION: Hurricane**

- Avoid using the phone, except for serious emergencies.
- Ensure a supply of water for sanitary purposes such as cleaning and flushing toilets. Fill the bathtub and other large containers with water.
- Stay indoors and away from windows and glass doors.
- Close all interior doors and secure external doors.
- Keep curtains and blinds closed. Do not be fooled if there is a lull; it could be the eye of the storm and winds may pick up again.
- In the case of heavy winds, take refuge in a small interior room, closet, or hallway on the lowest level or lie on the floor under a table or sturdy object.

## **SITUATION: Tornado**

- **If you are under a tornado WARNING, seek shelter immediately!**
- Go to the basement or the lowest building level.
- Stay away from interior corners, windows, doors, and outside walls.
- Put as many walls as possible between you and the outside.
- Take refuge in a small interior room, closet, or hallway on the lowest level or lie on the floor under a table or sturdy object and use your arms to protect your head and neck.
- Do not open windows.

# **RESPONSES TO EMERGENCY SITUATIONS: ACTIVE THREAT**

An Active Threat is an individual actively engaged in killing or attempting to kill people, usually with firearms, in a confined and populated area. Victims are often random, although a specific person or group may be targeted. Active Threat situations are unpredictable and evolve quickly. Because active threat situations are often over within 10 to 15 minutes, sometimes before law enforcement arrives on the scene, individuals should be prepared, both mentally and physically, to deal with an active threat situation. You will be notified through our emergency notification system to go into lockdown with information on hand about the threat. Remember that students and campus visitors are likely to follow the lead of faculty and staff during an active situation.

## **SITUATION: The Active Threat is NOT in your building/vicinity**

- **Take shelter in a secure location and stay put**
- Lock yourself in classrooms, residence rooms, and offices.
- Stay low, away from windows and barricade doors if possible with heavy furniture.

- Cover any windows or openings with a direct line of sight into the hallway.
- Shut the blinds or pull the shades down to cover windows or openings.
- Turn off the lights and try to give the impression that the room is empty.
- Silence cell phones and do not make any noise.
- Students and staff should not attempt to leave the building until told to do so by Campus Safety or Police Officers.  
**The exception to this is when a person believes that they are in more danger by staying in the building than in attempting to escape.**
- **Do not** sound the fire alarm to evacuate the building. People may be placed in harm's way when they are attempting to evacuate the building.
- If a fire alarm does go off during a lockdown, do not evacuate unless you smell smoke.
- Be aware of alternate exits if it becomes necessary to flee.
- If you are outside of a building when a lockdown is announced, and if it is safe to do so, run into the nearest building and follow the above lockdown instructions. If it is not safe to run into a building, hide behind a large heavy object such as a vehicle or tree.

### **SITUATION: Active Shooter is IN Your Building/Vicinity: Flee if possible**

- **ESCAPE if there is an accessible escape path and attempt to evacuate the building/area**
- Have an escape route and plan in mind.
- Evacuate regardless of whether others agree to follow.
- Leave your belongings behind.
- Help others evacuate, if possible.
- Keep your hands visible.
- Follow the instructions of any police officers.
- Do not attempt to move wounded people.
- Call 911 when you are safe.

### **HIDE OUT, if escape is not possible and find a hiding place where the active shooter is less likely to find you. An ideal hiding place will:**

- Stay out of the active shooter's view.
- Provide protection if shots are fired in your direction, such as an office or classroom with a closed and locked door. Blockade the door with heavy furniture.
- Avoid trapping yourself in a space that restricts your options for movement.
- Silence cell phones and do not make any noise.
- Hide behind large items (e.g., cabinets, desks).
- Remain quiet and calm.

### **INFORM, if possible by dialing 911 and Campus Safety at 914.395.2222 to alert police to the active shooter's location by providing the following information:**

- Location of the active shooter
- Number of shooters, if more than one
- Physical description of shooter(s)
- Number and type of weapons held by the shooter(s)
- Number of potential victims at the location



**TAKE ACTION as a last resort, and only when your life is in imminent danger by attempting to disrupt and/or incapacitate the active shooter by:**

- Acting as aggressively as possible against them and commit to your actions
- Throwing items and improvising weapons and yelling

**WHAT TO EXPECT WHEN LAW ENFORCEMENT ARRIVES:**

- Officers usually arrive in teams.
- Officers may wear regular patrol uniforms or external bulletproof vests, Kevlar helmets, and other tactical equipment.
- Officers may be armed with rifles, shotguns, handguns.
- Officers may use pepper spray or tear gas or flash grenades to control the situation.
- Officers may shout commands and may push individuals to the ground for their safety.
- The first officers to arrive will not stop to help injured persons.
- Rescue teams of additional officers and emergency medical personnel will follow.
- These rescue teams will treat and remove any injured persons. They may also call upon able-bodied individuals to assist in removing the wounded from the premises.
- Once you have reached a safe location or an assembly point, you will likely be held in that area by law enforcement until the situation is under control.
- Do not leave until law enforcement authorities have instructed you to do so.

**HOW TO REACT WHEN LAW ENFORCEMENT ARRIVES:**

- Remain calm and follow instructions of officer.
- Put down any items in your hands (e.g., bags, jackets).
- Immediately raise hands and spread fingers and keep hands visible at all times.
- Avoid making quick movements toward officers such as holding on to them for safety.
- Avoid pointing, screaming and/or yelling.
- Do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises.

## **RESPONSES TO EMERGENCY SITUATIONS: STATE OF EMERGENCY: NATURAL DISASTER OR BIOLOGICAL, CHEMICAL, NUCLEAR DISASTERS, OR ATTACK**

In the case of a State of Emergency, Sarah Lawrence College will follow the directions given by city, state and federal authorities to shelter-in-place or evacuate. A state of emergency, such as big fires, large hazardous materials released or a threat of explosion, requires evacuation of certain regions or the entire campus. To minimize the time required to evacuate and manage traffic congestion, a phased evacuation may be ordered, if practical, with the areas closest to the danger area evacuated first.

**SITUATION: State of Emergency to Shelter-in-Place**

- If the authorities direct the College community to shelter-in-place, Campus Safety personnel will usher faculty, staff, students, visitors, into one of the five designated assembly/shelter areas listed below. If there is not enough time to usher people into designated shelter areas, community members will be asked to shelter-in-place wherever they may be at the time of the notification.

- The College website and campus-wide voice mail/text/email will be used as a means of communication to direct people to one of the shelter/assembly areas.
- Campus Designated Shelter Areas
  - Division 1:** Inner Campus, Westlands, Bates, Science, Sheffield, North Building, PAC and Mead Way Houses to **go to PAC.**
  - Division 2:** Andrews House, Andrews Annex, Andrews East, Andrews Courts, Lyles, Siegel Center (Pub), Wilfred, Library to **go to BWCC.**
  - Division 3:** Lynd House, Lynd Annex, Lynd Offices, Tweed, Marshall Field, Carriage House, Morris, President's House, and Marshall Field to **go to Heimbold.**
  - Division 4:** 45 Wrexham, Slonim House, Slonim Woods, Kober, Curtis, Campbell Sports Center, and ECC to **go to the Campbell Sports Center.**
  - Division 5:** (Hill House) to **stay in Hill House.**
- Once the five assembly/shelter areas are filled, the HVAC system will be turned off and the dampers will be closed. At least one member of the Crisis Management team will be assigned to each of the five assembly/shelter areas to assume leadership of the site. No one will leave the shelter areas until the State of Emergency has been lifted.

### **SITUATION: State of Emergency to Evacuate**

- Follow directions from Public Safety and official personnel who will inform you of the designated route to follow to your evacuation point.
- Persons with cars will be advised to use their own vehicles and to provide rides to anyone without a vehicle.
- Campus transportation resources will be allocated first to children and individuals with disabilities. Depending on where you are on campus, get to one of the closest evacuation points listed below.
- At the evacuation point, emergency personnel will be present providing directions to take and the path to follow.

#### **Main Evacuation Points around Campus:**

- Glen Washington Rd in front of PAC/BWCC
- Kimball Ave. in front of Hiembold Driveway & Presidents Driveway
- Wilgarth Road in front Campbell Sports Center
- Wrexham Road in front of rear parking entrance to Hill house

## **RESPONSES TO EMERGENCY SITUATIONS: EVACUATING DUE TO FIRE**

### **SITUATION: Major fire (large fires that do not appear controllable)**

- Immediately activate the building's fire alarm system.
- If time permits, call 914.395.2222 to report the exact location of the fire, very least pull a fire alarm pull station.
- If a minor fire, promptly direct the discharge of the fire extinguisher toward the base of the flame.
- Evacuate all rooms, closing all doors and windows (if time permits) to confine and reduce oxygen available to it.
- Do not lock doors.

#### **Precautions in Evacuating Due to Fire**

- When the building alarm is sounded, always assume that an emergency exists.
- Touch closed doors; do not open them if they are hot.

- If the door is cool, brace yourself behind the door and open it slowly to prevent the door from being blown open due to the pressure created by a fire.
- Walk quickly to the nearest exit and alert others to do the same.
- Do not use the elevators.
- Smoke is a danger in a fire; stay near the floor where the air will be less toxic.
- Once outside, move to a clear area at least 500 feet away from the affected building. Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews.
- Do not return to an evacuated building unless told to do so by a College official.

#### **If trapped in a Building during a Fire**

- If window is available, place an article of clothing (shirt, coat, etc.) outside the window as a marker for rescue crews.
- Place a wet cloth at the base of doors to keep smoke from entering.
- Shout at regular intervals to alert emergency crews of your location.
- Dampen a cloth with water, place it over your nose, and breathe lightly through it.
- If your clothing catches fire, stop, drop, and roll to help smother the fire.

## **RESPONSES TO EMERGENCY SITUATIONS: BOMB THREAT**

All bomb threats are taken seriously and are thoroughly investigated. Bomb threats are considered suspect until all avenues of investigation have been explored.

#### **SITUATION: Suspicious Package or Object**

- **Do not handle or touch the object.** It may be a bomb or contain explosive material.
- Move to a safe area (far from the object).
- Call the Department of Campus Safety immediately at 914.395.2222.
- Do not operate any electronic devices, radios, or light (power) switches near the suspected device.

**SITUATION: Verbal Threat:** If you receive a bomb threat, remain calm and try to obtain as much information as possible from the caller and try to determine the following:

- The location of the device
- The time, if any, the device is scheduled to go off
- The appearance or type of container used for the device
- The name of the caller or organization taking responsibility
- The reason for placing the device
- The size of the bomb
- The type of explosive used in the device
- Any additional information that might be available

**The person receiving the call should note the following:**

- Male or female voice
- Time of call
- Mood of caller (excited, nervous, calm, despondent)

- Approximate age of the caller
- Background noises that may be present at the location of the caller
- Any other peculiarities that may be helpful in identifying the source of the call or its purpose

## **ACTIONS TO TAKE:**

- Do not use elevators to evacuate a building.
- Move well away from the building and follow the instructions of emergency personnel at the scene.
- If there is an explosion:
  - Immediately take cover under sturdy furniture.
  - Stay away from the windows.
  - Do not light matches.
  - Move well away from the site of the explosion to a safe location.
  - Do not use elevators to evacuate a building.

# RESPONSES TO EMERGENCY SITUATIONS: CHEMICAL SPILLS

## **SITUATION: A potentially toxic or dangerous chemical is spilled**

- Whenever you spill a chemical, or discover a spill or release, immediately tell your supervisor and coworkers in the area.
- When a spill occurs, you and others should move well away from the area while determining the appropriate response. The appropriate response depends on whether the spill is a simple spill, which you can clean up yourself, or a complex spill, which requires outside assistance.
  - Simple spills do not spread rapidly, do not endanger people or property except by direct contact and do not endanger the environment. The department of Campus Safety should be informed immediately of a simple spill at 914.395.2222.
  - Complex spills are any spills that may spread rapidly, may endanger people or property and may endanger the environment.
- A complex spill should be immediately reported to the Campus Safety, 914.395.2222. When reporting, be specific about the nature of the material involved and the exact location. A senior member of the Campus Safety team and or Chemical Hygiene Officer will be contacted immediately. Any nonessential personnel will vacate the affected area at once and the area will be sealed off.
- Anyone who may have been contaminated by a spill should, if necessary and prudent, be immediately put under an emergency shower and their contaminated clothes should be removed as the flow of water begins. The affected area of the skin should be washed for 15 minutes. EMS will be called, and medical treatment will begin as soon as possible.
- If an emergency exists, activate the building fire alarm so the building could be evacuated.
- Once outside, move to a clear area at least 500 feet away from the affected building(s). Keep streets, fire lanes, hydrants and walkways clear for emergency vehicles and crews.
- Do not return to an evacuated building unless told to do so by a College official.

## **Emergency Eyewash Stations/Emergency Shower Stations and Emergency Fire Blanket Locations:**

### **Science Center Eye wash stations/Emergency shower station**

Lab 202 emergency drenching station

Lab 204 eye wash station

Lab 205 eye wash station

Lab 304 emergency shower

Lab 304 eye wash station

Lab 304(A) eye wash station

Lab 305 emergency shower

Lab 305 eye wash station

Lab 306 eye wash station

### **Heimbold Eye wash stations/Emergency shower station**

Studio 100(C) emergency shower

Studio 100 (B) eye wash station

Studio 100 (C) eye wash station

Studio 100 (E) eye wash station

Studio 100 (G) eye wash station

Studio 106 eye wash station

Studio 108 eye wash station

Studio 110 eye wash station

Studio 110(D) eye wash station

Studio 117 eye wash station

Studio 118 eye wash station

Studio 119 eye wash station

Loading Dock by Studio 119 emergency shower

Loading dock by Studio 119 eye wash station

Studio 122 eye wash station

Studio 206(A) eye wash station

Studio 300 eye wash station

Studio 305 Upper level paint room eye wash station

### **Fire blanket Science center**

Lab 304

Lab 305

Lab 304

Lab 305

Lab 306

Lab 205

Lab 204

Lab 202

## RESPONSES TO EMERGENCY SITUATIONS: MEDICAL EMERGENCIES

### **SITUATION: Life Threatening Emergency**

Campus Safety will always request call the Campus Safety emergency number, at 914.395.2222 , for medical emergency or any emergency, you will get an immediate response and Campus Safety will help City First Responders get to the scene quicker by navigating to the scene.

#### **If person is unconscious/not breathing:**

- When making the calls, give your name.
- Describe the nature and severity of the medical problem.
- Give the campus location of the victim.
- Try to answer all of the questions the operator asks.
- Do not move the victim.
- Look for emergency medical ID's such as bracelets on injured persons and try to keep the victim as comfortable as possible until emergency personnel arrive.
- Ask a bystander to go to the lobby or building entrance and direct emergency responders to your location.
- If person is not responsive and not breathing, start CPR immediately until Campus Public Safety or EMS arrives with an AED (Automated External Defibrillator).
- Retrieve an AED or send someone to retrieve an AED.
- Any trained CPR/AED First Responder should begin the AED treatment procedure if you are close to an AED location until EMS or Campus Public Safety arrives.

#### **AED Locations on Campus:**

- **123 Boulder** Wilford ECC
- **Campbell Sports Center** (Lobby near stairs)
- **Campbell Sports Center** Trainers Room — for games & practice
- **Campbell Sports Center** Trainers Room — for games & practice
- **Bates** First Floor Dining Hall Entrance
- **Health & Wellness Center** (inside Lyles House)
- **Library** (behind the front desk, on the wall of the office area)
- **45 Wrexham** Lobby
- **Hill House** Lobby
- **BWCC** 1st Floor Dining Hall
- **BWCC** 2nd Floor by Bathrooms
- **PAC** Reisinger Lobby
- **Bessie** Lobby
- **Campus Safety** Patrol Vehicle 2
- **Campus Safety** Patrol Vehicle 3

- **Campus Safety** Patrol Vehicle 4
- **Campus Safety** Patrol Vehicle 5
- **Campus Safety** Shuttle 33

## **SITUATION: Alcohol/Drug Overdose/Poisoning**

**Person exhibits any or all of the following symptoms may be suffering from alcohol, drug overdose, or poisoning:**

- Unconsciousness (passed out) and can't be roused
- Slow breathing (fewer than eight breaths a minute)
- Irregular breathing a gap of more than 10 seconds between breaths)
- Blue-tinged or pale skin
- Low body temperature
- Confusion
- Stupor
- Vomiting
- Seizures

**If an affected individual is observed:**

- Immediately contact Campus Safety at 914.395.2222 and 911.
- Never assume that a person will "sleep it off." **A person who is unconscious or can't be roused is at risk of dying.**
- Assess for a drug overdose using sternal rub. Administer Narcan if available.
- Keep in mind that even when someone is unconscious or has stopped drinking, alcohol continues to be released into the bloodstream and the level of alcohol in the body continues to rise.
- Ask a bystander to go to the lobby or building entrance and direct emergency responders to your location.
- Never leave the individual alone. Continue to try to revive them.
- While waiting for emergency responders, turn the individual on their side to avoid them from choking on vomit.

## **SITUATION: Psychiatric Medical Emergency**

When a student demonstrates significant behaviors that are impacting student's safety from self or safety of others and may include: self-destructive or suicidal behaviors/statements, erratic and out of control behaviors, appears significantly disconnected from reality, threatening behaviors or statements towards others.

1. If situation poses imminent risk/danger please contact Campus Safety
2. If situation is emergent please consult with Counseling — CAPS director
3. Continue the rest of the workflow outlined below

Whenever an individual demonstrates or reports a risk for self-destructive or suicidal behavior, immediate assistance is needed.

- If the situation poses an imminent physical danger, **call Campus Safety emergency number at 914.395.2222.**
- Provide you name, location and telephone call back
- Explain the situation in detail to the Campus Safety Communication Desk
- Indicate if the person is armed or a threat, or believed to be under the influence of alcohol or drugs.
- Try not to leave the person unattended — but only if you do not feel that you are in any danger — trust your instincts.
- Take all references to suicide and self-harm seriously, doing otherwise may prove deadly.
- Take all Threats seriously!

- Do your best to make the person feel safe until trained personnel arrived.
- Do not invade their personnel space.
- Try to be empathetic.
- Keep your own Safety in mind.

### **SITUATION: Death on Campus**

In the unfortunate event of a death on campus, the following actions will be taken:

- 911 is called.
- Campus Safety takes immediate actions to restrict access to the room where the deceased is located to preserve any evidence.
- AVP of Campus Safety is notified, if student is identified notifies Vice President & Dean of Student Life and Student Death Notification Plan is Enacted and if an employee or other, Vice President of Finance of Administration is notified, Primary Crises Team notified. If applicable, Campus Safety Violent Felony Response Plan enacted.

## **RESPONSES TO EMERGENCY SITUATIONS: UTILITY/POWER FAILURES**

### **SITUATION: Power Failure**

- Report any power failure immediately to the Department of Campus Safety at 914.395.2222, Campus Safety will immediately make notifications to Campus Facilities, Campus Operations and Information Technology Department.
- In a minor power outage — generally will be corrected by Campus Facilities and or Con Edison, longer power outage effecting a part of the campus or all of the campus — a RAVE Alert will be sent out to email/text and voice with an update, coinciding with information on the Campus Website.
- Back-up emergency power should make it possible to use the College telephones for a limited amount of time. Otherwise, use your cell phone.
- If you are safe, remain where you are until the extent of the problem is determined.
- Keep a flashlight available in your office or dorm room at all times. Never use candles during a power failure.
- During daytime hours you can try to add natural lighting by raising blinds and opening draperies.
- Faculty holding classes should remain where they are until notified otherwise.
- Never use an elevator during a power failure or possible power failure. If you become trapped in an elevator though during a power outage, use the emergency phone in the elevator to contact the Campus Safety Department. Wait for assistance. Do not panic.

### **SITUATION: Gas Leak**

- Cease all operations with electronics or anything that can cause a spark.
- Do not switch on the lights or any electrical equipment as electrical arcing can trigger an explosion.
- Immediately notify Campus Safety at 914.395.2222. Campus Safety will respond with gas detector and make immediate notifications to Campus Facilities, and if necessary 911 — Yonkers Fire Department and Con Edison. Note: Campus Safety has 4 gas detectors available for emergency use — Hill House Lobby, Slonim House, Science Center and Campus Safety Communication Center.
- Evacuate the building immediately.
- Once outside, move to a clear of the building and potential responding emergency vehicles fire Department/ Con Edison).



# RESPONSES TO EMERGENCY SITUATIONS: INFECTIOUS DISEASE PLANNING AND RESPONSE GUIDELINES FOR PANDEMIC EMERGENCY

## How the College is preparing

The College has prepared and tested a Pandemic Emergency Plan as part of the College's Comprehensive Crisis Management Plan. This plan will guide the College during a pandemic emergency with the goal of keeping the health and safety of the community as a priority.

## Academic and Business Continuity Philosophy

These guidelines are designed to enable the institution to remain viable during an extended suspension of activity that a severe pandemic may cause. The College will suspend activities on campus as soon as it is apparent that the virus has mutated to a readily transmissible form and appears in locations that put the College community at risk for disease. Suspending operations early in the pandemic phase will provide the best opportunity for most students and employees to vacate the campus. It will also reduce the number of essential functions and personnel that will be required to maintain the business operations of the College.

Once the initial epidemic has passed, the academic year will continue as though we are on the next academic day following the suspension. This may require adjustments to various programs and operations throughout the College in order to return to the normal academic calendar.

## Planning Assumptions

Pandemics are unpredictable. While history offers useful benchmarks, there is no way to know the characteristics of a pandemic virus before it emerges. Nevertheless, we must make assumptions to facilitate planning efforts.

### Federal planning efforts assume the following:

- Susceptibility to the pandemic virus will be universal.
- The first pandemic outbreaks will likely occur outside of the U.S. The pandemic's first impact to Sarah Lawrence will likely be to students and faculty who are traveling abroad or arriving from an area affected by the virus.
- Efficient and sustained person-to-person transmission signals an imminent pandemic.
- With some viruses, a subset of people will become infected but not develop clinically significant symptoms. Asymptomatic or minimally symptomatic individuals can transmit infection and develop immunity to subsequent infection.
- While the number of patients seeking medical care cannot be predicted with certainty, in previous pandemics about half of those who became ill sought care. With the availability of effective antiviral medications for treatment, this proportion may be higher in the next pandemic.
- Rates of serious illness, hospitalization, and deaths will depend on the virulence of the pandemic virus and differ by an order of magnitude between more and less severe scenarios. Risk groups for severe and fatal infection cannot be predicted with certainty but are likely to include infants, the elderly, pregnant women, and persons with chronic or immunosuppressive medical conditions.
- Rates of absenteeism will depend on the severity of the pandemic. In a severe pandemic, absenteeism attributable to illness, the need to care for ill family members and fear of infection, may reach 40 percent during the peak weeks of a community outbreak, with lower rates of absenteeism during the weeks before and after the peak. Certain public health measures (closing schools, quarantining household contacts of infected individuals, "snow days") are likely to increase rates of absenteeism.
- The typical incubation period (interval between infection and onset of symptoms) for influenza is approximately 2 days.
- Persons who become ill with some viruses may shed virus and could transmit infection for one-half to one day before the onset of illness. Viral shedding and the risk of transmission will be greatest during the first 2 days of illness. Children will play a major role in transmission of infection as their illness rates are likely to be higher, they shed more viruses over a longer period of time, and they demonstrate poor control over their secretions.

- On average, infected persons will transmit certain viral infections to approximately two other people.
- Multiple waves (periods during which community outbreaks occur across the country) of illness are likely to occur with each wave lasting 2 to 3 months. Historically, the largest waves have occurred in the fall and winter, but the seasonality of a pandemic cannot be predicted with certainty.

## **Planning Considerations & Essential Functions**

The College's planning will focus first and foremost on what must be done to ensure the health and safety of students, faculty, and staff; it will also consider what steps will be required to ensure continuity of the College's operations.

Each department/area of responsibility will also be required to determine their "essential function" at each stage of the pandemic in preparation for a suspension of activity and subsequent reopening. Along with determining essential functions, each department/area will be required to develop specific steps to achieve the "essential functions" that are identified at each stage.

All faculty group chairs, and administrative departments and offices will be required to maintain current contact information for all employees within their areas. Employees are encouraged to visit their profile on MySLC to ensure that all personal contact information is up-to-date and accurate.

## **Areas of Institutional Response**

### **Crisis Management Team (CMT)**

Members of this Team are defined in the College's Emergency Response Plan.

### **Communications**

It will be necessary to inform affected populations at various times throughout an event that will typically begin with a "trigger" event.

### **Campus Safety & Facilities**

The safety of students and College personnel are the priority of the College. Campus Safety staff will respond to emergencies, maintain safety of the campus and secure order as needed. Facility staff will maintain the physical buildings assuring buildings are available as needed.

Campus Safety and Facilities will be the primary responsibility of:

- Vice President for Finance and Operations
- AVP of Campus Safety
- AVP of Facilities

### **Academic Programs**

In the event of class suspensions, it will be necessary to develop plans to resume teaching activities after the pandemic period. Arrangements for international programs and accommodation for international students will be considered.

Academic Programs will be the primary responsibility of:

- Provost and Dean of the Faculty
- Vice President & Dean of Student Life
- Associate Dean of the College
- Dean of Graduate & Professional Studies
- Associate Dean of International Programs

### **Administrative Functions**

Continuation of business operations with minimal disruption during a pandemic is essential. This area of institutional response will include planning for the services provided by contracted vendors including the Post Office, bookstore and food services. Administrative functions will be the primary responsibility of each department:

- Finance & Operations
- Human Resources
- Advancement and External
- Communication Admissions
- Financial Aid

# Planning Stages

This planning guideline has developed two stages that correspond to the World Health Organization (WHO) pandemic phases. These stages are based on certain “trigger events” that would develop during the course of a pandemic incident. Plans made at each step are designed to address needs at the subsequent stage.

Due to the possibility that a virus may spread quickly, the transition from one stage to the next may take only weeks, days or even hours.

## Timeline

The Crisis Management Team, with guidance and information provided by the Director of Health & Wellness, local, state and national health departments and authorities, will notify the campus community of the pandemic stage upon which the College is functioning. When the College moves from Stage 1 to Stage 2, the campus community will again be notified. Instructions and guidance for all community members will be provided in both stages. The Crisis Management Team will convene to determine a schedule of meetings to ensure the health and safety of the campus community.

### Stage 1: Pre-event Assessment and Planning

The trigger event for this stage will be the diagnosis of a patient in North America, with a specific virus of concern. Sarah Lawrence College will operate normally during this stage. The College will prepare for the specific actions to take at future stages.

All populations will be advised to have evacuation and contingency plans available in the event Stage 2 is activated. Preparations and consideration are given to implement social distancing measures (see appendix). Campus community education will include information on viral transmission and requests for self-reporting when one has traveled to areas of the world affected by the disease and/or when one has exposure to others who are at risk of disease. International travel advisories begin with the consideration that International Programs may be affected.

### Stage 2: Classes/Activities Suspended AND Essential Functions Preserved

The trigger event for this stage will be the existence of large clusters of a specific virus of concern that is beginning to spread. A pandemic is determined to be imminent. Public health authorities urge social distancing.

At this stage the College’s President will issue a statement suspending College activities based on a specific timeline that will enable most populations to vacate the campus.

All facilities and services will be closed. Essential personnel will be working from both on campus and off campus sites to maintain the physical plant and make preparations to resume normal business operations. The College communications network will be maintained to advise all populations of the status of the institution.

	Stage 1: Essential Functions	Stage 2: Essential Functions
<b>Assessment Team</b> A. Director Medical Service B. Director of CAPS C. VP of Advancement & External Affairs D. VP & Dean Student Life	<ol style="list-style-type: none"><li>1. Monitor situation</li><li>2. Brief Crisis Management Team (CMT)</li><li>3. Consult w/media and communication</li><li>4. Communicate w/WCDOH regarding planning and surveillance</li><li>5. Update emergency action plan w/CMT as needed</li><li>6. Draft (w/communications dept.) internal, public information bulletins and announcements for campus community regarding status of disease spread, self-protection and College response (bulletins and announcements approved by CMT/ Pres.) — this includes evacuation bulletin and general information/education bulletins</li><li>7. College will make travel recommendations, based on US State Dept. info., CDC &amp; DOH</li><li>8. Establish protocol for dealing with individuals with symptoms i.e. use of surgical masks</li></ol>	<ol style="list-style-type: none"><li>1. Assessment team reviews available data and recommends shutdown of College to SLC Crisis Management Team (CMT)</li></ol>

	Stage 1: Essential Functions	Stage 2: Essential Functions
<b>Campus Safety</b> A. AVP Public Safety	1. Establish process of securing buildings, protecting supplies and restricting access to campus, if school evacuation indicated 2. Establish protocol for contacting city/county law enforcement if school evacuation is indicated 3. Manage Emergency Response System	1. Advises SLC CMT to evacuate campus 2. Initiate process of securing buildings etc. 3. Initiate process of contacting city/county law enforcement regarding school evacuation and closure.
<b>Operations</b> A. Finance & Operations B. AVP of Facilities C. AVP Residence Life D. Director of Dining Services E. AVP Campus Safety	1. Identify building ventilation systems (may not be indicated if quarantine and isolation is not implemented on campus) 2. Identify utilities/supplies w/ emergency contacts including food, fuel and water 3. Identify utilities that may require emergency shut off 4. Review protocol for use of respiratory surgical masks 5. Establish emergency response food menu for various degrees of need 6. Assure additional stock of certain food/water 7. Identify Seigel Center as center for emergency response personnel meals	1. Notify utilities/suppliers regarding school shutdown 2. Shut off identified utilities 3. Initiate emergency response plan regarding food menu 4. Initiate food services at Seigel Center for emergency response personnel
<b>President</b>	1. Receive info from Assessment Team 2. Review content of internal and external public information bulletins and announcements 3. Work with communications to select appropriate College spokesperson for media reporting 4. Review protocol for use of respiratory/surgical mask, if indicated	1. Review content of internal and external public information bulletins and announcements 2. Provide oversight for SLCCMT
<b>Communications</b> A. VP of Advancement & External Affairs B. Chief Info & Tech Officer C. AVP Campus Safety	1. Release /issue internal and external public information bulletins and announcements. 2. Manage Emergency Response System 3. Work with President to select appropriate College spokesperson for media reporting. 4. Identify all possible means of communicating with students, staff, faculty, parents, and outside contacts utilizing internet, landlines, cell phones, etc. 5. Work with Assessment Team re: communication to campus community of disease self- protection, College response, evacuation procedure and travel recommendations	1. Release/issue internal and external public information bulletins and announcements 2. Initiate use of Emergency Response System as needed 3. Coordinate Press releases and manage news teams etc.
<b>Student Affairs</b> A. VP & Dean of Student Life B. AVP of Residence Life	1. Establish protocol in dealing with students who present with symptoms 2. Establish protocol for use of respiratory surgical masks (if indicated) 3. Assist the Assessment Team to have students self-identify if they have no place to go if evacuation occurs 4. Develop a system for orderly closure and evacuation of residence halls 5. Establish system to track that all students have an evacuation plan, e.g., students "sign out" — when evacuating school with a contact #/email	1. Initiate student evacuation process

	Stage 1: Essential Functions	Stage 2: Essential Functions
<b>Risk Management</b> A. VP Finance & Operations B. Director of HR C. AVP Campus Safety	1. Identify risk exposure to which insurance can and cannot be obtained including associated financial impact 2. Identify steps that must be taken to monitor and protect insurance coverage 3. Benchmark risk management response and insurance coverage options with peer Colleges 4. Identify faculty/staff traveling to/from affected areas	1. Assess actual risk/ insurance claim issues
<b>Health &amp; Wellness Services</b> A. Director of Medical Services B. Director of Counseling & Psychological Services C. Nurse Practitioner	1. Confirm standard universal precautions are in place 2. Assure sufficient # PPE is on hand 3. Follow county and state protocol for assessment and patient testing 4. Establish policy on transporting patients to hospitals per DOH and CDC guidelines 5. Communicate with county/state DOH on suspected/confirmed cases of pandemic virus 6. Post sign on door requesting patients who traveled to (or have been in contact with persons from) affected countries to self-identify or contact H&WC 7. Administer Flu vaccine annually to Health Care Workers 8. Offer flu vaccine clinics annually to students and faculty 9. Work with the WCDOH to access antiviral medication and vaccines specific to pandemic virus.	1. Communicate with county/ state DOH regarding suspected cases of pandemic virus 2. Triage all patients for travel history or symptoms 3. Educate community to self-report if traveling to affected areas
<b>Information Technology</b> A. Chief Information Technology Officer	1. Assess supplemental telecommunication/ computing hardware/software needs: Student Affairs, Health & Wellness Services, External Relations/Communications and Human Resources 2. Assess needs for webpage support/updates 3. Develop plan for adding volunteers to public email addresses	1. Update/publish public information bulletins and announcements on SLC web site 2. Manage emergency notification system
<b>Study Abroad/ International Programs</b> A. Provost and Dean of Faculty B. Associate Dean of the College C. Associate Dean International Programs	1. Monitor students entering/leaving affected regions and develop procedure to communicate with student/families 2. Develop notification system for students/staff 3. Develop plan for students in study abroad programs to safely vacate countries impacted by pandemic.	1. Initiate notification system 2. Initiate evacuation process for students in study abroad programs impacted by pandemic.
<b>Graduate Studies/ Professional Program</b> A. Dean of Graduate & Professional Studies	1. Monitor students entering/leaving affected regions and develop procedure to communicate with student/families 2. Develop notification system for students/staff	1. Initiate notification system

# PAY POLICY DURING A PANDEMIC EMERGENCY AND OTHER EMERGENCY SITUATIONS

## Essential Employees

In instances of suspension of operations during a designated emergency, only employees who are essential to the operation of the College will be required to work. As a general guideline, this may include some or all staff in Campus Safety, Operations, Payroll, Information Technology, International Programs, and Human Resources. This list is not all-inclusive and will be adjusted to meet the College's operational needs.

Department directors will notify employees in those affected areas if they will be considered essential employees in a designated emergency.

Department supervisors have the authority and responsibility for designating staff members who are essential personnel. Volunteers may be considered on a case-by-case basis. Non-union employees who are designated as essential employees, and who are required to work either on campus or remotely during an emergency, will be paid in accordance with the College's emergency closure pay policy. Union employees will be paid in accordance with the collective bargaining agreement which governs the terms of their unit's pay structure.

## Non-Essential Employees

All other regularly scheduled employees of the College who will not be required to be on campus or to perform work during this period are considered non-essential employees.

## Essential College Functions:

On the surface, the following positions are essential for the business continuity plan at stage 2 when classes are suspended (which have previously been identified).

### These positions would be represented on campus:

- Public Safety
- Facilities
- Residence Life (in the event that there are students on campus and unable to leave)
- Food Service — AVI

### These functions would be essential, but may be done from off site:

- Finance
- Human Resources
- Payroll
- Information Systems
- Advancement & External Affairs
- International Programs
- Dean of Studies & Student Life
- Provost and Dean of the College

In order to work off site, the College will test and be prepared to set up home computers to access essential computer needs. The remote access will be activated only in an emergency.

For those receiving paychecks through direct deposit, the College will continue to electronically deposit their checks. For those receiving paper paychecks, payroll will run the system remotely and a member of the staff will be trained to print, stuff and mail checks to the individual's home address.

The number of "essential" people will be determined by the extent/severity/timing of the pandemic time frame. In some cases, departments (such as Admission and College Resources) may have to come to campus periodically or possibly go to the Bronxville Post Office to pick up mail. Administrative department heads are responsible for determining such

need and assigning volunteers to do so. There may be other offices that can work off site in a limited capacity which will be determined at the time of the emergency.

## BENEFITS DURING AN EMERGENCY

The information that follows is an overview prepared by Human Resources. In the case of a pandemic, more detailed information on impacted benefits will be available at the College's website. In the event the College makes a decision to suspend classes and operations, and there are no Human Resources' staff on campus to assist you, telephone calls will either be routed to a staff member at another location or messages will be accessed and calls returned on a daily basis.

### Health, Vision and Dental Care Coverage

During a pandemic health crisis, do not be concerned about continuation of your health, vision or dental benefits. Your benefits will continue regardless of the severity of the crisis, depending, of course on the carrier's availability and continuation of its business practices. During an emergency, continue to see your medical providers as you have previously done. Go directly to the emergency room or other health care provider for services if for some reason you cannot contact your provider for needed services. In certain situations, we will ask our health plans to demonstrate maximum flexibility to assure your benefits coverage.

If you have questions about your insurance coverage during a pandemic you can access telephone numbers and web links to the health and disability plans on MySLC.

### Group Term Life Insurance Program

If an employee has died, please contact Human Resources to learn what coverage, if any, the employee had through the College. In the event the College has suspended operations and limited staff is available to assist you, your message will be accessed from another location and your call will be returned.

### Frequently Asked Questions

1. *What are my leave options if I have been diagnosed with a pandemic virus?*

An employee who has been diagnosed with a virus due to a pandemic may use sick leave for the first 5 consecutive lost workdays. They will be eligible for short-term disability coverage on the 6th calendar day. A Human Resources staff member will assist the employee with filing the appropriate papers for this benefit. This filing may have to occur retroactively after the College has resumed normal business operations.

2. *If I'm afraid of catching a pandemic virus and don't want to come to work, what are my options?*

An employee who is healthy may request available vacation time for the period of absence from their job. An employee has a right to take paid vacation time subject to the approval of the supervisor to schedule the time at which paid leave may be taken.

3. *If it is necessary to close the College on a temporary basis, will employees be paid?*

The College will continue to pay non-essential employees at their regular base hourly rate or salary for up to 6 months. Essential employees who work on campus or remotely will be paid as defined by the College's emergency pay policy, or by the applicable collective bargaining agreement.

**Training — Campus Safety conducts the following training to the Campus Community for Safety, awareness, prevention and preparedness: *Note: Records of all Campus Safety/Fire Safety/OSHA Training records are maintained by Campus Safety***

1. CPR/AED — Basic First Aid & Stop the bleed tourniquet training.
2. OSHA Safety Training to all Lab and Studios
3. OSHA Safety training for all employees starting 2023
4. ALICE/CRASE Active Threat Training
5. CPI — Non Violent Crises Intervention Training

6. Fire Safety Training
7. Fire Extinguisher Training
8. First Year Student Campus Safety Training
9. RA/ARLC Campus Safety Training
10. RADD — Rape Aggression Defense Training
11. Annual National Preparedness Training starting September 2023
12. Campus Safety in conjunction with Health & Wellness — NARCAN Training

### **Equipment housed with Campus Safety:**

- 50 Emergency Cots with Blankets/Pillows in 2 Emergency Shelter Packages
- 16 Air Mattresses
- 24 Sleeping Bags
- 10 Emergency Lanterns
- Emergency Flashlights/Glow Sticks
- Traffic Wands/Traffic Cones
- Emergency Caution Tape
- Emergency Weather Radio
- Emergency Medical Kits
- 40 Portable Radios
- Bear Horns
- Gas Detectors
- AED's

### **Supplement Information:**

- College Emergency Response Guide — summary immediate action quick reference guide
- Sarah Lawrence College Annual Security & Fire Safety Report
- Reporting and Investigating Hate Crimes on Campus
- Sarah Lawrence College Biennial Drug & Alcohol Prevention Program
- Campus Safety Department Policy on Serious Incident Emergency Notifications
- Campus Safety Department Policy on Violent Felony Response
- Campus Safety Department Post Orders
- Student Affairs — Student Death Notification Policy
- Campus Safety Department Policy for Emergency response to Early Childhood Center Wilford
- Campus Safety Department Policy for Emergency response to Early Childhood Center Kober
- Campus Chemical Hygiene Plan
- Campus Chemical Inventory
- Hazardous Communication Plan
- Hazardous Waste Management Plan
- Hot Works Plan
- Working in Confined Spaces Plan



# Hazing

## HAZING POLICY

Sarah Lawrence College prohibits all forms of hazing. Not only is hazing against New York State law, but it also humiliates, degrades, and endangers the participants. Any instances of hazing should be immediately reported to Sarah Lawrence College's Department of Campus Safety. All allegations of hazing shall be fully investigated. Individual violators are subject to disciplinary actions by the College. Any organizational violators may have their permission to operate on campus withdrawn. All students, faculty, staff, and on-campus visitors or invitees are subject to these regulations. In addition, violators are also subject to any applicable provisions of the New York State Penal Code.

Sarah Lawrence College defines hazing as:

Any action taken or situation created which, regardless of location or consent of the participants, recklessly or intentionally endangers mental or physical health or involves forced consumption of alcohol or other drugs for the purpose of initiation into or affiliation with any organization at Sarah Lawrence College.

Such activities and situations include, but are not limited to:

- Physical and psychological shocks
- Morally degrading or humiliating games and activities
- Coercing or forcing illegal acts
- Personal servitude
- Sexual harassment

If found responsible for hazing, students can be subject to any of the following sanctions:

- Permanent expulsion from the College
- Suspension from the College
- Permanent loss of campus housing
- Suspension from campus housing
- Housing probation
- Social probation
- Restriction
- Warning

Possible penalties for hazing committed by faculty or staff include warnings, formal reprimands, suspension without pay, or termination of employment.

On-campus visitors or invitees to the campus engaging in hazing are subject to ejection from campus property and/or arrest.

Hazing is against the law.

According to the New York State Penal Code:

- A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury.
- Hazing in the first degree is a class A misdemeanor punishable by up to one year of imprisonment or a fine up to \$1,000 or both.
- A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person.
- Hazing in the second degree is a violation punishable by up to 15 days of imprisonment or a fine up to \$250 or both.

# Missing Students

## NOTIFICATION OF AND RESPONDING TO MISSING STUDENTS

### Notification of Missing Students

If a member of the College community has reason to believe that a student who resides in on-campus housing is missing, he or she should immediately notify the Campus Safety Department at 914.395.2209. The Campus Safety Department will generate a missing-person report and initiate an investigation. After investigating, should Campus Safety determine that the student is missing, then it will notify the Yonkers Police Department no later than 24 hours after the student is determined to be missing. Once it is determined that the student has been missing for a period of more than 24 hours, the Campus Safety Department will also notify the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the Campus Safety Department will notify the student's parent or legal guardian immediately after the Campus Safety Department has determined that the student has been missing for more than 24 hours.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify a confidential contact to be contacted by the Campus Safety Department in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the Campus Safety Department will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential contact can do so by coming to the office of Operations and Facilities and filling out a missing-student contact form. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement officers in furtherance of a missing-person investigation. No later than 24 hours after determining a student is missing, the Campus Safety Department will notify the following College officials:

- President
- Dean of Studies and Student Life
- VP of Finance & Operations
- Dean of Studies and Student Life
- VP of Advancement & External Relations
- General Counsel

### Guidelines for Responding to Missing Students

The following guidelines shall be activated whenever practical when the College is notified that a student is missing:

#### Within the first two hours of receiving the initial report:

- Campus Safety Department personnel will:
  - Conduct a thorough search of the campus for the student
  - Interview the student's friends and roommates

- Search for the student's vehicle on campus
- Search for the student in his/her classes
- If possible, call the student's cell phone
- Check access control-swipe activity
- Review available CCTV
- Email student
- Identify if student has vehicle on campus
- Student Affairs personnel will:
  - Contact the College's resident and graduate advisers
  - Contact fellow club and committee members
  - Determine whether the student returned to their home residence
- Dean of Studies personnel will:
  - Contact the student's instructors
  - Contact the student's don (adviser)
  - Check the student's class schedule

**No later than 24 hours after the student is determined to be missing:**

Unless extenuating circumstances exist, the College's Campus Safety Director or his designee will contact the Yonkers Police Department and provide it with the name and description of the missing student. The police will then respond to the campus.

Once it is determined that the student has been missing for a period of more than 24 hours, the Campus Safety Department will also notify the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, the Campus Safety Department will notify the student's parent or legal guardian immediately after the Campus Safety Department has determined that the student has been missing for more than 24 hours. If a student has identified a confidential contact, the Campus Safety Department will notify that individual no later than 24 hours after the student is determined to be missing.

**Seventy-two (72) hours after receiving the initial report, if the student has not been located:**

The Director of Campus Safety will notify the VP of Communications to contact the media. At this time, unless extenuating circumstances exist, the College's VP of Communication or his designee will contact the local news media with the name and description of the student. If the Yonkers Police Department determines that publicity would jeopardize the investigation and/or safety of the student, the local news media will not be notified.

# Notifications of a Threat

## NOTIFICATION OF THE SARAH LAWRENCE COLLEGE COMMUNITY ABOUT AN IMMEDIATE THREAT

The College requests that all members of the Sarah Lawrence College community notify the Sarah Lawrence Campus Safety Department immediately at 914.395.2222 of any situation or incident on campus that involves a significant emergency or danger that may pose an immediate or ongoing threat to the health and safety of students and/or employees on campus. Members of the Campus Safety Department will then respond to such situations to assess the potential threat and will summon the necessary resources to mitigate, investigate, and/or document any situation that may pose a significant emergency or danger. If the Campus Safety Department determines that the situation does, in fact, pose a threat to the health or safety of the community, it will notify the campus community or the appropriate segments of the community that may be affected by the situation, using various systems that have been implemented to provide emergency information quickly, such as global emails, public address systems on safety vehicles, voice messages, and emergency text messages. Depending on the situation, some or all of these communication methods may be utilized. In addition, given the specific facts of a situation, there may be times when the College initiates the notification process even before safety personnel get to the scene and verify the critical incident. The College will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

If time permits, the Director of Campus Safety and the Vice President of Operations and Finance will jointly initiate the notification process and determine the content of the notification before it is sent. There are situations, though, in which time is of the essence. During one of these situations, any of the following individuals at the College can individually initiate the notification process, as well as determine the content of the notification: safety officers, safety supervisors, the Associate Directors of Campus Safety, the Director of Campus Safety, and the Vice President of Operations and Finance. The determination of who to notify at the College will be made based upon whether an emergency is localized to a specific geographical location of the College or if it is campuswide.

Members of the larger community who are interested in receiving information about emergencies on campus should sign up for the College's emergency notification system. During a critical incident, the College may post updates on the Sarah Lawrence College website at <http://www.slc.edu>. Individuals can also call the Office of Operations and Facilities at 914.395.2385 with specific questions about an emergency on campus.

### **Campus Lockdown Procedures**

#### **What to do in the event of a hostile intruder**

You will be notified through our emergency notification system to go into lockdown.

#### **Take the following action**

When an intruder on campus is actively causing deadly harm or the threat of imminent deadly harm to people, you must immediately seek cover and call or contact the police, 911, and the College's Department of Campus Safety. Give as many details as possible relative to location, number of assailants, means of aggression, and other pertinent information.

**What to do during a lockdown:**

- Do not sound the fire alarm to evacuate the building. People may be placed in harm's way when they are attempting to evacuate the building. If a fire alarm does go off during a lockdown, do not evacuate unless you smell smoke.
- Be aware of alternate exits if it becomes necessary to flee. Persons should lock themselves in classrooms, dorm rooms, and offices as a means of protection.
- Persons should stay low, away from windows, and barricade their door(s) if possible, using furniture or desks as cover.
- Cover any windows or openings that have a direct line of sight into the hallway.
- Shut the blinds or pull the shades down. Turn off the lights, and try to give the impression that the room is empty.
- Put your cell phone on vibrate.
- Do not make any noise.
- Students and staff should not attempt to leave the building until told to do so by Campus Safety or police personnel. The exception to this is when a person believes that they are in more danger by staying in the building than by attempting to escape.
- If you are outside of a building when a lockdown is announced, if it is safe to do so, run into the nearest building and follow the above lockdown instructions. If it is not safe to run into a building, hide behind a large heavy object (e.g., vehicle, tree).

# Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence & Stalking

## SEXUAL AND GENDER-BASED MISCONDUCT POLICY

### 1. Purpose

Sarah Lawrence College (hereafter “the College”) is committed to providing an educational and employment environment that is free from sex discrimination, sex-based harassment, and retaliation for engaging in protected activity.

The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the Resolution Process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local sex discrimination laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the education program or activity, the College has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of sex discrimination, sex-based harassment, or retaliation.

### 2. Notice of Nondiscrimination

The College seeks to comply with all federal, state, and local laws, regulations, and ordinances prohibiting sex discrimination in private postsecondary education institutions.

The College does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of actual or perceived sex.

This Policy covers sex discrimination in both employment and access to educational opportunities. Therefore, any member of the College community whose acts deny, deprive, unreasonably interfere with, or limit the education or employment, residential and/or social access, benefits, and/or opportunities of any member of the College community, guest, or visitor on the basis of that person's actual or perceived sex, is in violation of this Policy.

The College will promptly and effectively address any such discrimination of which it has Knowledge or receives a report using the Resolution Process in the Sex Discrimination, Sex-Based Harassment, and Retaliation procedures.

### 3. Dissemination<sup>1,2</sup>

The College provides this Policy and associated procedures annually to all enrolled students and employees at the College. This Policy is also posted on the College's website at: [www.sarahlawrence.edu/handbook](http://www.sarahlawrence.edu/handbook).

### 4. Title IX Coordinator Contact

The College has appointed the Title IX Coordinator to coordinate the College's compliance with federal, state, and local sex discrimination laws and ordinances:

**For sex discrimination, sex-based harassment, and retaliation allegations:****Title IX Coordinator**

Kristin N. Collado, Esq.  
Title IX Coordinator & Dean of Accessibility  
Bates Center for Student Life, Suite 220  
1 Mead Way  
Bronxville, NY 10708  
914.323.6138  
kcollado@sarahlawrence.edu  
titleix@sarahlawrence.edu  
www.sarahlawrence.edu/svps/

This individual is responsible for providing comprehensive sex discrimination education and training; coordinating the College's timely, thorough, and fair response, investigation, and resolution of all alleged prohibited conduct under this Policy; and monitoring the effectiveness of this Policy and related procedures to ensure an education and employment environment free from sex discrimination, sex-based harassment, and retaliation.

The College recognizes that allegations under this Policy may include multiple forms of sex discrimination and sex-based harassment, as well as violations of other College policies; may involve various combinations of students, employees, and other members of the College community; and may require the simultaneous attention of multiple College departments. Accordingly, all College departments will share information, combine efforts, and otherwise collaborate, to the maximum extent permitted by law and consistent with other applicable College policies, to provide uniform, consistent, efficient, and effective responses to alleged sex discrimination, sex-based harassment, or retaliation.

## 5. External Contact Information

Concerns about the College's application of this Policy and compliance with Title IX of the Education Amendments of 1972 may be addressed to:

**Office for Civil Rights (OCR)**

U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-1100  
Customer Service Hotline: 800.421.3481  
Facsimile: 202.453.6012  
TDD: 877.521.2172  
Email: OCR@ed.gov  
Web: www.ed.gov/ocr

**State Human Rights Law (HRL)**

The Human Rights Law (HRL), codified as N.Y. Executive Law, art. 15, § 290 et seq., applies to all employers in New York State with regard to sexual harassment, and protects employees, paid or unpaid interns, and non-employees, regardless of immigration status. A Complaint alleging violation of the Human Rights Law may be filed either with the Division of Human Rights (DHR) or in New York State Supreme Court.

Complaints with DHR may be filed any time within three years of the act.<sup>3</sup> If an individual did not file at DHR, they can sue directly in state court under the HRL. An individual may not file with DHR if they have already filed an HRL Complaint in state court.

Complaining internally to the College does not extend an individual's time to file with DHR or in court. The three years are counted from the date of the most recent incident of harassment.

An attorney is not needed to file a Complaint with DHR, and there is no cost to file with DHR.

DHR will investigate Complaints and determine whether there is probable cause to believe that sexual harassment has occurred. Probable cause cases are forwarded to a public hearing before an administrative law judge. If sexual harassment is found after a hearing, DHR has the power to award relief, which varies but may include requiring the employer to take action to stop the harassment or redress the damage caused, including paying of monetary damages, attorney's fees, and civil fines.



DHR's main office contact information is: NYS Division of Human Rights, One Fordham Plaza, Fourth Floor, Bronx, New York 10458. You may call 718.741.8400 or visit: [www.dhr.ny.gov](http://www.dhr.ny.gov).

Contact DHR at 888.392.3644 or visit [dhr.ny.gov/complaint](http://dhr.ny.gov/complaint) for more information about filing a Complaint. The website has a complaint form that can be downloaded, filled out, notarized, and mailed to DHR. The website also contains contact information for DHR's regional offices across New York State.

## **Civil Rights Act of 1964**

The United States Equal Employment Opportunity Commission (EEOC) enforces federal antidiscrimination laws, including Title VII of the Civil Rights Act of 1964.<sup>4</sup> An individual can file a Complaint with the EEOC anytime within 300 days from the alleged misconduct. There is no cost to file a Complaint with the EEOC. The EEOC will investigate the Complaint and determine whether there is reasonable cause to believe that discrimination has occurred, at which point the EEOC will issue a Right to Sue letter permitting the individual to file a Complaint in federal court.

The EEOC does not hold hearings or award relief but may take other action including pursuing cases in federal court on behalf of complaining Parties. Federal courts may award remedies if discrimination is found to have occurred. In general, private employers must have at least 15 employees to come within EEOC jurisdiction.

An employee alleging discrimination at work can file a Charge of Discrimination. The EEOC has district, area, and field offices where Complaints can be filed. Contact the EEOC by calling 800.669.4000 (TTY: 800.669.6820), visiting their website at [www.eeoc.gov](http://www.eeoc.gov), or via email at [info@eeoc.gov](mailto:info@eeoc.gov).

If an individual filed an administrative Complaint with DHR, DHR will file the Complaint with the EEOC to preserve the right to proceed in federal court.

## **Local Protections**

Many localities enforce laws protecting individuals from sexual harassment and discrimination. An individual should contact the county, city, or town in which they live to find out if such a law exists.

## **6. Mandated Reporting, Confidential Employees, and Employee Training**

All College faculty and employees (including the following student-employees: resident advisors and gryphon guides), other than those deemed Confidential Employees, are Mandated Reporters and are expected to promptly report all known details of actual or suspected sex discrimination, sex-based harassment, retaliation, and/or Other Prohibited Conduct to appropriate officials immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal College action.

Students who are pregnant or have a pregnancy-related condition are entitled to supportive resources and accommodations to prevent sex discrimination and ensure the student's equal access, to be coordinated by the College's Title IX Coordinator. All employees (both Mandated Reporters and Confidential Employees) shall provide the student with the Title IX Coordinator's contact information and inform the student that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access. Additionally, Mandated Reporters are expected to inform the Title IX Coordinator when a student, or a person who has a legal right to act on behalf of the student, informs a Mandated Reporter of the student's pregnancy or related condition.

Complainants may want to carefully consider whether they share personally identifiable details with Mandated Reporters, as those details must be shared with the Title IX Coordinator.<sup>5</sup>

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report alleged crimes and/or Policy violations, and these employees will immediately report this information to the Title IX Coordinator (and/or police, if desired by the Complainant or required by law), who will act when an incident is reported to them.

The following sections describe the College's reporting options for a Complainant or third party (including parents/guardians when appropriate):

### **A. Confidential Employees**

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as medical professionals, clergy, and mental health counselors; 2) Those whom the College has specifically designated as Confidential Resources for purposes of providing support and resources to the Complainant; and 3) Those conducting human subjects research as part of a study approved by the College's

Institutional Review Board (IRB). For those in category 1), above, to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the report. These individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order.

To enable Complainants to access support and resources without filing a Complaint, the College has designated specific employees as Confidential Resources. Those designated by the College as Confidential Resources are not required to report actual or suspected sex discrimination, sex-based harassment, or retaliation in a way that identifies the Parties. They will, however, provide the Complainant with the Title IX Coordinator's contact information and offer options and resources without any obligation to inform an outside agency or the College official unless a Complainant has requested the information be shared.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Confidential Employees:

**Confidential Employees/Resources<sup>6</sup>**

- Health & Wellness Staff
- Director of Spiritual Life
- Employee Assistance Program

Institutional counselors and/or the Employee Assistance Program is available to help free of charge and may be consulted on an emergency basis during normal business hours.

Employees who have confidentiality as described above and who receive a report within the scope of their confidential roles will timely submit anonymous statistical information for Clery Act statistical reporting purposes unless they believe it would be harmful to their client, patient, or parishioner.

Failure of a Mandated Reporter, as described above in this section, to report an incident of sex discrimination, sex-based harassment, or retaliation of which they become aware is a violation of College Policy and can be subject to disciplinary action for failure to comply/failure to report. This also includes situations when a harasser is a Mandated Reporter. Such individuals are obligated to report their own misconduct, and failure to do so is a chargeable offense under this Policy.

A Mandated Reporter who is themselves a target of discrimination, harassment, or other misconduct under this Policy is not required to report their own experience, though they are encouraged to do so.

In addition, Complainants may speak with individuals unaffiliated with the College without concern that Policy will require them to disclose information to the institution without permission:

**B. Employee Training**

All College employees will receive training related to their duties under Title IX and this Policy promptly upon hire or upon any change of position that alters their duties under Title IX or this Policy, and annually thereafter. The training will not rely on sex stereotypes. Training will be provided as follows:

**1. All College Employees**

The College will ensure that all employees receiving training on the College's obligation to address sex discrimination, sex-based harassment, retaliation, and/or Other Prohibited Conduct in its education program or activity; the scope of conduct that constitutes sex discrimination, sex-based harassment, retaliation, and/or Other Prohibited Conduct, including the definition of Sex-based Harassment; and all applicable notification and information requirements under the Title IX regulations.

**2. Investigators, Decision-Makers, and Employees Responsible for Implementing the Resolution Process and Modifying or Terminating Supportive Measures**

In addition to the responsibilities outlined in the preceding paragraph, the College will ensure that all Investigators, Decision-Makers and other persons who are responsible for implementing the College's Resolution Process or have the authority to modify or terminate supportive measures receive training on the College's obligations under the Title IX regulations; the College's Resolution Process; how to serve impartially, including by avoiding a prejudgment of the facts at issue, conflicts of interest, and bias; and the meaning and application of the term relevant in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the Title IX regulations.

### **3. Informal Resolution Facilitators**

In addition to the training requirements for all College employees, Informal Resolution Facilitators will be trained on the rules and practices associated with the College's Informal Resolution Process and on how to serve impartially, including avoiding conflicts of interest and bias.

### **4. Title IX Coordinators and Designees**

In addition to the training requirements outlined in Sections 1–3, the College will ensure that the Title IX Coordinator and any designees receive training on the College's recordkeeping system and other training necessary to coordinate the College's compliance with Title IX. Any materials used to train College employees on this Policy will be made available upon request for inspection by members of the public.

## **7. Scope**

This Policy is only applicable to alleged incidents that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator.

This Policy applies to all faculty, employees, students, and other individuals participating in or attempting to participate in the College's program or activities, including education and employment.<sup>7</sup>

This Policy prohibits all forms of sex discrimination and may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this Policy.

## **8. Jurisdiction<sup>8</sup>**

This Policy applies to the College's education programs and activities (defined as including locations, events, or circumstances in which the College exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where the College has disciplinary authority, and to misconduct occurring within any building owned or controlled by a College-recognized student organization. A Complainant does not have to be a member of the College community to file a Complaint, at the discretion of the Title IX Coordinator.

This Policy may also apply to the effects of off-campus misconduct that limit or deny a person's access to the College's education program or activities. The College may also extend jurisdiction to off-campus and/or to online conduct when the conduct affects a substantial College interest.

A substantial College interest includes:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- Any situation in which it is determined that the Respondent poses an imminent and serious threat to the health or safety of any student, employee, or other individual.
- Any situation that significantly impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
- Any situation that substantially interferes with the College's educational interests or mission.

For disciplinary action to be issued under this Policy, the Respondent must be a College faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of the College community, the Title IX Coordinator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options and will implement appropriate supportive measures and/or remedial actions (e.g., issuing a Persona Non Grata). The College can also assist in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

All vendors serving the College through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences sex discrimination or sex-based harassment in an externship, study away program, or other environment external to the

College where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee's work or educational environment, those effects can often be addressed remedially by the Title IX Coordinator if brought to their attention.

## 9. Supportive Measures

The College will offer and implement appropriate and reasonable supportive measures to the Parties upon receipt of a report of alleged sex discrimination, sex-based harassment, and/or retaliation. Supportive measures are nondisciplinary, nonpunitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to the College's education program or activity, including measures designed to protect the safety of all Parties and/or the College's educational environment and/or to deter sex discrimination, sex-based harassment, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the Parties upon receiving a report or a Complaint. All Parties will be provided with a comprehensive electronic brochure detailing options and resources, which the Title IX Coordinator may review with the Parties in person. Hard copies are available upon request. At the time that supportive measures are offered, if a Complaint has not been filed, the College will inform the Complainant, in writing, that they may file a Complaint with the College either at that time or in the future. The Title IX Coordinator will work with a Party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

The College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the College's ability to provide those supportive measures. The College will act to ensure as minimal an academic/occupational impact on the Parties as possible. The College will implement measures in a way that does not unreasonably burden any Party.

For a detailed description of supportive measures, please review Addendum F (p. 118).<sup>9</sup>

Violations of No Contact Orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or added as collateral misconduct allegations to an ongoing Complaint under this Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of the College's decision to provide, deny, modify, or terminate supportive measures applicable to them.<sup>10,11</sup> A request to do so should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the Title IX regulatory definition of supportive measures. The College will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances materially change. The College typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted Party(ies) and the Title IX Coordinator.

## 10. Online Harassment and Misconduct

College policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the College's education program and activities, or when they involve the use of College networks, technology, or equipment.

Although the College may not control websites, social media, and other venues through which harassing communications are made, when such communications are reported to the College, it will engage in a variety of means to address and mitigate the effects. These means may include use of the Resolution Process to address off-campus conduct whose effects contribute to limiting or denying a person access to the College's education program or activity.

## 11. Inclusion Related to Gender Identity/Expression

The College strives to ensure that all individuals are safe, included, and respected in their education and employment environments, regardless of their gender identity or expression, including intersex, nonbinary, transgender, agender, two-spirit, and gender-diverse students and employees.

Discrimination and harassment on the basis of gender identity or expression are not tolerated by the College. If a member of the College community believes they have been subjected to discrimination under this Policy, they should follow the appropriate reporting process described herein.

In upholding the principles of equity and inclusion, the College supports the full integration and healthy development of those who are gender diverse and seeks to eliminate any stigma related to gender identity and expression.

The College is committed to fostering a climate where all identities are valued, contributing to a more vibrant and diverse community. The College will administratively address issues that some students and employees, including those identifying as intersex, transgender, agender, nonbinary, and gender diverse, may confront as they navigate systems originally designed around the assumption that gender is binary. As our society's understanding of gender evolves, so do the College's processes and policies.

Concepts like misgendering and deadnaming may not be familiar to all, but understanding them is essential to the College's goal of being as welcoming and inclusive a community as possible.

Misgendering or mispronouncing is the intentional or unintentional use of pronouns or identifiers that are different from those used by an individual. Unintentional misgendering is usually resolved with a simple apology if someone clarifies their pronouns for you. Intentional misgendering is inconsistent with the type of community we hold ourselves out to be and may constitute a Policy violation if the effect is greater than *de minimis* harm. We each have a right to determine our own gender identity and expression, but we don't get to choose or negate someone else's.

Deadnaming, along with misgendering, can be very traumatic to a person who is transgender, transitioning, nonbinary, or gender diverse. Deadnaming means using someone's birth-assigned (cisgender) name, rather than the name they have chosen.

To a person who is transgender, transitioning, nonbinary, or gender diverse, their cisgender identity may be something that is in their past — dead, buried, and behind them. To then revive their deadname could trigger issues, traumas, and experiences of the past that the individual has moved past, or is moving past, and can interfere with their health and well-being.

Again, unintentional deadnaming can often be addressed by a simple apology and an effort to use the person's chosen name. Intentional deadnaming could be a form of bullying, outing, or otherwise harassing an individual, and thus should be avoided.

This Policy should be interpreted consistent with the goals of maximizing the inclusion of intersex, transgender, transitioning, agender, nonbinary, and gender-diverse students and employees, including:

- Maintaining the privacy of all individuals consistent with law.
- Ensuring all students have equal access to educational programming, activities, and facilities, including restrooms and locker rooms.
- Ensuring all employees have equal access to employment opportunities and work, service, or health-related facilities.
- Providing professional development for employees and education for students on topics related to gender inclusion.
- Encouraging all students and employees to respect the pronoun usage and identities of all members of the College community.

The College uses a number of interventions to address concerns that are raised related to gender-based harassment or discrimination, including problem-solving, intervention, confrontation, investigation, and Policy enforcement. When conflicts arise between the right of members of the community to be free from gender-identity discrimination and those exercising their right to religious freedom, the College will try to balance rights and interests to find mutually agreeable outcomes or compromises. When that is not possible, the College will offer remedial solutions or enforce its Policies while also respecting the rights of all members of its community.

## 12. Prohibited Conduct

Students and employees are entitled to an educational and employment environment that is free of sex discrimination, sex-based harassment, and retaliation. This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited sex discrimination, sex-based harassment, and retaliation that are also prohibited under College Policy. When speech or conduct is protected by academic freedom, it will not be considered a violation of College Policy, though supportive measures will be offered to those impacted.

All offense definitions below encompass actual and/or attempted offenses.

Any of the following offenses can be charged as or combined as pattern offenses, in which case the Notice of Investigation and Allegation (NOIA) will clearly indicate that both individual incidents and a pattern of conduct are being investigated. A pattern may exist and be charged when there is a potential substantial similarity to incidents where the proof of one could make it more likely that the other(s) occurred, and vice versa. Patterns may exist based on target selection, similarity of offense, or other factors. Where a pattern is found, it can be the basis to enhance sanctions, accordingly.

### **A. Sex Discrimination**

Sex discrimination is different treatment with respect to a person's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived sex. Discrimination can take two primary forms:

#### **1. Disparate Treatment Discrimination:**

Any intentional differential treatment of a person or persons that is based on a person's actual or perceived sex and that:

- Excludes a person from participation in;
- Denies a person benefits of; or
- Otherwise adversely affects a term or condition of a person's participation in a College program or activity.

#### **2. Disparate Impact Discrimination:**

Disparate impact discrimination occurs when policies or practices that appear to be neutral unintentionally result in a disproportionate impact on the basis of sex that:

- Excludes a person from participation in;
- Denies a person benefits of; or
- Otherwise adversely affects a term or condition of a person's participation in a College program or activity.

### **B. Sex-Based Harassment (Applicable under Title IX, Title VII, the Fair Housing Act, and New York State Law)**

Sex-Based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex,<sup>12</sup> including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking, as defined below.

#### **1. Quid Pro Quo Harassment:**

- an employee, agent, or other person authorized by the College,
- to provide an aid, benefit, or service under the College's education program or activity,
- explicitly or impliedly conditioning the provision of such aid, benefit, or service,
- on a person's participation in unwelcome sexual conduct.

#### **2. Hostile Environment Harassment:**

- unwelcome sex-based conduct, that
- based on the totality of the circumstances,
- is subjectively and objectively offensive, and
- is so severe or pervasive,
- that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

The College reserves the right to address offensive conduct and/or harassment that (1) does not rise to the level of creating a hostile environment or (2) is of a generic nature and not prohibited by law. Addressing such conduct will not result in the imposition of discipline under College Policy, but may be addressed through respectful conversation, remedial actions, education, effective alternative resolution, and/or other Informal Resolution mechanisms.

For assistance with alternative resolution and other Informal Resolution techniques and approaches, contact the Title IX Coordinator.

### **3. Sexual Assault:<sup>13,14</sup>**

#### **Sexual Assault — Penetration:**

- 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 Complainant.<sup>15</sup>

**Sexual Assault — Contact:**

- The touching of the private body parts (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent because of their age or because of a temporary or permanent mental incapacity.

**Incest:**

- Sexual intercourse,
- between persons who are related to each other,
- within the degrees wherein marriage is prohibited by New York law

**Statutory Rape:**

- Sexual intercourse,
- with a person who is under the statutory age of consent of 17 per the NYS penal law.

**4. Dating Violence, defined as:**

- violence,
- committed by a person,
- who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
- The existence of such a relationship shall be determined based on the Complainant'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:
  - 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 .

**5. Domestic Violence,<sup>16</sup> defined as:**

- engaging in a course of conduct,
- directed at the Complainant, that
  - would cause a reasonable person to fear for the person's safety, or° the safety of others; or
  - 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 Respondent directly, indirectly, or through third parties, by any action, method, device, or means, 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 Complainant.
- Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

### **C. New York State Requirements Related to Sexual Harassment in Employment**

Additionally, in the State of New York, the following definition of sexual harassment will be applied to employee misconduct, as determined by the Title IX Coordinator:

Sexual harassment is unlawful when it subjects an individual to inferior terms, conditions, or privileges of employment. Harassment need not be severe or pervasive to be unlawful and can be any harassing conduct that consists of more than petty slights or trivial inconveniences. Sexual harassment includes unwelcome conduct which is either of a sexual nature, or which is directed at an individual because of that individual's sex when:

1. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment, even if the reporting individual is not the intended target of the sexual harassment;
2. Such conduct is made either explicitly or implicitly a term or condition of employment; or
3. Submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual's employment.

A sexually harassing hostile work environment includes, but is not limited to, words, signs, jokes, pranks, intimidation, or physical violence which is of a sexual nature, or which is directed at an individual because of that individual's sex. Sexual harassment also consists of any unwanted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory remarks made by someone which are offensive or objectionable to the Complainant, which cause the Complainant discomfort or humiliation, or which interfere with the Complainant's job performance.

Sexual harassment also occurs when a person in authority tries to trade job benefits for sexual favors. This can include hiring, promotion, continued employment, or any other terms, conditions, or privileges of employment. This is also called "quid pro quo" harassment.

Any employee who feels harassed should report so that any violation of this Policy can be corrected promptly. Any harassing conduct, even a single incident, can be addressed under this policy. Sanctions will be imposed on individuals engaging in sexual harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue.<sup>17</sup>

### **Examples of Sexual Harassment in Employment Situations**

The following examples describe some of the acts that may be unlawful sexual harassment and that are strictly prohibited:

- Physical acts of a sexual nature, such as:
  - Touching, pinching, patting, kissing, hugging, grabbing, brushing against another employee's body, or poking another employee's body;
  - Rape, sexual battery, molestation, or attempts to commit these assaults .
- Unwanted sexual advances or propositions, such as:
  - Requests for sexual favors accompanied by implied or overt threats concerning the target's job performance evaluation, a promotion, or other job benefits or detriments;
  - Subtle or obvious pressure for unwelcome sexual activities .
- Sexually oriented gestures, noises, remarks or jokes, or comments about a person's sexuality or sexual experience, which create a hostile work environment .
- Sex stereotyping that occurs when conduct or personality traits are considered inappropriate simply because they may not conform to other people's ideas or perceptions about how individuals of a particular sex should act or look .
- Sexual or discriminatory displays or publications anywhere in the workplace, such as:
  - Displaying pictures, posters, calendars, graffiti, objects, promotional material, reading materials, or other materials that are sexually demeaning or pornographic. This includes such sexual displays on workplace computers or cell phones and sharing such displays while in the workplace .



- Hostile actions taken against an individual because of that individual's sex, sexual orientation, gender identity, or the status of being transgender, such as:
  - Interfering with, destroying, or damaging a person's workstation, tools, or equipment, or otherwise interfering with the individual's ability to perform the job;
  - Sabotaging an individual's work;
  - Bullying, yelling, name-calling.

## **D. Sexual Misconduct**

### **Sexual Exploitation:**

- a person taking nonconsensual or abusive sexual advantage of another, that does not constitute sex-based harassment, as defined above,
- for their own benefit or for the benefit of anyone other than the person being exploited .

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

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
- Invasion of sexual privacy (e.g., doxxing)
- Knowingly making an unwelcome disclosure of (or threatening to disclose) a person's sexual orientation, gender identity, or gender expression
- Taking pictures, video, or audio recording of another person in a sexual act, or in any other sexually related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity; or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or disseminating sexual pictures without the photographed person's consent), including the making or posting of nonconsensual pornography
- Prostituting another person
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI) without informing the other person of the virus, disease, or infection
- Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to nonconsensual sexual activity
- Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections (e.g., spoofing)
- Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- Knowingly soliciting a minor for sexual activity
- Engaging in sex trafficking
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., Deepfakes)

## **E. Other Prohibited Conduct**

### **Retaliation:**

- Adverse action, including intimidation, threats, coercion, or discrimination, against any person,

- by the College, a student, employee, or a person authorized by the College to provide aid, benefit, or service under the College's education program or activity,
- for the purpose of interfering with any right or privilege secured by law or Policy, or
- because the person has engaged in protected activity, including reporting information, making a Complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or Resolution Process under this Policy and procedures, including an Informal Resolution process, or in any other appropriate steps taken by the College to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for the College to pursue Policy violations against those who make materially false statements in bad faith in the course of a resolution under this Policy. However, the determination of responsibility, by itself, is not sufficient to conclude that any Party has made a materially false statement in bad faith.

#### **Unauthorized Disclosure:<sup>18</sup>**

- Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by the College; or
- Publicly disclosing institutional work product that contains personally identifiable information without authorization or consent.

#### **Failure to Comply/Process Interference:**

- Distributing or otherwise publicizing materials created or produced during an investigation or Resolution Process except as required by law or as expressly permitted by the College; or
- Intentional failure to comply with emergency removal or interim suspension terms
- Intentional failure to comply with sanctions
- Intentional failure to adhere to the terms of an Informal Resolution agreement
- Intentional failure to comply with mandated reporting duties as defined in this Policy
- Intentional interference with the Resolution Process, including, but not limited to:
  - Destruction of or concealing of evidence
  - Actual or attempted solicitation of knowingly false testimony or providing false testimony or evidence
  - Intimidating or bribing a witness or Party

#### **F. Sanction Ranges**

The following sanction ranges apply for prohibited conduct under this Policy. Sanctions can be assigned outside of the specified ranges based on aggravating or mitigating circumstances, or the Respondent's cumulative conduct record.

- **Sex Discrimination:** warning through expulsion or termination
- **Quid Pro Quo Harassment:** warning through expulsion or termination
- **Hostile Environment Harassment:** warning through expulsion or termination
- **Sexual Assault — Penetration:** suspension through expulsion or termination
- **Sexual Assault — Contact:** probation through expulsion or termination
- **Incest:** warning through expulsion or termination
- **Statutory Rape:** warning through expulsion or termination
- **Stalking:** probation through expulsion or termination
- **Dating/Domestic Violence:** probation through expulsion or termination
- **Sexual Exploitation:** warning through expulsion or termination

- **Retaliation:** warning through expulsion or termination
- **Unauthorized Disclosure:** warning through expulsion or termination
- **Failure to Comply/Process Interference:** warning through expulsion or termination

## G. Affirmative Consent, Force, Coercion, and Incapacitation

As used in this Policy, the following definitions and understandings apply:

**Affirmative Consent**<sup>19</sup> is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

**Valid Aspects of Consent:** Consent must be all of the following:

**Knowing:** All individuals understand, are aware of, and agree as to the "who" (same partners), "what" (same acts), "where" (same location), "when" (same time), and "how" (the same way and under the same conditions) of the sexual activity.

**Active:** Consent must take the form of "clearly understandable words or actions" that reveal one's expectations and agreement to engage in specific sexual activity. This means that silence, passivity, submission, or the lack of verbal or physical resistance (including the lack of a verbalized "no") should not — in and of themselves — be understood as consent. Consent cannot be inferred by an individual's manner of dress, the giving or acceptance of gifts, the extension or acceptance of an invitation to go to a private room or location, or going on a date. It is the responsibility of the person initiating sexual activity to ensure that affirmative consent to that activity, and all sexual acts, has been given.

**Voluntary:** Consent must be freely given and cannot be the result of the Respondent's intimidation (extortion, menacing behavior, bullying), coercion (severe or persistent pressure causing fear of significant consequences from Respondent if one does not engage in sexual activity), force (violence, physical restraint, or the presence of a weapon), threats (indications of intent to harm, whether direct or indirect), or fraud (misrepresentation or material omission about oneself or the present situation in order to gain permission for sexual or intimate activity).

**Present and Ongoing:** Consent must exist both at the time of initiation of sexual activity and at all times thereafter, throughout the entirety of sexual activity. Consent to engage in sexual activity with one person does not constitute consent to engage in sexual activity with another person.

Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each Party to determine that the other has consented before engaging in the activity.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to be kissed back.

Consent can also be withdrawn once given, and should be reasonably and clearly communicated so the other Party understands that they no longer have affirmative consent. If consent is withdrawn, sexual activity should cease immediately.

Consent to some sexual contact (such as kissing or fondling) cannot be assumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected.

Proof of consent or nonconsent is not a burden placed on either Party involved in a Complaint. Instead, the burden remains on the College to determine whether its Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

Going beyond the boundaries of consent is prohibited. Thus, unless a sexual partner has consented to slapping, hitting, hair pulling, strangulation, or other physical roughness during otherwise consensual sex, those acts may constitute dating violence or sexual assault.<sup>20</sup>

### **Capacity to Consent:**

Consent is not present when an individual does not have the capacity to give consent, voluntarily or involuntarily, as the result of:

- Age (generally, the age of consent to engage in sexual activity with a legal adult [18 years of age or older] is 17 in New York);
- Physical condition; or
- Disability that impairs the individual's ability to give consent.

Reasons why one could lack capacity to give consent based on a physical condition or disability include, but are not limited to, consumption of drugs or alcohol (voluntarily or involuntarily) to the point of incapacitation (that being where the person, through drug or alcohol use, is incapable of appreciating that sexual activity is occurring or about to occur, or incapable of knowing, active, voluntary, present, and ongoing consent); or being in a state of unconsciousness, sleep, or other state in which the person is unaware that sexual activity is occurring or about to occur, or otherwise in a condition rendering the person incapable of knowing, active, voluntary, present, and ongoing consent.

For the legal definition of consent under New York State law, see the Appendix to this Policy.

### **Force:**

Force is the use of physical violence and/or physical imposition to gain sexual access. Sexual activity that is forced is, by definition, nonconsensual, but nonconsensual sexual activity is not necessarily forced. Force is conduct that, if sufficiently severe, can negate consent.

Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," which elicits the response, "Okay, don't hit me. I'll do what you want.>").

### **Coercion:**

An unreasonable amount of pressure or an intimidating behavior. The use of emotional manipulation to persuade someone to do something they do not want to do or are reluctant to do, such as engaging in sexual activity or performing certain sexual acts, may constitute coercion. Coercing a person into having sex or performing sexual acts may negate consent, even when that consent otherwise may have been expressed by the subject in words or actions. Coercion may occur even where the Parties are otherwise in an ongoing relationship, such as a romantic or dating relationship.

Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear that they do not want to participate in a particular form of sexual activity, that they want to stop, or that they do not want to go beyond a certain type of sexual activity, continued pressure can be coercive if it overcomes the voluntariness of the decision.

In evaluating whether coercion was used, the frequency, duration, and intensity of the other person's verbal or physical conduct or threats are all relevant, as is the degree of confinement or isolation to which the person was subjected. Coercion may be evidenced by an interaction that can reasonably be interpreted as indicating that a Party will be harmed or restrained if they do not engage in sexual conduct.

### **Incapacitation:**

When alcohol is involved, incapacitation is a state beyond drunkenness or being "buzzed" or intoxicated. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug. In general terms, the difference between intoxication or impairment, on the one hand, and incapacitation on the other, is that a person incapacitated by drug or alcohol use is incapable of appreciating that sexual activity is occurring or about to occur, or incapable of providing knowing, active, voluntary, present, and ongoing consent. Alcohol and other drugs impact each individual differently; some indicators of a lack of capacity to give consent based on consumption of drugs or alcohol may include:

- Lack of full control over physical movements (for example, significant difficulty walking or standing without assistance, or stumbling about);
- Lack of awareness of circumstances or surroundings (for example, lack of engagement with others in the environment, lack of an indication of awareness of where one is, how one got there, who one is with, or how or why one became engaged in ongoing interactions);
- Lack of consciousness or periodic episodes suggesting the person is “in and out” of consciousness; and/or
- Inability to effectively communicate (for example, inability to communicate coherently, inability to follow or meaningfully participate in a discussion, significant slurring of speech, inability to complete thoughts or sentences, difficulty finding words).

A person who is incapacitated but who may appear to be giving consent may not have the capacity to do so. When determining whether a person has the capacity to provide consent, the College will consider whether a sober, reasonable person in the Respondent's position knew or should have known that the other Party was incapacitated, and as a result could not consent to the sexual activity. It is especially important, therefore, that anyone engaging in sexual activity is aware of the other person's level of intoxication and capacity to give consent. When a question is reasonably raised as to whether a potential partner is incapacitated by alcohol or drug use, one should assume that consent is not able to be given. Being intoxicated or impaired by drugs or alcohol also does not excuse one from the responsibility to obtain consent, or from ensuring that a potential partner is capable of consenting. Being intoxicated or impaired by drugs or alcohol is never an excuse to commit sexual violence or to engage in nonconsensual sexual activity.

Because the impact of alcohol and other drugs varies from person to person, the amount of alcohol and/or drugs a person consumes will not ordinarily be sufficient, without other evidence, to prove that they were incapacitated under this provision.

Another effect of alcohol consumption can be memory impairment or forgetting entire or partial events (sometimes referred to as “blackout” or “brown-out”). A person may experience this symptom while appearing to be functioning “normally,” including communicating through actions or words that seem to express an interest in engaging in sexual activity. Whether sexual activity with a person who is “blacked out” constitutes a violation of this policy depends on the presence or absence of the observable factors that would indicate to a reasonable, sober person that a person is also incapacitated, as described above. Total or partial loss of memory, without more, is insufficient to demonstrate incapacitation.

## **H. Policy on Consensual Relationships — See Addendum D (p. 115)**

### **13. Standard of Proof**

The College uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that the College will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s).

### **14. Reports/Complaints of Sex Discrimination, Sex-Based Harassment, and/or Retaliation**

A Report provides notice to the College of an allegation or concern about sex discrimination, sex-based harassment, or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A Complaint provides notice to the College that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint. Reports or Complaints of sex discrimination, sex-based harassment, and/or retaliation may be made using any of the following options:

1. Submit a Report at [https://cm.maxient.com/reportingform.php?SarahLawrence&layout\\_id=13](https://cm.maxient.com/reportingform.php?SarahLawrence&layout_id=13). Anonymous Reports are accepted, but the Report may give rise to a need to try to determine the Parties' identities. Anonymous Notice typically limits the College's ability to investigate, respond, and provide remedies, depending on what information is shared. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide supportive measures to Complainants who are the subject of an anonymous Report.

2. File a Complaint with, or give a verbal report directly to, the Title IX Coordinator or the Title IX Liaison of Campus Safety. Such a Complaint may be made at any time (including during nonbusiness hours) by using the telephone number, email address, or mailing the office of the Title IX Coordinator or Title IX liaison of campus safety.
3. Reporting to New York State Law Enforcement: As a result of the New York State Enough Is Enough legislation, the state instituted a New York State Police Campus Sexual Assault Victims Unit. This unit acts as a liaison with all private and public colleges and universities within the state and is specifically trained to respond to Reporting Individuals. In addition to having the option to report to local law enforcement, Reporting Individuals may also make reports of sexual violence to the Campus Sexual Assault Victims Unit.

The state troopers within the Campus Sexual Assault Victims Unit are available to assist Reporting Individuals in reporting to law enforcement and to inform Reporting Individuals of the legal and criminal action they may pursue. The Title IX Office provides information on contacting state law enforcement and, at the individual's request, can assist an individual in doing so. However, the Office will not compel an individual to go to law enforcement.

To contact the Yonkers Police Department for incidents that occurred on campus:

Phone Number: 914.377.7900

Location: 104 South Broadway, Yonkers, NY 10701

Website: <https://www.yonkersny.gov/439/Police-Department>

To contact the New York City Police Department for incidents that occurred within New York City:

Phone Number: 212.267.RAPE (7273) (Sex Crimes Report Line)

Location: Visit this page to seek out the nearest precinct.

Website: <https://www.nyc.gov/site/nypd/bureaus/patrol/find-your-precinct.page>

To contact the New York State Police Department for incidents that occurred within the state of New York:

Phone Number: 844.845.7269 (nonemergent toll-free hotline)

Website: <https://troopers.ny.gov/campus-sexual-assault-victims-unit#:~:text=Call%201%2D844%2D845%2D,within%20a%20NYS%20college%20campus.&text=Provide%20training%20for%20our%20law,qualified%20personnel%20and%20services%20available.>

Reporting carries no obligation to initiate a Complaint, and in most situations, the College is able to respect a Complainant's request to not initiate a Resolution Process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where the College may need to initiate a Resolution Process. If a Complainant does not wish to file a Complaint, the College will maintain the privacy of information to the extent possible. The Complainant should not fear a loss of confidentiality by making a Report that allows the College to discuss and/or provide supportive measures, in most circumstances.

## 15. Time Limits on Reporting

There is no time limitation on providing Reports/Complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the College's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Reports/Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at the Title IX Coordinator's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

## 16. False Allegations and Evidence

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or Resolution Process can be subject to discipline under appropriate College policies.

## 17. Confidentiality/Privacy

The College makes every effort to preserve the Parties' privacy. The College will not share the identity of any individual who has made a Complaint of sex discrimination, sex-based harassment, or retaliation; any Complainant; any individual

who has been reported to be the perpetrator of sex discrimination, sex-based harassment, or retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes of, applicable laws and regulations (e.g., Title IX), Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under these policies and procedures.<sup>21,22</sup> Additional information regarding confidentiality and privacy can be found in Addendum C (p. 115).

## **Unauthorized Disclosure of Information**

Parties and Advisers are prohibited from disclosing information obtained by the College through the Resolution Process, to the extent that information is the work product of the College (meaning it has been produced, compiled, or written by the College for purposes of its investigation and resolution of a Complaint), without authorization. It is also a violation of College Policy to publicly disclose institutional work product that contains a Party or witness's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

## **18. Emergency Removal/Interim Actions/Leaves**

The College can act to remove a student Respondent accused of sex discrimination, sex-based harassment, or retaliation from its education program or activities, partially or entirely, on an emergency basis when an individualized safety and risk analysis has determined that an imminent and serious threat to the health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator and may be done in conjunction with the associate vice president of campus safety, the director of counseling and psychological services, and other appropriate senior-level administrators using its standard objective violence risk assessment procedures. Employees are subject to existing procedures for interim actions and leaves.

## **19. Federal Timely Warning Obligations**

The College must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the College community.

The College will ensure that a Complainant's name and other identifying information are not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

## **20. Amnesty<sup>23</sup>**

The College community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to College officials or participate in Resolution Processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the College community that Complainants choose to report misconduct to College officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

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 violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault, occurs may be hesitant to report such incidents based on fear of potential consequences for their own conduct. The College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to College officials. A bystander acting in good faith or a Complainant acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to College officials or law enforcement will not be subject to College code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.<sup>24,25</sup>

The College maintains a Good Samaritan Policy for students who offer help to others in need. The College may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

## **21. Preservation of Evidence**

The preservation of evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. The College will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

## Sexual Assault

- Seek forensic medical assistance at the nearest hospital, ideally within 72 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement).
- Seeking medical treatment can be essential, even if it is not for the purpose of collecting forensic evidence.

## Sexual Assault/Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
  - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
  - Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take time-stamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name, if possible.

During the initial meeting between the Complainant and the Title IX Coordinator, the importance of taking these actions will be discussed, if timely.

## 22. Federal Statistical Reporting Obligations

Certain institutional officials (those deemed Campus Security Authorities) have a duty to report the following for federal statistical reporting purposes (Clery Act):

1. All “primary crimes,” which include criminal homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson
2. Hate crimes, which include any bias-motivated primary crime as well as any bias-motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property
3. Violence Against Women Act (VAWA)-based crimes, which include sexual assault, domestic violence, dating violence, and stalking
4. Arrests and referrals for disciplinary action for weapons law violations, liquor law violations, and drug law violations

All personally identifiable information is kept private, but statistical information regarding the type of incident and its general location (on- or off-campus or in the surrounding area, but with no addresses given) must be shared with the associate vice president of campus safety for publication in the Annual Security Report and daily campus crime log. Campus Security Authorities include student affairs/student conduct staff, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisers to student organizations, and any other official with significant responsibility for student and campus activities.

## 23. Independence and Conflicts of Interest

The Title IX Coordinator acts with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this Policy and these procedures. Investigators, Decision-Makers, Appeal Decision-Makers, Informal Resolution Facilitators, and staff who coordinate Supportive Measures and Emergency Removals are vetted and trained to ensure they are not biased for or against any Party in a specific Complaint, or for or against Complainants and/or Respondents, generally.



To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the vice president and dean of students. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by Investigators, Decision-Makers, Appeal Decision-Makers, Informal Resolution Facilitators, and any staff who coordinate Supportive Measures and Emergency Removals should be raised with the Title IX Coordinator.

## 24. Revision of This Policy

This Policy succeeds previous policies addressing sex discrimination, sex-based harassment, sexual misconduct, and/or retaliation, though previous policies and procedures remain in force for sexual harassment incidents occurring before August 1, 2024. The Title IX Coordinator reviews and updates these policies and procedures regularly. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If government laws or regulations change or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

# RESOLUTION PROCESS FOR ALLEGED VIOLATIONS OF THE SEXUAL AND GENDER-BASED MISCONDUCT POLICY (HEREAFTER “RESOLUTION PROCESS”)

## 1. Overview

The College will act on any Report, Complaint, or Knowledge of a potential violation of the Sexual and Gender-Based Misconduct Policy (“the Policy”) that the Title IX Coordinator<sup>27</sup> or any other Mandated Reporter receives by applying the Resolution Process below.

The procedures below apply to all allegations of discrimination on the basis of sex, sex-based harassment, retaliation, or Other Prohibited Conduct involving students, employees, or third parties. Unionized/other categorized employees are subject to the terms of their agreements/employees’ rights to the extent those agreements do not conflict with federal or state compliance obligations.

## 2. Report/Complaint

Upon receipt of a Report, a Complaint, or Knowledge of an alleged Policy violation, the Title IX Coordinator will initiate a prompt initial evaluation to determine the College’s next steps. The Title IX Coordinator will contact the Complainant/ source of the Report to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

## 3. Collateral Misconduct

Collateral misconduct is defined to include potential violations of other College policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these procedures. In such circumstances, the Title IX Coordinator may consult with College officials who typically oversee such conduct (e.g., Human Resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of the Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the applicable policy.

## 4. Initial Evaluation

The Title IX Coordinator conducts an initial evaluation, typically within seven (7) business days of receiving a Report/ Complaint or Knowledge of alleged misconduct.<sup>28</sup> The initial evaluation typically includes:

- Assessing whether the reported conduct may reasonably constitute a violation of the Policy.
  - If the conduct may not reasonably constitute a violation of the Policy, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. It may then be referred to another process, if applicable.
- Determining whether the College has jurisdiction over the reported conduct, as defined in the Policy.
  - If the conduct is not within College jurisdiction, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. If applicable, the conduct will be referred to the appropriate College office for resolution.
- Offering and coordinating supportive measures for the Complainant.
- Offering and coordinating supportive measures for the Respondent, as applicable.
- Notifying the Complainant, or the person who reported the allegation(s), of the available resolution options, including a supportive and remedial response, an Informal Resolution option, or the Hearing Resolution Process described below.
- Determining whether the Complainant wishes to initiate a Complaint.
- Notifying the Respondent of the available resolution options, including a supportive and remedial response, an Informal Resolution option, or the Hearing Resolution Process described below, if a Complaint is made or the Respondent is otherwise made aware of a report (i.e., a No Contact Order is issued).

## **Helping a Complainant to Understand Resolution Options**

If the Complainant indicates they wish to initiate a Complaint (in a manner that can reasonably be construed as reflecting intent to make a Complaint), the Title IX Coordinator will help to facilitate the Complaint, which will include working with the Complainant to determine whether the Complainant wishes to pursue one of three resolution options:

- A supportive and remedial response
- Informal Resolution
- The Hearing Resolution Process described below

The Title IX Coordinator will seek to abide by the wishes of the Complainant but may have to take an alternative approach depending on their analysis of the situation.

If the Complainant elects for the Hearing Resolution Process below, and the Title IX Coordinator has determined the Policy applies and that the College has jurisdiction, they will provide the Parties with a Notice of Investigation and Allegation(s) and will initiate an investigation consistent with these procedures.

If any Party indicates (either verbally or in writing) that they want to pursue an Informal Resolution option, the Title IX Coordinator will assess whether the matter is suitable for Informal Resolution and refer the matter accordingly.

If the Complainant indicates (either verbally or in writing) that they do not want any action taken, no Resolution Process will be initiated (unless deemed necessary by the Title IX Coordinator), though the Complainant can elect to initiate one later, if desired, and the Respondent continues to be subject to this Policy's jurisdiction.

## **Title IX Coordinator Authority to Initiate a Complaint**

If the Complainant does not wish to file a Complaint, the Title IX Coordinator, who has ultimate discretion as to whether a Complaint is initiated, will offer supportive measures and determine whether to initiate a Complaint themselves. To make this determination, the Title IX Coordinator will evaluate that request to determine if there is a serious and imminent threat to someone's safety or if the College cannot ensure equal access without initiating a Complaint. The Title IX Coordinator will consider the following nonexhaustive factors to determine whether to file a Complaint:

- The Complainant's request not to initiate a Complaint
- The Complainant's reasonable safety concerns regarding initiating a Complaint
- The risk that additional acts of sex discrimination would occur if a Complaint is not initiated

- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence
- The age and relationship of the Parties, including whether the Respondent is a College employee.
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individuals
- The availability of evidence to assist a decision-maker in determining whether sex discrimination occurred
- Whether the College could end the alleged sex discrimination and prevent its recurrence without initiating its Resolution Process

If deemed necessary, the Title IX Coordinator may consult with appropriate College employees, and/or conduct a violence risk assessment<sup>29</sup> to aid their determination whether to initiate a Complaint.

When the Title IX Coordinator initiates a Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

## 5. Dismissal

The College may dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

1. The College is unable to identify the Respondent after taking reasonable steps to do so
2. The College no longer enrolls or employs the Respondent
3. A Complainant voluntarily withdraws any or all of the allegations in the Complaint, and the Title IX Coordinator declines to initiate a Complaint
4. The College determines the conduct alleged in the Complaint would not constitute a Policy violation, if proven

In addition to a designee, as authorized by the Title IX Coordinator, a Decision-Maker can recommend dismissal to the Title IX Coordinator if they believe the grounds are met. A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.

Upon any dismissal, the College will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, the College will also notify the Respondent of the dismissal.

This dismissal decision is appealable by any Party.

## 6. Appeal of Dismissal

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be filed within three (3) business days of the notification of the dismissal.

The Title IX Coordinator will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the Title IX Coordinator must then provide the Respondent (if the Respondent is able to be identified) with a NOIA and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, the College will:

- Implement dismissal appeal procedures equally for the Parties.
- Assign a trained dismissal appeal officer who did not take part in an investigation of the allegations or dismissal of the Complaint.
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal.
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

1. Procedural irregularity that would change the outcome.
2. New evidence that would change the outcome and that was not reasonably available when the dismissal was decided.
3. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.
4. The dismissal was erroneously granted or denied.

The appeal request should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. Upon receipt of a written dismissal appeal request from one or more Parties, the Title IX Coordinator will share the request with all other Parties and provide three (3) business days for other Parties and the Title IX Coordinator to respond to the request. At the conclusion of the response period, the Title IX Coordinator will forward the appeal, as well as any response provided by the other Parties and/or the Title IX Coordinator, to the dismissal appeal officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the dismissal appeal officer will deny the request, and the Parties, their Advisers, and the Title IX Coordinator will be notified in writing of the denial and the rationale.

In most circumstances, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The dismissal appeal officer has seven (7) business days to review and decide on the appeal, though extensions can be granted at the Title IX Coordinator's discretion, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The dismissal appeal officer may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, the dismissal appeal officer will notify all Parties and their Advisers, and the Title IX Coordinator, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

## 7. Emergency Removal of a Student

The College may remove a student accused of Sex Discrimination or Sex-Based Harassment on an emergency basis upon receipt of Knowledge, a Report, a Complaint, or at any time during the Resolution Process. Prior to an emergency removal, the College will conduct an individualized risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies such action.

When an emergency removal is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale and the option to challenge the emergency removal within two (2) business days of the notification. Upon receipt of a challenge, the Title IX Coordinator will meet with the student (and their Adviser, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate, should be modified, or should be lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Adviser may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable for them to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the Title IX Coordinator for review.

An emergency removal may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

## 8. Placing an Employee on Leave

When the Respondent is an employee or a student employee accused of misconduct in the course of their employment, existing provisions for interim action are typically applicable instead of the above emergency removal process. Procedures for unionized employees are governed by the relevant Collective Bargaining Agreements.

## 9. Counter-Complaints

The College is obligated to ensure that the Resolution Process is not abused for retaliatory purposes. Although the College permits the filing of counter-complaints, the Title IX Coordinator will use an initial evaluation, described above, to assess whether the allegations in the counter-complaint are made in good faith. When counter-complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-complaints determined to have been reported in good faith will be processed using the Resolution Process below. At the Title IX Coordinator's discretion, investigation of such claims may take place concurrently or after resolution of the underlying initial Complaint.

## 10. Advisers in the Resolution Process

### A. Who Can Serve as an Adviser?

The Parties may each have an Adviser (friend, mentor, family member, attorney, or any other individual a Party chooses) present with them for all meetings, interviews, and hearings within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Adviser as long as the Adviser is eligible and available.<sup>30</sup>

The Title IX Coordinator will offer to assign a trained Adviser to any Party if the Party chooses. If the Parties choose an Adviser from the pool available from the College, the College will have ensured the Adviser is trained and familiar with the College's Resolution Process.

The College cannot guarantee equal advisory rights, meaning that if one Party selects an Adviser who is an attorney, but the other Party does not or cannot afford an attorney, the College is not obligated to provide an attorney to advise that Party.

A Party may elect to change Advisers during the process and is not obligated to use the same Adviser throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change Advisers. If a Party changes Advisers, consent to share information with the previous Adviser is assumed to be terminated, and a release for the new Adviser must be submitted.

As this is a Party-driven process, the College expects the Parties to communicate with College officials on their own behalf. If a Party requests that all communication be made through their attorney Adviser instead of to the Party, the College will agree to copy both the Party and their Adviser on all communications.

Advisers appointed by the institution cannot be Confidential Employees, and although they will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-Makers absent an emergency, any new information that may violate this Policy that an employee learns while serving as an Adviser must be shared with the Title IX Coordinator, pursuant to the requirements specified in Section 6 of this Policy.

The College fully respects and accords the Weingarten Rights of employees, meaning that for Parties who are entitled to union representation, the College will allow the unionized employee to have their union representative (if requested by the Party) as well as an Adviser of their choice present for all resolution-related meetings and interviews. To uphold the principles of equity, the other Party (regardless of union membership) will also be permitted to have two Advisers. Witnesses are permitted to have union representation in Resolution Process interviews or meetings, though witnesses are not otherwise permitted to have an Adviser.

### B. Adviser's Role in the Resolution Process

At the Party's request, an adviser may be present at any meeting conducted as part of the process under this Policy. The role of the adviser is limited to the following:

- Within any meeting or communication regarding the Complaint (except questioning in the hearing, addressed separately below), the adviser may not speak on behalf of their Party.
- The adviser may counsel their Party and may seek reasonable breaks during meetings or discussions to allow such counseling to occur.
- During the investigation, the adviser may not speak on behalf of their Party. The sole role of the adviser during the investigation is to provide private support and advice to the advisee outside of the interview. The adviser also may seek reasonable breaks during meetings or discussions to allow such counseling to occur.
- Where hearings are required, the role of the adviser during the hearing is to relay their Party's desired questions (subject to the Decision-Maker determining the question is appropriate and relevant) to the Decision-Maker to be asked of the other Party or witnesses. Advisers are not permitted to raise objections to questions posed by the other Party's advisor or the Decision-Maker, argue in support of their advisee's position, or otherwise "represent" the Party in the hearing. The Parties and their Advisers may consult in private during the hearing.

### **C. Records Shared with Advisers**

Advisers are entitled to the same opportunity as their advisee to access relevant evidence and/or the same written investigation report that accurately summarizes this evidence.

Advisers are expected to maintain the confidentiality of the records the College shares with them, per Section 16 of the Policy addressing Confidentiality. Advisers may not disclose any College work product or evidence the College obtained solely through the Resolution Process for any purpose not explicitly authorized by the College.

Accordingly, Advisers will be asked to sign Adviser Agreements. The College may decline to share materials with any Adviser who has not executed the Adviser Agreement. The College may restrict the role of any Adviser who does not respect the sensitive nature of the process or who fails to abide by the College's confidentiality expectations.

### **D. Adviser Expectations**

The College generally expects an Adviser to adjust their schedule to allow them to attend College meetings/interviews/hearings when planned, but the College may change scheduled meetings/interviews/hearings to accommodate an Adviser's inability to attend, if doing so does not cause an unreasonable delay.

The College may also make reasonable provisions to allow an Adviser who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies. All Advisers are subject to the same College policies and procedures, whether they are attorneys or not, and whether they are selected by a Party or appointed by the College. Advisers are expected to advise without disrupting proceedings.

### **E. Adviser Policy Violations**

Any Adviser who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who refuses to comply with the College's established rules of decorum will be warned. If the Adviser continues to disrupt or otherwise fails to respect the limits of the Adviser role, the meeting/interview/hearing may be ended or other appropriate measures implemented, including the College requiring the Party to use a different Adviser or providing a different College-appointed Adviser. Subsequently, the Title IX Coordinator will determine how to address the Adviser's noncompliance and future role.

## **11. Resolution Options Overview<sup>31</sup>**

This Resolution Process, consisting of Informal Resolution or Hearing Resolution, is the College's chosen approach to addressing sex discrimination, sex-based harassment, retaliation, and Other Prohibited Conduct under the Policy. The process considers the Parties' preferences but is ultimately determined at the Title IX Coordinator's discretion.

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with College Policy.

## **12. Informal Resolution**

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a Final Determination, or the Title IX Coordinator may offer the option to the Parties, in writing. The College

will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

When a Complaint is filed, before the initiation of an Informal Resolution Process, the College will provide the Parties with a NOIA, where necessary and applicable, that explains:

- The allegations.
- The requirements of the Informal Resolution process.
- That prior to agreeing to a resolution, any Party has the right to withdraw from the Informal Resolution process and to initiate or resume the College's Hearing Resolution Process.
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution process will preclude the Parties from initiating or resuming the Hearing Resolution Process arising from the same allegations.
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties.
- What information the College will maintain, and whether and how it could disclose such information for use in its Resolution Process.

The College offers four categories of Informal Resolution:

- 1. Supportive Resolution.** When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation. For Supportive Resolution, a NOIA will not be sent to the Parties; however, information about the basis for a supportive measure involving both Parties (i.e., a No Contact Order) may be issued when necessary and appropriate.
- 2. Educational Conversation.** When the Title IX Coordinator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations.
- 3. Accepted Responsibility.** When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and the College are agreeable to the resolution terms.
- 4. Alternative Resolution.** When the Parties agree to resolve the matter through an alternative resolution mechanism (which could include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-Maker, or Appeal Decision-Maker and shall be free from conflicts of interest or bias.

It is not necessary to pursue Informal Resolution first in order to pursue a Hearing Resolution Process. Any Party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time prior to its completion and initiate or resume the Hearing Resolution Process.

While the preferences of the Complainant will be considered, as discussed above, the Title IX Coordinator also has the authority, in consultation with such other College administrators as deemed appropriate, to determine that an investigation and pursuit of the Hearing Resolution Process are necessary in order to ensure a safe campus environment.

Additionally, should statements made during Informal Resolution highlight aspects of the reported conduct not previously known to the College, or detail additional violations of the Policy, the College reserves the right to stop that Resolution Process and reevaluate the available Resolution Processes. However, statements made by a Party during Informal Resolution will not be included as evidence in reports made with respect to an ensuing Hearing Resolution Process.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

## Process of Informal Resolution

### 1. Supportive Resolution

The Title IX Coordinator will meet with the Complainant to determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to the College's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the Title IX Coordinator may also provide reasonable supportive measures for the Respondent as deemed

appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX Coordinator does not initiate a Complaint.

## **2. Educational Conversation**

The Complainant(s) may request that the Title IX Coordinator address their allegations by meeting with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is nondisciplinary and nonpunitive. Respondent(s) are not required to attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the Title IX Coordinator may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of the recurrence of any behaviors that may not align with Policy. If the Respondent chooses not to engage with an Educational Conversation, the Complainant will be informed and may decide to pursue other resolution options.

## **3. Accepted Responsibility<sup>32</sup>**

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Title IX Coordinator will determine whether all Parties and the College are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of College Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate administrator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Hearing Resolution Process will either continue or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the discrimination or harassment, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

## **4. Alternative Resolution**

The institution offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Title IX Coordinator or other appropriate College officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative Resolution Process.

The Title IX Coordinator may consider the following factors to assess whether alternative resolution is appropriate, or which form of alternative resolution may be most successful for the Parties:

- The Parties' amenability to alternative resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties



- Rationality of the Parties
- Goals of the Parties
- Adequate resources to invest in alternative resolution (e.g., time, staff)

The Title IX Coordinator has the authority to determine whether alternative resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisers, often including terms of confidentiality, release, and nondisparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative Resolution Process. The Title IX Coordinator will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the alternative resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the agreement and resumption of the Hearing Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). The results of Complaints resolved by alternative resolution are not appealable.

If an Informal Resolution option is not available or selected, the College will initiate or continue an investigation and subsequent Hearing Resolution Process to determine whether the Policy has been violated.

## 13. Hearing Resolution Process

### A. Notice of Investigation and Allegations (“NOIA”)

Prior to an investigation, the Title IX Coordinator will provide the Parties with a detailed written NOIA. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

#### **The NOIA typically includes:**

- A meaningful summary of all allegations.
- The identity of the involved Parties (if known).
- The precise misconduct being alleged.
- The date and location of the alleged incident(s) (if known).
- The specific policies/offenses implicated.
- A description of, link to, or copy of the applicable procedures.
- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.
- The name(s) of the Investigator, along with a process to notify the Title IX Coordinator of any conflict of interest the Investigator may have in advance of the interview process.
- A statement that the College presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination.
- A statement that determinations of responsibility are made at the conclusion of the process and that the Parties will be given an opportunity during the review and comment period to inspect and review all relevant evidence.
- A statement that retaliation is prohibited.
- Information about the confidentiality of the process, including that the Parties and their Advisers (if applicable) may not share College work product obtained through the Resolution Process.
- A statement that the Parties may have an Adviser of their choice who may accompany them through all steps of the Resolution Process.
- A statement informing the Parties that the College's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process.

- Detail on how a Party may request disability accommodations or other support assistance during the Resolution Process.
- An instruction to preserve any evidence that is directly related to the allegations.
- A statement that Parties who are members of a union are entitled to union representation throughout the process.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address(es) as indicated in official College records, or emailed to the Parties' College-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

## **B. Resolution Timeline**

The College will make a good faith effort to complete the Hearing Resolution Process within sixty to ninety (60–90) business days, including any appeals, which the Title IX Coordinator can extend as necessary for appropriate cause. The Parties will receive regular updates on the progress of the Hearing Resolution Process, as well as notification and a rationale for any extensions or delays, and, if possible, an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

If a Party or witness chooses not to participate in the Hearing Resolution Process or becomes unresponsive, the College reserves the right to continue it without their participation to ensure a prompt resolution. Nonparticipatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the Hearing Resolution Process.

The College may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to the need for language assistance, the absence of Parties and/or witnesses, and/or health conditions. The College will promptly resume its Hearing Resolution Process as soon as feasible. During such a delay, the College will implement and maintain supportive measures for the Parties as deemed appropriate.

The College's Resolution Process will run concurrently with any criminal justice investigation and proceeding, except for temporary delays as requested by external municipal entities while law enforcement gathers evidence.

Temporary delays should not last more than ten (10) days except when law enforcement specifically requests and justifies a longer delay.<sup>33</sup>

College action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

The College will make a good faith effort to complete the Hearing Resolution Process as promptly as circumstances permit and will regularly communicate with the Parties to update them on the progress and timing of the process.

## **C. Ensuring Impartiality**

Any individual materially involved in the administration of the Hearing Resolution Process, including the Title IX Coordinator, Investigators, and Decision-Makers, may neither have nor demonstrate a conflict of interest or bias for a Party generally or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigators, Decision-Makers, and Appeal Decision-Makers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Hearing Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another trained individual will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the vice president and dean of students.

The Hearing Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a Policy violation and evidence that supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

## **D. Investigator Appointment**

Once an investigation is initiated, the Title IX Coordinator appoints an Investigator to conduct it. The Investigator will be properly trained, whether internal or external to the College's community.

## **E. Witness Role and Participation in the Investigation**

Employees (not including Complainant and Respondent) are required to cooperate with and participate in the College's investigation and Hearing Resolution Process. Student witnesses and witnesses from outside the College community cannot be required to participate but are encouraged to cooperate with College investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, FaceTime, Webex), or, in limited circumstances, by telephone. The College will take appropriate steps to ensure the security/privacy of remote interviews.

Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator, though not preferred.

## **F. Interview Recording**

It is standard practice for Investigators to create a record of all interviews pertaining to the Hearing Resolution Process. The Parties may review transcripts of their own interviews upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

## **G. Evidentiary Considerations**

The Investigator and the Decision-Maker will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant Evidence is that which may aid in determining whether the allegation occurred or whether the behavior constitutes a violation of Policy.

Impermissible evidence is defined as evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless 1) evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or 2) it is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent. The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

Within the limitations stated above, the investigation and determination can consider character evidence, if offered, but that evidence is unlikely to be relevant unless it is factual evidence or relates to a pattern of conduct.

## **H. Respondent Admits Responsibility**

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-Maker is authorized to accept that admission, adopt it as their finding/Final Determination, and administer sanctions. This would waive the Respondent's right to appeal. If the Respondent rejects the finding/Final Determination/sanctions, or does not admit to all conduct charged, the Hearing Resolution Process continues to its conclusion. The Complainant retains their right to appeal a determination when a Respondent admits responsibility.

## **I. Investigation**

All investigations are thorough, reliable, impartial, prompt, and fair. They involve interviewing all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

After an interview, Parties and witnesses will be asked to verify the accuracy of the recording, transcript, or summary of their interview (whether a recording, transcript, or summary is shared will be at the Investigator's and Title IX Coordinator's

discretion). Parties may submit changes, edits, or clarifications. If the Parties or witnesses do not respond within the time period designated for verification, objections to the accuracy of the recording, transcript, or summary will be deemed to have been waived, and no changes will be permitted.

The College may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions.

The Investigator typically takes the following steps, if not already completed, and not necessarily in this order:

- Determine the identity and contact information of the Complainant.
- Identify all offenses implicated by the alleged misconduct and notify the Complainant and Respondent of all specific policies implicated.
- Assist the Title IX Coordinator, if needed, with conducting a prompt initial evaluation to determine if the allegations indicate a potential Policy violation.
- Work with the Title IX Coordinator, as necessary, to prepare the initial NOIA. The NOIA may be amended with any additional or dismissed allegations.
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the Parties and witnesses.
- When participation of a Party is expected, provide that Party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview the Complainant and the Respondent and conduct any necessary follow-up interviews with each.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed Party and witness an opportunity to review and verify the Investigator's summary notes (or transcript or recording) of the relevant evidence/testimony from their respective interviews and meetings.
- Allow each Party the opportunity to suggest witnesses and submit relevant and not impermissible evidence.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Provide the Parties with regular status updates throughout the investigation.
- Write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation and Party and witness interviews, and provides all relevant evidence.
- The Investigator may share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.
- Provide the Parties and their respective Advisers an electronic copy of the draft investigation report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation for a review and comment period of ten (10) business days so that each Party may meaningfully respond to the evidence. The Parties may elect to waive all or part of the review period.

## **J. Adjudication**

### **a. Standard of Proof: Preponderance of the Evidence**

Findings are made based on a preponderance of the evidence. A finding of responsibility based on a preponderance of evidence means that based on all relevant evidence and reasonable inferences from the evidence, the greater weight of information indicates that it is more likely than not the policy violation occurred. This standard of evidence is the same for Complaints against students as for Complaints against employees, including faculty, and for all College policy violations involving discrimination against another individual.

### **b. Adjudication of Complaints of Sex Discrimination, Sexual Misconduct, and Other Prohibited Conduct**

#### **1. Findings Provided in the Final Investigation Report**

The Investigator will serve as the Decision-Maker for all Complaints of the Sexual and Gender-Based Misconduct Policy that do not involve allegations of Sex-Based Harassment. Prior to making the determination regarding responsibility, the Investigator will question the Parties and witnesses to adequately assess a Party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of Prohibited Conduct. The Investigator will:

- Review all relevant and not otherwise impermissible evidence and any Party responses to the draft investigation report and create a list of relevant and not otherwise impermissible questions to ask the Parties or any witnesses.
- Hold individual meetings with the Parties and witnesses to pose all relevant questions posed by the Investigator. These meetings will be recorded and transcribed, and all involved persons should be made aware of the audio and/or video recording. The recording and/or transcript of these meetings will be provided to the Parties for their review, after which the Parties may pose additional questions for each other or witnesses. Those subsequent meetings or interviews are also recorded and/or transcribed and shared with the Parties.
- At the conclusion of questioning, incorporate relevant elements of the transcripts into a Final Investigation Report. The Final Investigation Report will include a summary of the relevant and not otherwise impermissible evidence; a Final Determination as to whether the preponderance of the evidence proves a violation of the Policy; the rationale for this finding; the sanctions and remedies to be imposed, if any; and notification of the available procedures to appeal the Final Determination and/or sanction.
- To determine sanctions, confer with the vice president and dean of students and/or the associate director of student conduct and community standards; the vice president for human resources and organizational development regarding staff and contractors;<sup>34</sup> or the provost and dean of the college regarding faculty.<sup>35</sup> When preparing the Final Investigation Report, the Investigator will confer with the Title IX Coordinator to ensure consistency in the application of this Policy, including the rendering of any sanctions and/or remedies.
- Simultaneously notify the Parties in writing of the Final Determination whether a violation of the Sexual and Gender-Based Misconduct Policy occurred, including the rationale for such determination and the procedures and permissible bases for the Complainant and Respondent to appeal.

## **c. Adjudication of Complaints of Sex Discrimination, Sexual Misconduct, and Other Prohibited Conduct**

### **1. Final Investigation Report for Complaints of Sex-Based Harassment Involving a Student Complainant or Student Respondent**

The Final Investigation Report for Complaints of Sex-Based Harassment will include a summary of the relevant and not otherwise impermissible evidence and an assessment of the Parties' and witnesses' credibility, and will not include a recommended finding or sanctions. Adjudication will occur following a live hearing. The Final Investigation Report will be provided to each Party and the Party's Adviser, if any, in an electronic format or a hard copy, at least seven (7) business days prior to the required live hearing, for their review and any written response they choose to provide in advance of or at the hearing.

### **2. Prehearing Preparation**

The Title IX Coordinator will select an appropriate Decision-Maker; this individual may be from within the campus community or may be from outside the campus community and is a neutral factfinder. The College has the sole discretion to determine whether the Decision-Maker will be an individual from the College community or an external Decision-Maker. Decision-Makers will have the requisite training. While the Title IX Coordinator has oversight and coordination responsibilities for the hearing and may serve as the hearing facilitator, the Title IX Coordinator will not serve as a Decision-Maker. The Investigator also will not be a Decision-Maker.

The Title IX Coordinator will send the Parties a Notice of Hearing with sufficient time for the Parties to prepare for the hearing, typically at least seven (7) business days prior to the hearing. Once emailed and/or received in person, notice will be presumptively delivered. The hearing notice includes: a description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result; the time, date, and location of the hearing; a description of any technology that will be used to facilitate the hearing; relevant information regarding hearing logistics, prehearing meetings, the Final Investigation Report, the Parties and witnesses participating in the hearing, the identity(ies) of the Decision-Maker, details related to questioning, the role of Advisers, impact/mitigation statements, and how to request disability accommodations or other assistance.

All objections to a Decision-Maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than five (5) business days prior to the hearing. Decision-Makers will only be removed if the Title IX Coordinator concludes that their actual or perceived bias or conflict of interest precludes an impartial hearing of the Complaint.

The Title IX Coordinator will give the Decision-Maker a list of the names of all Parties, witnesses, and Advisers at least five (5) business days in advance of the hearing. Any Decision-Maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the Parties, witnesses, and Advisers in advance of the hearing. If a Decision-Maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the period prior to the hearing, the Parties have the opportunity for continued review and comment on the Final Investigation Report and available evidence. That review and comment can be shared with the Decision-Maker at a pre-hearing meeting or at the hearing and will be exchanged between each Party by the Decision-Maker.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator, proffered a written statement, or answered written questions, unless all Parties and the Decision-Maker otherwise assent to the witness's participation in the hearing.

### **3. Advisers**

The Parties may have the assistance of an Adviser of their choosing at the hearing or can request that the College appoint a trained Adviser for them. Appointed Advisers are not Confidential Employees or attorneys. If a Party wishes to have an attorney as their Adviser, they must locate and pay for that attorney themselves.

### **4. Prehearing Meetings**

The Decision-Maker may convene a prehearing meeting(s) with the Parties and/or their Advisers and invite them to submit the questions or topics they (the Parties and/or their Advisers) wish to ask or discuss at the hearing. This allows the Decision-Maker to consider their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or to provide recommendations for more appropriate phrasing.

However, this advance review opportunity does not preclude the Parties from submitting a question at the hearing for the first time or asking for a reconsideration on a prehearing ruling by the Decision-Maker based on any new information or testimony offered at the hearing. The Decision-Maker will document and share their rationale for any evidence or question exclusion or inclusion, if any, at a prehearing meeting with each Party.

The Decision-Maker will work with the Parties to finalize a witness list for the hearing, and the Title IX Coordinator will notify any witnesses of the hearing's logistics. The Decision-Maker, only with the agreement of all Parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator in the Final Investigation Report or during the hearing, and their presence is not essential to assess their credibility.

Prehearing meeting(s) will not be recorded. The prehearing meetings will typically be conducted as separate meetings with each Party/Adviser, and can be done remotely or as a written communication exchange. The Decision-Maker will work with the Parties to establish the format and timing of the meetings and will circulate a summary of any rulings made to ensure all Parties and Advisers are aware.

### **5. Impact/Mitigation Statements**

Each Party may submit an impact and/or mitigation statement to the Title IX Coordinator that the Decision-Maker will review during any sanction determination. Impact and/or mitigation statements must be a single-spaced document written in 12-point font, Times New Roman and no more than five (5) pages in length. Impact and/or mitigation statements are not permitted to include impermissible evidence, as outlined in Section 18 of this procedure. Upon receipt of an impact and/or mitigation statement, the Title IX Coordinator will review the impact/mitigation statement to determine whether any immediate needs exist. The Title IX Coordinator will only provide the impact statements to the Decision-Maker if the Decision-Maker determines that the Policy has been violated. The Title IX Coordinator will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-Maker, though they will only be shared after the issuance of a written outcome letter.

### **6. Witness Participation at the Hearing**

Student witnesses are encouraged to participate in, and make themselves reasonably available for, the hearing.

Employee witnesses are required to participate in, and make themselves reasonably available for, the hearing.

Witnesses may participate in person or via video technology that allows the Decision-Maker and the Parties to see

and hear the witness while that person is speaking. Witnesses are not permitted to be accompanied by an Adviser. At the discretion of the Decision-Maker, a witness may join by phone if no other reasonable alternative is available.

The Title IX Coordinator will notify all witnesses of their requested participation in the hearing at least five (5) business days prior to the hearing. Witnesses will be present for the hearing only during their testimony.

If any Party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Title IX Coordinator may reschedule the hearing.

## **7. Hearing Procedures**

### **i. Evidentiary Considerations**

The Parties must provide all evidence to the Investigator prior to completing the Final Investigation Report. Evidence offered after that time will be evaluated by the Decision-Maker for relevance. If deemed relevant and not impermissible, the Parties and Decision-Maker must agree to admit it into the record. If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing absent the new evidence. New relevant evidence will be admitted to the record if:

- All Parties and the Decision-Maker assent to the new evidence being included in the hearing without remanding the Complaint back to the Investigator, and
- The evidence is not duplicative of evidence already in the record, and
- It is not impermissible, and
- The new evidence was either not reasonably available prior to the conclusion of the Final Investigation Report, or the failure to provide it in a timely manner was not the result of bad faith by the Parties, witnesses, or others.

If the above criteria are not met, but the evidence is deemed materially relevant and not duplicative, the Decision-Maker may, at their discretion, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties with at least five (5) business days to review the relevant evidence.
- Remand the Complaint back to the Investigator for further investigation or analysis.
- Allow the Parties to review and comment on the new evidence.

If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing without allowing the new evidence.

### **ii. Joint Hearings**

In Complaints involving more than one Respondent and/or involving more than one Complainant accusing the same person of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent or Complaint to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each Complaint with respect to each alleged Policy violation.

### **iii. Introductions and Hearing procedures Explanation**

The Decision-Maker will explain the hearing procedures and introduce the participants. The Decision-Maker will answer any procedural questions prior to and as they arise throughout the hearing.

### **iv. Investigator Presentation of Final Investigation Report**

The Investigator will present a summary of the Final Investigation Report, including a review of the facts that are contested and those that are not. The Investigator may be questioned first by the Decision-Maker and then by the Parties. The Investigator may attend the duration of the hearing or be excused after their testimony at the Decision-Maker's discretion.

### **v. Testimony and Questioning**

The Parties and witnesses may provide relevant information in turn, beginning with the Complainant's opening statement, then the Respondent's, and then questioning in the order determined by the Decision-Maker. The Decision-Maker will facilitate questioning of the Parties and witnesses first by the Decision-Maker and then by the Parties through the Decision-Maker.

All questions must be directed toward and asked through the Decision-Maker and are subject to a relevance determination before they are asked. The Decision-Maker will determine the method by which the Parties will submit their questions to the Decision-Maker for their review and, if approved, to be posed. Questions that

the Parties wish to have posed can be questions for that Party themselves, another Party, or witnesses. The Decision-Maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-Maker will limit or disallow questions they deem not appropriate on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), seek or pertain to impermissible evidence, or are abusive. The Decision-Maker has final say on all questions and determinations of relevance and appropriateness. The Decision-Maker may consult with legal counsel on any questions of admissibility.

The Decision-Maker then poses the questions deemed relevant, not impermissible, and appropriate to the Party and/or witness.

If the Parties raise an issue of bias or conflict of interest of an Investigator or Decision-Maker at the hearing, the Decision-Maker may elect to address those issues, consult with legal counsel, refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not an issue at the hearing, the Decision-Maker should not permit irrelevant questions that probe for Investigator bias.

The Decision-Maker will allow witnesses who have relevant and not impermissible information to appear at a portion of the hearing to respond to specific questions from the Decision-Maker and the Parties, and the witnesses will then be excused.

vi. Refusal to Submit to Questioning and Inferences

Any Party or student witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. Employee witnesses are required to participate in the hearing if they are reasonably available. The Decision-Maker can only rely on the available relevant and not impermissible evidence in making the ultimate determination of responsibility. The Decision-Maker may not draw any inference solely from a Party's or witness's absence from the hearing or refusal to answer any or all questions.

An Adviser may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Adviser unless the Party being advised consents to that information being shared.

vi. Hearing Recordings

The College records hearings (but not deliberations) for purposes of review in the event of an appeal. No unauthorized audio or video recording of any kind is permitted during the hearing.

The Decision-Maker, the Parties, their Advisers, Appeal Decision-Makers, and other appropriate College officials will be permitted to review the recording or review a transcript of the recording upon request to the Title IX Coordinator. No unauthorized disclosure, including sharing, copying, or distribution of the recording or transcript, is permitted.

vii. Deliberation and Determination

After closing statements from the Parties, the Decision-Maker will deliberate in closed session to determine whether the Respondent is responsible for the alleged Policy violation(s) based on the standard of proof.

When there is a finding of responsibility for one or more of the allegations, the Decision-Maker may then consider any previously submitted impact and/or mitigation statement(s) provided by the Parties in determining appropriate sanction(s). The Title IX Coordinator will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-Maker, though they will only be shared after the issuance of a written outcome letter. Impact/mitigation statements do not influence the finding; they only potentially influence the sanctions.

The Decision-Maker will then prepare and provide the Title IX Coordinator with a written outcome letter detailing all findings and Final Determinations, the rationale(s) explaining the decision(s), the relevant and not impermissible evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationales explaining the sanction(s).

This statement is typically submitted to the Title IX Coordinator within ten (10) business days from the conclusion of the hearing, unless the Title IX Coordinator grants an extension. The Title IX Coordinator will notify the Parties of any extension.



## 14. Final Determination

The determination regarding responsibility becomes final either on the date that the College provides the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed on the date on which an appeal would no longer be considered timely.

## 15. Sanctions

Factors the Decision-Maker may consider when determining sanctions and responsive actions include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s).
- The Respondent's disciplinary history.
- The need for sanctions/responsive actions to bring an end to the sex discrimination, sex-based harassment, and/or retaliation.
- The need for sanctions/responsive actions to prevent the future recurrence of sex discrimination, sex-based harassment, and/or retaliation.
- The need to remedy the effects of the sex discrimination, sex-based harassment, and/or retaliation on the Complainant and the community.
- The impact on the Parties.
- The Respondent's acceptance of responsibility.
- Any other information deemed relevant by the Decision-Maker.

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

### A. Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- *Reprimand*: A formal statement that the conduct was unacceptable and a warning that further violation of any College policy, procedure, or directive will result in more severe sanctions/responsive actions.
- *Restrictions*: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or holding leadership roles in student organizations.
- *Probation*: An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from extracurricular activities, exclusion from designated areas of campus, No Contact Orders, and/or other measures deemed appropriate.
- *Suspension*: Separation from the institution, or one or more of its facilities, for a defined period of time, typically not to exceed two (2) years, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to reenroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the Title IX Coordinator or other appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a Persona Non Grata, as necessary. This sanction may be noted as a Disciplinary Suspension on the student's official academic transcript, per institutional policy and/or state law.
- *Expulsion*: Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a Persona Non Grata, as necessary. This sanction may be noted as Disciplinary Expulsion on the student's official academic transcript, per institutional policy and/or state law.
- *Withholding Diploma*: The College may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.

- *Revocation of Degree*: While very rarely exercised, the College reserves the right to revoke a degree previously awarded from the College for fraud, misrepresentation, and/or other violation of College policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- *Other Actions*: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

## **B. Employee Sanctions/Responsive/Corrective Actions**

Responsive actions for an employee who has engaged in sex discrimination, sex-based harassment, and/or retaliation include the following:

- *Verbal or Written Warning*
- *Performance Improvement Plan/Management Process*
- *Enhanced Supervision, Observation, or Review*
- *Required Counseling*
- *Required Training or Education*
- *Probation*
- *Denial of Pay Increase/Pay Grade*
- *Loss of Oversight or Supervisory Responsibility*
- *Demotion*
- *Transfer*
- *Shift or Schedule Adjustments*
- *Reassignment*
- *Delay of (or Referral for Delay of) Tenure Track Progress*
- *Assignment to a New Supervisor*
- *Restriction of Stipends, Research, and/or Professional Development Resources*
- *Suspension/Administrative Leave with Pay*
- *Suspension/Administrative Leave without Pay*
- *Termination*
- *Other Actions*: In addition to or in place of the above sanctions/responsive/corrective actions, the College may assign any other responsive/corrective actions as deemed appropriate.

## **16. Withdrawal or Resignation Before Complaint Resolution**

Factors the Decision-Maker may consider when determining sanctions and responsive actions include, but are not limited to:

### **A. Students**

Should a student Respondent decide not to participate in the Hearing Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws from the College, the Hearing Resolution Process may continue, or the Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, the College will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged sex discrimination, sex-based harassment, and/or retaliation.

Regardless of whether the Complaint is dismissed or pursued to completion of the Hearing Resolution Process, the College will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s) and any ongoing effects of the alleged sex discrimination, sex-based harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student may not return to the College in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the Title IX Coordinator has discretion to dismiss the Complaint. The registrar, Office of Admissions, and Human Resources may be notified, accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Hearing Resolution Process may continue remotely. If found in violation, that student is not permitted to return to the College unless and until all sanctions, if any, have been satisfied.

### **B. Employees**

Should an employee Respondent decide not to participate in the Hearing Resolution Process, the process proceeds absent their participation to a reasonable resolution. If an employee Respondent leaves their employment with the College with unresolved allegations pending, the Hearing Resolution Process may continue, or the Title IX

Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, the College may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged sex discrimination, sex-based harassment, and/or retaliation.

When an employee resigns and the Complaint is dismissed, the employee may not return to the College in any capacity. The Registrar, Office of Admissions, and Human Resources will be notified, accordingly, and a note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with the College. The records retained by the Title IX Coordinator will reflect that status.

## **17. Appeal of the Determination**

The Title IX Coordinator will designate an Appeal Decision-Maker — either a three-member panel, a single Appeal Decision-Maker, or other trained internal or external individuals — to hear the appeal. No Appeal Decision-Maker will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure challenge or dismissal appeal that may have been decided earlier in the process. If a panel is used, a voting Decision-Maker will be designated by the Title IX Coordinator.

### **A. Appeal Grounds**

Appeals are limited to the following grounds:

1. A procedural irregularity that would change the outcome.
2. New evidence that would change the outcome and that was not reasonably available at the time the determination regarding responsibility was made.
3. The Title IX Coordinator, Investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that would change the outcome.
4. The Final Determination is substantially contrary to the weight of the evidence in the record (applicable to sanctions of suspension, expulsion, or termination only).
5. The sanctions are insufficient or excessive based on the range of sanctions designated for this offense, considering the cumulative conduct/disciplinary record of the Respondent (applicable to sanctions of suspension, expulsion, or termination only).

### **B. Request for Appeal**

Any Party may submit a written request for appeal ("Request for Appeal") to the Title IX Coordinator within five (5) business days of the delivery of the Notice of Outcome. The Request for Appeal shall be no longer than five pages and consist of one-inch margins and Times New Roman 12-point font. The Request for Appeal shall be drafted by the Party submitting the appeal (not by an adviser or parent, for example).

The Request for Appeal will be forwarded to the Appeal Decision-Maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Appeal Decision-Maker, and the Parties and their Advisers will be simultaneously notified in writing of the denial and the rationale.

If any of the information in the Request for Appeal meets the grounds in this Policy, then the Appeal Decision-Maker will notify all Parties and their Advisers, the Title IX Coordinator, and, when appropriate, the Investigator and/or the original Decision-Maker.

All other Parties and their Advisers, the Title IX Coordinator, and, when appropriate, the Investigator and/or the Decision-Maker will be provided a copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Decision-Maker will forward all responses, if any, to all Parties for review and comment.

No Party may submit any new Requests for Appeal after this time period. The Appeal Decision-Maker will collect any additional information needed and all documentation regarding the approved appeal grounds, and the subsequent responses will be shared with the Appeal Decision-Maker, who will promptly render a decision.

### **C. Appeal Determination Process**

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Appeal Decision-Maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are made by majority vote and apply the preponderance of the evidence standard of proof.

An appeal is not an opportunity for the Appeal Decision-Maker to substitute their judgment for that of the original Decision-Maker merely because they disagree with the finding and/or sanction(s).

The Appeal Decision-Maker may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

#### **D. Appeal Outcome**

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator and/or Decision-Maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator and/or Decision-Maker or the Title IX Coordinator (as in cases of bias), the Appeal Decision-Maker may order a new investigation and/or a new determination with new individuals serving in the Investigator and Decision-Maker roles.

A Notice of Appeal Outcome letter ("Appeal Outcome") will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each appeal ground, any specific instructions for remand or reconsideration, all sanction(s) that may result which the College is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent the College is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official institutional records, or emailed to the Parties' College-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new determination).

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the five (5) available appeal grounds.

#### **E. Sanction Status During the Appeal**

Any sanctions imposed as a result of the determination are stayed (i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

If any of the sanctions are to be implemented immediately postdetermination but preappeal, then the emergency removal procedures (detailed above) for a "show cause" meeting on the justification for doing so must be permitted within two (2) business days of implementation.

### **18. Long-Term Remedies/Other Actions**

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the Parties and/or the College community that are intended to stop the sex discrimination, sex-based harassment, and/or retaliation, remedy the effects, and prevent recurrence. These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

When no Policy violation is found, the Title IX Coordinator will address any remedies the College owes the Respondent to ensure no effective denial of educational access.

The College will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair the College's ability to provide these services.

## **19. Failure to Comply with Sanctions, Responsive Actions, and/or Informal Resolution Terms**

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Informal Resolution terms within the timeframe specified by the final Decision-Maker, including the Appeal Panel or Decision-Maker or the Informal Resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the College.

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

A suspension imposed for noncompliance with sanctions will only be lifted when compliance is achieved to the Title IX Coordinator's satisfaction.

## **20. Recordkeeping**

For a period of at least seven (7) years following the conclusion of the Resolution Process, the College will maintain records of:

1. Each sex discrimination, sex-based harassment, and retaliation Resolution Process, including any Final Determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation.
2. Any disciplinary sanctions imposed on the Respondent.
3. Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to the College's education program or activity.
4. Any appeal and the result therefrom.
5. Any Informal Resolution and the result therefrom.
6. All materials used to provide training to the Title IX Coordinator, Title IX Coordinator and designees, Investigators, Decision-Makers, Appeal Decision-Makers, Informal Resolution Facilitators, and any person who is responsible for implementing the College's Resolution Process, or who has the authority to modify or terminate supportive measures. The College will make these training materials available for review upon request.
7. All materials used to train all employees consistent with the requirements in the Title IX Regulations.

The College will also maintain any and all records in accordance with federal and state laws.

## **21. Transcript Notations**

For incidents of misconduct, including but not limited to sexual and gender-based misconduct, defined as crimes that meet the reporting requirements pursuant to the federal Clery Act (which include murder; manslaughter; rape, fondling, incest, and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; and arson), the College shall make a notation on the transcript of students found responsible, after a conduct process, and after being issued a sanction of either a suspension or an expulsion.

### **1. Current Students**

For Respondents enrolled as current students who are found responsible for violating the Sexual and Gender-Based Misconduct Policy, the College shall make a notation on the transcript reflective of the student's sanction, such that the student was either:

- "Suspended after a finding of responsibility for a Code of Conduct violation" or
- "Expelled after a finding of responsibility for a Code of Conduct violation."

### **2. Withdrawn Students**

If a subject of a Hearing Resolution Process or a Respondent withdraws from the College while conduct charges are being investigated or are pending, and declines to participate in or complete the conduct process, the College shall make the transcript notation: "Withdrew with conduct charges pending." The College may continue with the investigation even if a Respondent withdraws and declines to participate. A withdrawn Respondent who agrees to

participate in and complete the conduct process shall not be subject to the aforementioned notation. However, if that individual who agrees to complete the conduct process is then found responsible for violating the Sexual and Gender-Based Misconduct Policy, the College will make the transcript notation: "Found responsible for a Code of Conduct violation."

### **3. Graduated Students**

If a Respondent graduates from the College while conduct charges are pending and declines to complete the conduct process, the College shall make the transcript notation: "Graduated with conduct charges pending." The College may continue the investigation even if a Respondent graduates and declines to participate. For a graduate who agrees to participate in and complete the conduct process, no such notation will be made until its conclusion. However, if a graduate is then found responsible for violating the Sexual and Gender-Based Misconduct Policy, the College will make the transcript notation: "Found responsible for a Code of Conduct violation."

### **4. Appeal of Transcript Notation**

A student may seek removal of a transcript notation for a suspension imposed upon a finding of a violation of this Policy, provided that such notations shall not be removed prior to one year after conclusion of the suspension, and may only be removed for good cause shown. The determination of good cause shall be in the sole discretion of the College. Transcript notations for expulsion shall not be removed. A graduated or withdrawn student may seek removal of a transcript notation, provided that such notations shall not be removed prior to one year after being issued, and may only be granted for good cause shown. To file an appeal to have the transcript notation removed from an academic transcript, a student must submit in writing to the vice president and dean of students, or their designee, the basis for removal.

If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed as soon as practicable.

## **22. Accommodations and Support During the Resolution Process**

### **Disability Accommodations**

The College is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the College's Resolution Process.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will work with Office of Access and Disability Services or Human Resources, as appropriate, to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

### **Other Support**

The College will also address reasonable requests for support for the Parties and witnesses, including:

- Language services/interpreters
- Access and training regarding use of technology throughout the Resolution Process
- Other support as deemed reasonable and necessary to facilitate participation in the Resolution Process

## **23. Revision of These procedures**

These procedures succeed any previous procedures addressing sex discrimination, sex-based or sexual harassment, and retaliation for incidents occurring on or after August 1, 2024. The Title IX Coordinator will regularly review and update these procedures. The College reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If governing laws or regulations change, or court decisions alter the requirements in a way that impacts this document, this document will be construed to comply with the most recent governing laws, regulations, or court holdings.

This document does not create legally enforceable protections beyond the protections of the background federal and state laws that frame such policies and codes, generally.

# ADDENDUM A: DEFINITIONS

The following definitions apply to the Sexual and Gender-Based Misconduct Policy:

- **Adviser.** Any person chosen by a Party, or appointed by the institution, who may accompany the Party to all meetings related to the Resolution Process and advise the Party on that process.
- **Appeal Decision-Maker.** The person or panel who accepts or rejects a submitted appeal request, determines whether any of the appeal grounds are met, and directs responsive action(s) accordingly.
- **Bystander.** A person who passively observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of the rules or policies of the College.
- **Code of Conduct** means the written policies adopted by an institution governing student behavior, rights, and responsibilities while such student is matriculated in the institution.
- **Complainant.** A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, sex-based harassment, or retaliation under the Policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct under the Policy and who was participating or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct.
- **Complaint.** An oral or written request to the College that can objectively be understood as a request for the College to investigate and make a determination about the alleged Policy violation(s).
- **Confidential Employee.**
  - An employee whose communications are privileged or confidential under federal or state law. The employee's confidential status, for purposes of this definition, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
  - An employee who is conducting an Institutional Review Board-approved human-subjects research study designed to gather information about sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct. The employee's confidential status only applies with respect to information received while conducting the study.
- **Day.** A business day when the College is in normal operation. All references in the Policy to days refer to business days unless specifically noted as calendar days.
- **Decision-Maker.** The person who reviews evidence, determines relevance, and makes the Final Determination of whether Policy has been violated and/or assigns sanctions.
- **Education Program or Activity.** Locations, events, or circumstances where the College exercises substantial control over the context in which the sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct occurs and also includes any building owned or controlled by a student organization that the College officially recognizes.
- **Employee.** A person employed by the College either full- or part-time, including student employees when acting within the scope of their employment.
- **Final Determination.** A conclusion by the standard of proof that the alleged conduct did or did not violate Policy.
- **Finding.** A conclusion by the standard of proof that the conduct did or did not occur as alleged (as in a "finding of fact").
- **Informal Resolution.** A resolution agreed to by the Parties and approved by the Title IX Coordinator that occurs prior to a Final Determination in the Resolution Process.
- **Investigation Report.** The Investigator's summary of all relevant evidence gathered during the investigation. Variations include the Draft Investigation Report and the Final Investigation Report.
- **Investigator.** The person(s) authorized by The College to gather facts about an alleged violation of this Policy, assess relevance and credibility, synthesize the evidence, and compile this information into an Investigation Report.
- **Knowledge.** When the College receives notice of conduct that reasonably may constitute sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct in its Education Program or Activity.
- **Mandated Reporter.** A College employee who is obligated by Policy to share Knowledge and/or reports of sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct with the Title IX Coordinator.
- **Parties.** The Complainant(s) and Respondent(s), collectively.
- **Pregnancy or Related Conditions.** Pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom.
- **Relevant Evidence.** Evidence that may aid a Decision-Maker in determining whether the alleged sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct occurred, or in determining the credibility of the Parties or witnesses.
- **Remedies.** Typically, postresolution actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore or preserve equal access to the College's Education Program and Activity.

- **Report.** When an employee, student, or third party informs the Title IX Coordinator of the alleged occurrence of sex discrimination, sex-based harassment, retaliation, or Other Prohibited Conduct.
- **Resolution Process.** The investigation and resolution of allegations of prohibited conduct under this Policy, including Informal Resolution and Hearing Resolution.
- **Respondent.** A person who is alleged to have engaged in conduct that could constitute sex discrimination, sex-based harassment, retaliation for engaging in a protected activity under this Policy, or Other Prohibited Conduct.
- **Sanction.** A consequence imposed on a Respondent who is found to have violated this Policy.
- **Sex.** Sex assigned at birth, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.
- **Student.** Any person who has gained admission.
- **Title IX Coordinator.** At least one official designated by the College to ensure ultimate oversight of compliance with Title IX and the College's Title IX program. References to the Coordinator throughout the Policy may also encompass a designee of the Coordinator for specific tasks.

## ADDENDUM B: STATEMENT OF THE PARTIES' RIGHTS

### Under this Policy and procedures, the Parties have the right to:

- An equitable investigation and resolution of all credible allegations of prohibited sex discrimination, sex-based harassment, retaliation, and Other Prohibited Conduct, when reported in good faith to College officials.
- Timely written notice of all alleged violations, including the identity of the Parties involved (if known), the specific misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated Policies and procedures, and possible sanctions.
- Timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants) by updating the Notice of Investigation and Allegation(s) (NOIA) as needed to clarify potentially implicated Policy violations.
- Be informed in advance of any College public release of information regarding the allegation(s) or underlying incident(s), whenever possible.
- Have all personally identifiable information protected from the College's release to the public without consent, except to the extent permitted by law.
- Be treated with respect by College officials.
- Have College Policy and these procedures followed without material deviation.
- Voluntarily agree to resolve allegations under this Policy through Informal Resolution without College pressure, if Informal Resolution is approved by the Title IX Coordinator.
- Not be discouraged by College officials from reporting sex discrimination, sex-based harassment, retaliation, and Other Prohibited Conduct to both on-campus and off-campus authorities.
- Be informed of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the College in notifying such authorities, if the Party chooses. This also includes the right to not be pressured to report.
- Have allegations of violations of this Policy responded to promptly and with sensitivity by College law enforcement, security, and/or other College officials.
- Be informed of available supportive measures, such as counseling, advocacy, health care, student financial aid, visa and immigration assistance, and/or other services, both on-campus and in the community.
- A College-implemented No Contact Order or a Persona Non Grata against a nonaffiliated third party when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- Be informed of available assistance in changing academic, living, and/or employment situations after an alleged incident of sex discrimination, sex-based harassment, retaliation, and/or Other Prohibited Conduct if such changes are reasonably available. No formal report or investigation, either institutional or criminal, needs to occur for this option to be available. Such actions may include, but are not limited to:
  - Relocating a residential student's housing to a different on-campus location
  - Assistance from College staff in completing the relocation
  - Changing an employee's work environment (e.g., reporting structure, office/workspace relocation)
  - Transportation assistance
  - Visa/immigration assistance



- Rescheduling or adjusting an exam, paper, and/or assignment
- Receiving an incomplete in, or a withdrawal from, a class
- Transferring class sections
- Temporary withdrawal/leave of absence
- Campus safety escorts
- Have the College maintain supportive measures for as long as necessary, ensuring they remain confidential, provided confidentiality does not impair the College's ability to provide the supportive measures.
- Receive sufficiently advance written notice of any College meetings or interviews involving another Party, when possible.
- Identify and have the Investigator and/or Decision-Maker question relevant available witnesses, including expert witnesses.
- Provide the Investigator/Decision-Maker with a list of questions that, if deemed relevant and permissible by the Investigator/Decision-Maker, may be asked of any Party or witness.
- Have Complainant's inadmissible sexual interests/prior sexual history or any Party's irrelevant character evidence excluded by the Decision-Maker.
- Access the relevant evidence obtained and respond to that evidence.
- A fair opportunity to provide the Investigator with their account of the alleged misconduct and have that account be on the record.
- Receive a copy of all relevant and permissible evidence obtained during the investigation, subject to privacy limitations imposed by federal and state law and be given ten (10) business days to review and comment on the evidence.
- Review a copy of the Final Investigation Report, including all factual, Policy, and/or credibility analyses performed, and to have at least seven (7) business days to review the report prior to the determination.
- Be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- Regular status updates on the investigation and/or Resolution Process.
- Have reports of alleged Policy violations addressed by internal or external professionals who have received relevant annual training as required by law.
- Preservation of confidentiality/privacy, to the extent possible and permitted by law.
- Meetings, interviews, and/or hearings that are closed to the public.
- Petition that any College representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- Be able to select an Adviser of their choice to accompany and assist the Party in all meetings and/or interviews associated with the Resolution Process.
- Apply the appropriate standard of proof, preponderance of the evidence, to make a finding and Final Determination after an objective evaluation of all relevant and permissible evidence.
- Be present, including presence via remote technology, during all testimony given and evidence presented during any live hearing.
- Have an impact and/or mitigation statement considered by the Decision-Maker following a determination of responsibility for any allegation, but prior to sanctioning.
- Be promptly informed of the Hearing Resolution Process finding(s) and sanction(s) (if any) and be given a detailed rationale of the decision (including an explanation of how credibility was assessed) in a written outcome letter delivered to the Parties simultaneously (without undue delay).
- Be informed in writing of when a College decision is considered final and any changes to the Final Determination or sanction(s) that occur post outcome letter delivery.
- Be informed of the opportunity to appeal the Hearing Resolution Process finding(s) and sanction(s), and the procedures for doing so in accordance with the College's grounds for appeal.
- A fundamentally fair resolution as defined in these procedures.

## **Student Bill of Rights<sup>41</sup>**

- The right to be informed in writing of when a College decision is considered final and any changes to the Final Determination or sanction(s) that occur post outcome letter delivery.
- The right to have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
- The right to decide about whether to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution.
- The right to participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.

- The right to be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available.
- The right to be free from any suggestion that the Complainant is at fault, or should have acted in a different manner to avoid such crimes or violations, when these crimes and violations are committed.
- The right to describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident.
- The right to be protected from retaliation by the institution, any student, the Respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution.
- The right to access at least one level of appeal of a determination.
- The right to be accompanied by an adviser of choice who may assist and advise a Complainant or Respondent throughout the judicial or conduct process including during all meetings and hearings related to such process.
- The right to exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct processes of the institution.
- The right to notify College police or campus security, local law enforcement, and/or state police.
- The right to have emergency access to a Title IX Coordinator or other appropriate official trained in interviewing victims of sexual assault who will be available upon the first instance of disclosure by a reporting individual to provide information regarding options to proceed and, where applicable, the importance of preserving evidence and obtaining a sexual assault forensic examination as soon as possible, and detailing that the criminal justice process utilizes different standards of proof and evidence and that any questions about whether a specific incident violated the penal law should be addressed to law enforcement or to the district attorney. Such official shall also explain whether they are authorized to offer the Complainant confidentiality or privacy and will inform the Complainant of other reporting options.
- The right to confidentially disclose the incident(s) to institutional representatives, who may offer confidentiality pursuant to applicable laws and can assist in obtaining services for Complainants.
- The right to confidentially disclose the incident(s) and obtain services from the state or local government.
- The right to file a report of sexual assault, domestic violence, dating violence, and/or stalking and the right to consult the Title IX Coordinator and other appropriate institution representatives for information and assistance. Reports will be investigated in accordance with institutional policy and a Complainant's identity will remain private at all times if the Complainant wishes to maintain privacy.
- The right to disclose, if the Respondent is an employee of the institution, the incident to the institution's human resources authority or the right to request that a confidential or private employee assist in reporting to the appropriate human resources authority.
- The right to receive assistance from appropriate institution representatives in initiating legal proceedings in family or civil court.
- The right to withdraw a Complaint or involvement from the institution process at any time.
- The right to information about resources, including intervention, mental health counseling, and medical services, which includes information on whether these resources are available at no cost or for a fee.
- The right to information on sexually transmitted infections, sexual assault forensic examinations, and resources available through the New York State Office of Victim Services.
- The right to a sexual assault forensic examination from the local health care facility.
- The right to have the College's police or security forces, or other appropriate officials, assist Complainant with obtaining an Order of Protection, or if outside New York State, an equivalent protective or restraining order.
- The right to have the College receive a copy of the protective order (or its equivalent) and provide the Complainant an opportunity to meet or speak with an institutional representative who can explain the order and answer questions about it, including information from the Order about the Respondent's responsibility to stay away from the Complainant.
- The right to have College officials explain the consequences of violating Orders of Protection, including arrest, additional conduct charges, and interim suspension.
- The right to receive assistance from College police or campus security in effecting an arrest when an individual violates an Order of Protection, or to have College police or campus security call on and assist local law enforcement in effecting an arrest for violating Protective Orders (or their equivalent).

# ADDENDUM C: PRIVACY, PRIVILEGE, AND CONFIDENTIALITY

For the purpose of this Policy, the terms *privacy*, *privilege*, and *confidentiality* have distinct meanings.

- **Privacy.** Means that information related to a Complaint will be shared with a limited number of College employees who “need to know” in order to assist in providing supportive measures or evaluating, investigating, or resolving the Complaint. All employees who are involved in the College’s response to a report under this Policy receive specific training and guidance about sharing and safeguarding private information in accordance with federal and state law.
- **Privilege.** Exists in the context of laws that protect certain relationships, including attorneys, spouses, and clergy. Privilege is maintained by a provider unless a court orders release or the holder of the privilege (e.g., a client, spouse, parishioner) waives the protections of the privilege. The College treats employees who have the ability to have privileged communications as Confidential Employees
- **Confidentiality.** Exists in the context of laws or professional ethics (including Title IX) that protect certain relationships, including clinical care, mental health providers, and counselors. Confidentiality also applies to those designated by the College as Confidential Employees for purposes of reports under this Policy, regardless of legal or ethical protections. When a Complainant shares information with a Confidential Employee, the Confidential Employee does not need to disclose that information to the Title IX Coordinator. The Confidential Resource will, however, provide the Complainant with the Title IX Coordinator’s contact information, assist the Complainant in reporting, if desired, and provide them with information on how the Title IX Office can assist them. With respect to Confidential Employees, information may be disclosed when: (1) the reporting person gives written consent for its disclosure; (2) there is a concern that the person will likely cause serious physical harm to self or others; or (3) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18, elders, or persons with disabilities. Nonidentifiable information may be shared by Confidential Employees for statistical tracking purposes as required by the Clery Act/Violence Against Women Act (VAWA). Other information may be shared as required by law.

The College reserves the right to determine which College officials have a legitimate educational interest in being informed about student-related incidents that fall under this Policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the Complaint. Information will be shared as necessary with Investigators, Decision-Makers, Appeal Decision-Makers, witnesses, the Parties, and the Parties’ Advisers. The circle of people with this knowledge will be kept as tight as possible to preserve the Parties’ rights and privacy, and release is governed by the institution’s unauthorized disclosure policy.

# ADDENDUM D: POLICY ON CONSENSUAL RELATIONSHIPS

## I. Policy on Romantic or Sexual Relationships Between Employees and Students

As a condition of employment, all employees of the College (including full- and part-time administrative staff, full- and part-time regular faculty, guest faculty, graduate faculty, coaches, and employees of independent contractors or vendors) may not engage in sexual or romantic relations with any Sarah Lawrence College student, regardless of whether the student consents to such interaction. The Policy does not apply to students who are already spouses/domestic partners of current employees at the College, or spouses/domestic partners of contractor or vendor employees working at the College.

- A romantic or sexual relationship between a faculty or staff member and a student poses a significant potential threat to the health and well-being of the College community.
- Such a relationship could lead to preferential treatment or other acts, actual or perceived, of alleged favoritism or alleged retaliation on the part of an employee toward a student.
- Given the power differential between students and faculty or staff members, there is serious concern that such relationships could never be fully consensual, or could be perceived by others, at the time or in retrospect, as coercive in nature.
- Such relationships can also be harmful to other students and employees not directly involved, and highly injurious to the College’s commitment to providing a nurturing learning and work environment for all in the community.

## **II. procedures on Romantic or Sexual Relationships Between Employees and Students**

### **A. Reporting Violations of This Policy**

**1. For Concerns Regarding Faculty:** Students, faculty, and staff concerned about a sexual or romantic relationship involving a faculty member and a student should speak to the Title IX Office. The Title IX Office and/or Human Resources Office will meet with the Parties involved to discuss this report. The Office will confer with the vice president for human resources and organizational development and the provost and dean of the college or, if appropriate because the student is a graduate student, the dean of graduate and professional studies. The matter may be referred to the process established for Complaints involving faculty (see Article III, Section GD of the faculty bylaws). The appropriate dean will report the resolution of any such Complaint to both the student and faculty member.

**2. For Concerns Regarding Staff:** Students, faculty, and staff concerned about a sexual or romantic relationship involving a staff member or contractor/vendor employee with a student should contact the vice president for human resources and organizational development.

Employees who engage in sexual or romantic relationships with a student contrary to the requirements provided in this Policy are subject to disciplinary action, up to and including dismissal, depending upon the nature of and context for the violation. Employees who are approached by a student seeking to establish or embark upon a romantic relationship shall (in addition to rejecting the overture) immediately report the overture to their direct supervisor and to the director of human resources. Failure to make such a report can constitute grounds for disciplinary action, up to and including dismissal.

For advice or consultation regarding the appropriate course of action, community members may seek assistance from the director of human resources or the College's Title IX Coordinator. If there is any doubt whether a relationship falls within this Policy, individuals should disclose the facts and seek guidance rather than fail to disclose. Additional questions may be addressed to an appropriate supervisor, the provost and dean of the college, the dean of graduate and professional studies, the College's Title IX Coordinator, or the Human Resources Office.

### **B. Jurisdiction of This Policy**

Should a romantic or sexual relationship with a student be considered to potentially have been nonconsensual, or to potentially have met the definition of sexual harassment against a faculty member or staff member, the College will investigate and resolve this matter in accordance with the Sarah Lawrence College Sexual and Gender-Based Misconduct Policy. This Policy on Romantic or Sexual Relationships Between Employees and Students therefore applies to such relationships only to the extent that they are not covered by the Sexual and Gender-Based Misconduct Policy. In the event a question arises as to which policy is applicable to a given set of circumstances, the College, in its sole discretion, will choose the policy and the procedures that will control.

### **C. Adjudicating Violations of This Policy**

Upon receipt of a notification involving a possible violation of this Policy, the vice president for human resources and organizational development (or their designee) and/or the provost and dean of the college (or their designee) will meet with the Parties involved. The Parties involved may have an adviser of their choice present during the initial interviews and during such further interviews as the vice president for human resources and organizational development and/or the provost and dean of the college may deem necessary.

The vice president for human resources and organizational development and/or the provost and dean of the college will use a preponderance of the evidence standard to determine responsibility (i.e., it is more likely than not that the Respondent was responsible for the prohibited behavior). The vice president for human resources and organizational development and/or the provost and dean of the college will report the resolution to both Parties. This report will summarize the conclusions of the investigation and also may include, where deemed appropriate, any actions taken or penalties imposed.

The facts about individual cases and their disposition are confidential. This means that such information is shared by the College only on a need-to-know basis. The College reserves the right, moreover, to correct or address misinformation or incomplete information that becomes public as a result of the alleged violation, or to make such disclosures as may be in the best interest of the College and the College community.

## ADDENDUM E: VIOLENCE RISK ASSESSMENT (VRA)

Threat assessment is the process of assessing the actionability of violence by a person against another person or group following the issuance of a direct or conditional threat. **A Violence Risk Assessment (VRA)** is a broader term used to describe assessment of any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat.

Implementing a VRA requires specific training. It is typically conducted by psychologists, clinical counselors, social workers, case managers, law enforcement officers, student conduct professionals, and/or other Behavioral Intervention Team (BIT) (sometimes known as CARE team) members.

A VRA occurs in collaboration with the Title IX Coordinator and must be understood as an ongoing process, rather than as a single evaluation or meeting. A VRA is not an evaluation for an involuntary behavioral health hospitalization, nor is it a psychological or mental health assessment.

A VRA assesses the risk of actionable violence, often with a focus on targeted/predatory escalations. It is supported by research from law enforcement, criminology, human resources, and psychology.

When conducting a VRA, the assessor(s) use(s) an evidence-based process consisting of:

- An appraisal of **risk factors** that escalate the potential for violence.
- A determination of stabilizing influences, or **protective factors**, that reduce the risk of violence.
- A contextual **analysis of violence risk** by considering environmental circumstances, hopelessness, and suicidality; catalyst events; nature and actionability of the threat; fixation and focus on target; grievance collection; and action and time imperative for violence.
- The application of **intervention and management** approaches to reduce the risk of violence.

To assess a person's level of violence risk, the Title IX Coordinator will initiate the VRA process in conjunction with the associate vice president of campus safety, the director of counseling and psychological services, and any other appropriate senior-level administrator. A trained person(s) will perform the assessment, according to the specific nature of the Complaint.

The assessor(s) will follow the process for conducting a VRA and will rely on a consistent, research-based, reliable system that allows for the evaluation of the risk levels.

Some examples of formalized approaches to the VRA process include The NABITA Risk Rubric,<sup>42</sup> The Structured Interview for Violence Risk Assessment (SIVRA-35),<sup>43</sup> Violence Risk Assessment of the Written Word (VRAWW),<sup>44</sup> Workplace Assessment of Violence Risk (WAVR-21),<sup>45</sup> Historical Clinical Risk Management (HCR-20),<sup>46</sup> and MOSAIC.<sup>47</sup>

The VRA is conducted independently from the Resolution Process, informed by it, but free from outcome pressure. The person(s) conducting the assessment will be trained to mitigate any bias and provide the analysis and findings in a fair and equitable manner.

The trained individual conducts a VRA process and makes a recommendation to the Title IX Coordinator as to whether the VRA indicates there is a substantial, compelling, and/or imminent and serious threat to the health and/or safety of a person or the community.

In some circumstances, the Title IX Coordinator may determine that a VRA should be conducted as part of the initial evaluation of a Complaint under this Policy. A VRA can aid in critical and/or required determinations, including:

- Whether to remove the Respondent on an emergency basis because of an immediate threat to a person or the community's health/safety (Emergency Removal).
- Whether the Title IX Coordinator should pursue/initiate a Complaint absent a willing/able Complainant
- Whether the scope of an investigation should include an incident, and/or pattern of misconduct, and/or climate of discrimination or harassment.
- To help identify potential predatory conduct.
- To help assess/identify grooming behaviors.
- Whether it is reasonable to try to resolve a Complaint through Informal Resolution, and if so, what approach may be most successful.
- Whether to communicate with a transfer institution about a Respondent.
- Whether a Clery Act Timely Warning/Persona Non Grata is needed.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. Institutions may be compelled to act on alleged employee misconduct irrespective of a Complainant's wishes.

## ADDENDUM F: SUPPORTIVE MEASURES AND RESOURCE INFORMATION

Sarah Lawrence College offers a myriad of services and resources concerning sexual and gender-based misconduct. The College is committed to providing equitable access to resources for both Complainants and Respondents. These include counseling services, medical services, victim advocates, volunteer visa and immigration assistance, and volunteer legal assistance. The College also has the ability to institute supportive measures to prevent or minimize contact between a Complainant and a Respondent involved in a Resolution Process.

In addition to responsibilities related to the prevention and resolution of allegations of sex discrimination, including sex-based harassment, the Title IX Coordinator is also responsible for ensuring equal access and preventing discrimination for students who are pregnant or have pregnancy-related conditions (pregnancy, childbirth, termination of pregnancy, or lactation, medical conditions related thereto, or recovery therefrom). If a student is pregnant or has a pregnancy-related condition, they are encouraged to contact the Title IX Coordinator to learn about the various reasonable accommodations and supportive measures that may be taken to ensure their equal access to education and prevent discrimination. Where appropriate and upon request, reasonable accommodations may include, but are not limited to, breaks in class, classroom modifications, excused absences, or lactation support.

### A. On-Campus Resources & Assistance

The information listed below pertains to resources that the College has the ability to initiate for students involved in incidents of sexual and gender-based misconduct. For matters in which the Respondent has been notified or is otherwise aware of a Report or Complaint, all supportive measures will be made reasonably available to both Parties, regardless of whether they are a Complainant or Respondent.

#### 1. Measures for the Individual(s) Involved

Complainants may be offered supportive measures (changes to academic, living, working, or transportation situations or other applicable arrangements) in order to help ensure safety, prevent retaliation, and avoid an ongoing hostile environment. Complainants may receive these measures regardless of whether they choose to report the crime to law enforcement. Complainants may also receive these measures regardless of their decision to pursue any disciplinary action or the Hearing Resolution Process.

Depending on a Complainant's needs or the nature of the situation, these supportive measures and accommodations may vary and change. Below is a list of potential accommodations, which may be temporary or permanent, and which may be taken where reasonable and appropriate under the circumstances.

#### 2. Measures Involving Notification to the Respondent

##### a. No Contact Order (NCO) Directive

- Upon receiving a Report, the Title IX Office may issue a No Contact Order to any Parties involved, if deemed appropriate, or at the request of the Complainant and/or the Respondent.
- A No Contact Order, if issued, will be mutual, and will stipulate that both Parties are not allowed to have any contact with each other in person, online, or through third Parties on their behalf or what appears to be on their behalf. Additionally, if the Parties observe each other in a public place (such as the Barbara Walters Campus Center or Bates Dining Hall), it shall be incumbent on both Parties to have no direct or indirect contact or communication with each other while in the public place, and the Parties are encouraged to speak with the Title IX Coordinator if they need additional support, unless the No Contact Order specifically states otherwise. The College may also establish an appropriate schedule for the Parties to access applicable College buildings and property where needed and upon request. **Restrictions that may arise from No Contact Orders are not sanctions imposed for violations of this Policy, and they may be imposed at any time in the process and without the need for a finding of responsibility or nonresponsibility for any Policy violation on the part of any Party.**

- Both the Respondent and the Complainant, upon request and consistent with College policies and procedures, shall be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a No Contact Order, including potential modification, and will be allowed to submit evidence in support of this request.<sup>48</sup>

## **b. Academic**

### **Types of Potential Supportive Measures**

- Rescheduling classes or exams
- Alternative course completion options
- Ability to transfer sections or withdraw without penalty
- Excused absences for class attended (related directly to incident or partaking in any part of the College's process)

### **Campus Partners**

- Dean of Studies  
Westlands, 2nd Floor  
914.315.2249  
Monday–Friday, 9 a.m.–5 p.m.  
deanofstudies@sarahlawrence.edu
- Individual Professors/Dons

## **c. Health & Wellness**

### **Types of Potential Supportive Measures**

- Assistance setting up counseling services session
- Emergency counseling services session
- Voluntary medical leave of absence
- Access or referrals to medical services
- Medical transportation/escort

### **Campus Partners**

- Health & Wellness Center  
Lyles House  
914.395.2350  
Monday–Friday, 9 a.m.–5 p.m.  
<https://www.sarahlawrence.edu/health-and-wellness/>

## **d. Housing**

### **Types of Potential Supportive Measures**

- Relocation of housing assignment
- Emergency relocation of on-campus housing

### **Campus Partners**

- Residential Life  
Bates, Suite 220 914.315.2575  
Monday–Friday, 9 a.m.–5 p.m.  
reslife@sarahlawrence.edu

## **e. On-Campus Employment**

### **Types of Potential Supportive Measures**

- Excused absences for missed work (related directly to incident or partaking in any part of the College's process)
- Changes to work schedule

### **Campus Partners**

- Office of Student Employment  
Westlands, 1st Floor  
914.395.2572  
<https://www.sarahlawrence.edu/financial-aid/student-employment/>

## **f. Safety and Security**

### **Types of Potential Supportive Measures**

- No Contact Order (NCO)
- Persona Non Grata (PNG) directive
- Medical transportation/escort
- Safety-related plans and strategies for off campus

### **Campus Partners**

- Campus Safety Department  
Swinford Annex  
914.395.2222 (Emergency)  
914.395.2209 (Nonemergency)  
security@sarahlawrence.edu

## **B. Persona Non Grata (PNG) Directive**

Upon receiving a Report involving an alleged individual who is not affiliated with the College, the Title IX Office may issue a Persona Non Grata (PNG) directive at the request of the Complainant.

A Persona Non Grata directive stipulates that the alleged non-SLC affiliated individual is an unwelcome person to the College and is prohibited from being on College grounds or at any College-sponsored event. If a violation of the PNG directive is made, the recipient of the directive may be removed by Campus Safety or arrested by local law enforcement.

The Title IX Office evaluates the need for the PNG directive after receiving information from a Complainant. Such considerations for the directive include, but are not limited to, concern for a Complainant's safety and well-being, concern for the safety and well-being of the College community, or previous incidents in which the alleged individual has made themselves known to the College.

## **C. Seeking Confidential Medical Services**

Experiencing any form of sexual and gender-based misconduct is difficult and overwhelming. Regardless of whether the individual chooses to report the incident, the College strongly encourages survivors of any form of violence to seek medical attention as soon as possible, even if they feel no injury was sustained. Medical assistance providers can treat visible physical injuries and identify injuries that may not be visible, and, where appropriate, also address concerns regarding sexually transmitted infections and pregnancy, and provide emergency contraception (if requested). In addition, a hospital can test for the presence of alcohol or drugs (e.g., Rohypnol) and perform a sexual assault forensic evaluation, including an evidence collection procedure, which are strongly recommended to preserve all legal remedies. Such services are also confidential resources and are not obligated to disclose reports of sexual and gender-based misconduct to the Title IX Coordinator for the College (under any circumstance) or law enforcement (except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law).

Sexual assault forensic examination can be performed by a Sexual Assault Nurse Examiner at:

Westchester Medical Center

Forensic Acute Care Team (FACT) Program

This program is available 24/7, provides medical and/or forensic evidence collection evaluations free of charge, and offers counseling and advocate services. The program is available to individuals of all ages in which the incident occurred within the past 96 hours, or if the individual is reporting active symptoms (such as pain, bleeding, or skin injury). If the incident is reported to the College or the Title IX Office, transportation to Westchester Medical Center may be provided by SLC Campus Safety.

## **D. Legal Resources**

### **1. Orders of Protection**

Orders of Protection, sometimes called restraining orders, are legally mandated court orders issued by the courts. The College has no direct role in the process related to the issuance of Orders of Protection. However, individuals have the right to be assisted by the College's Campus Safety or by other College officials in seeking an Order of Protection. Individuals are also entitled to receive a copy of any Order of Protection or equivalent that may be issued, as promptly as practicable after such order is received by the College, and have an opportunity to meet or speak with a College representative, or other appropriate individual, who can explain the order and answer questions about it, including information about the responsibility of the recipient of the order to stay away from the protected person or persons.



Sarah Lawrence College recognizes Orders of Protection by directing any person who obtains such order to provide a copy to the associate vice president of campus safety. An individual who is a protected person under the order may then meet with the associate vice president of campus safety to develop a plan to reduce risk of harm while on campus, or while coming to and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, changes in housing/academic/campus work arrangements, and other necessary accommodations.

Individuals have the right to receive assistance from Campus Safety when the individual may seek to cause or request an arrest for an alleged violation of an Order of Protection. However, Campus Safety does not possess arrest powers. Therefore, upon request, Campus Safety staff will call on local law enforcement for this purpose. Nothing in this Policy shall limit or negate current law enforcement jurisdiction and procedures. Visit the New York Courts website for a more comprehensive discussion on Orders of Protection.

## **2. Cases in Which There Is No Order of Protection in Place**

Even if there is no Order of Protection in place, the College can still help Parties under this Policy with the development and implementation of a plan to reduce risk of harm while on campus, or while coming and going from campus. Please refer to Section 6.A of the Sexual and Gender-Based Misconduct Policy.

## **E. Sex Offender Registration**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services, or is a student.

Information regarding sexual offenders is available through the New York State Offender Registry at: <https://www.criminaljustice.ny.gov/nsor> or by calling toll-free 800.262.3257. Compliance with the provisions of this Policy does not constitute a violation of Section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

**Below is a list of free off-campus legal resources:**

### **Victims Justice Center (VJC) of Westchester County DA's Office**

914.995.3300

<https://www.westchesterda.net/victim-services>

**Description of Services:** Assists victims in filing applications to the New York State Office of Victim Services for reimbursement for fees associated with things such as medical expenses, replacement of essential personal property (such as eyeglasses), crime scene cleanup costs, funeral expenses, or other financial losses experienced as a result of a crime against them. They also make referrals to other community organizations/service providers and counseling.

### **Pace Law School Women's Justice Center**

78 N. Broadway

White Plains, NY 10603

914.422.4069

<https://law.pace.edu/wjc>

Legal Helpline: 914.278.0739

**Description of Services:** Provides legal assistance for all individuals who experience sexual assault, domestic violence, and elder abuse regardless of sex or gender. Services also include a free walk-in clinic.

### **Hudson Valley Justice Center**

30 South Broadway, Suite 701a, Yonkers, NY 10701

914.308.3490

[www.HVJC.org](http://www.HVJC.org)

**Description of Services:** Provides free legal services to poor and low-income individuals, regardless of immigration status, with various civil legal issues, including housing, immigration, and family law matters.

### **Sanctuary for Families Campus Advocates Project**

P.O. Box 1406

Wall Street Station

New York, NY 10268

212.349.6009

<https://sanctuaryforfamilies.org/gender-violence/campus-gender-violence/>

**Description of Services:** Provides legal consultation and representation in understanding the Title IX process, understanding the criminal/civil justice system, and representation in other related civil matters, such as family court and immigration.

## **SEXUAL AND GENDER-BASED MISCONDUCT POLICY FOOTNOTES**

1. NYS Educ. Law Article 129-B, Section 6440(4).

2. New York Labor Law Section 201-g requires the College to provide copies of their sexual harassment policies to employees, in writing, at the time of hiring and at every annual training. This Policy will be provided in English and, upon request, in an employee's primary language.

3. For alleged harassment or discrimination occurring prior to February 15, 2024, individuals have one to three years in which to file a Complaint depending on the type of harassment or discrimination.

4. 42 U.S.C. § 2000e et seq.

5. NYS Educ. Law Article 129-B, Section 6439(6) provides that privacy may be offered by an individual when such individual is unable to offer confidentiality under the law but shall still not disclose information learned from a Complainant or bystander to a crime or incident more than necessary to comply with applicable laws, including informing appropriate institution officials. See Addendum C (p. 115).

6. NYS Educ. Law Article 129-B, Section 6439(5) provides that confidentiality may be offered by an individual who is not required by law to report known incidents of sexual assault or other crimes to institution officials, in a manner consistent with state and federal law, including but not limited to the Disclosure of Campus Security Policy and Campus Crime Statistics or Title IX of the Education Amendments of 1972. Licensed mental health counselors, medical providers, and pastoral counselors are examples of institutional employees who may offer confidentiality.

7. Per NYS Educ. Law Article 129-B, Section 6440(5), the protections provided by this Policy apply regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

8. Per NYS Educ. Law Article 129-B, Section 6440(2), all institutional services and protections afforded to Complainants are required to be available to all students and applicable to conduct that has a reasonable connection to that institution. When such conduct involves students or employees from two or more institutions, the institutions may work collaboratively to address the conduct, provided that such collaboration complies with FERPA.

9. Per NYS Educ. Law Article 129-B, Section 6444(7), if the College lacks appropriate on-campus resources or services, it will, to the extent practicable, enter into memoranda of understanding, agreements, or collaborative partnerships with existing community-based organizations, including rape crisis centers and domestic violence shelters and assistance organizations, to refer students for assistance or make services available to students, including counseling, health, mental health, victim advocacy, and legal assistance, which may also include resources and services for the Respondent.

10. NYS Educ. Law Article 129-B, Section 6444(4)(h).

11. NYS Educ. Law Article 129-B, Section 6444(4)(a).

12. Throughout this Policy, "on the basis of sex" means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex or gender identity.

13. This would include having another person touch you sexually, forcibly, and/or without their consent.

14. Per NYS Per NYS Educ. Law Article 129-B, Section 6493(10), “sexual activity” will have the same meaning as “sexual act” and “sexual contact” as provided in 18 U.S.C. 2246(2) and 18 U.S.C. 2246(3). 18 U.S.C. 2246(2) defines “sexual act” as contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however, slight; contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person. 18 U.S.C. 2246(3) defines “sexual contact” as the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person. Both federal and NYS definitions of “sexual activity” or “sexual act” may apply, depending on jurisdiction.
15. If a sexual partner shares the clear expectation for the use of a condom, or to avoid internal ejaculation, and those expectations are not honored, the failure to use a condom, removing a condom, or internal ejaculation can be considered as an act of sexual assault.
16. To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.
17. New York Labor Law Section 201-g(a)(vi).
18. Nothing in this section restricts the ability of the Parties to: obtain and present evidence, including by speaking to witnesses (as long as it does not constitute retaliation under this Policy); consult with their family members, confidential resources, or Advisers; or otherwise prepare for or participate in the Resolution Process.
19. NYS Educ. Law Article 129-B, Section 6441.
20. Consent in relationships must also be considered in context. When Parties consent to BDSM (bondage, discipline, sadism, masochism) or other forms of kink, nonconsent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so long as there was affirmative consent for this conduct.
21. 20 U.S.C. 1232g.
22. 34 C.F.R. § 99.
23. NYS Educ. Law Article 129-B, Section 64442.
24. IBID
25. This section does not limit the College from seeking assistance for a student who is struggling with drug or alcohol addiction or is otherwise in danger, provided that the assistance is not disciplinary in nature.
26. 42 U.S.C. Sections 13701 through 14040.
27. Anywhere this procedure indicates “Title IX Coordinator,” the College may substitute a trained designee.
28. If circumstances require, the vice president and dean of students or Title IX Coordinator will designate another person to oversee the Resolution Process should an allegation be made about the Title IX Coordinator or the Title IX Coordinator be otherwise unavailable, unable to fulfill their duties, or have a conflict of interest.
29. See detailed information regarding Violence Risk Assessment in Addendum E (p.117).
30. “Available” means the Party cannot insist on an Adviser who simply doesn’t have inclination, time, or availability. The Adviser cannot have institutionally conflicting roles, such as being a Title IX Coordinator who has an active role in the matter or a supervisor who must monitor and implement sanctions. Additionally, choosing an Adviser who is also a witness in the process creates potential for bias and conflicts of interest. A Party who chooses an Adviser who is also a witness can anticipate that issues of potential bias will be explored by the Decision-Maker.
31. External, trained third-party neutral professionals may be used to serve in any Resolution Process role.
32. In Section 13. H below, there is a description of a process to waive the decision-making step of the Hearing Resolution Process if a Respondent decides to admit to violating the charged Policies. That section and this one are similar, but there are meaningful differences. In this section, the Parties must agree to the resolution, and the Respondent in essence

self-sanctions as part of the Informal Resolution by agreeing to voluntarily comply with whatever the terms are to which the Parties agree. Section 13. H, in contrast, is unilateral. Neither the Complainant nor the Title IX Coordinator determines eligibility. It is simply a waiver of steps in the process by the Respondent, who can admit violations and accept sanctions assigned by the Decision-Maker, if they choose to. No Complainant approval is sought or needed. Under Section 20; the outcome involves sanctioning imposed by the College, rather than an agreement to self-sanction, as outlined in this section.

33. NYS Educ. Law Article 129-B, Section 6444(5)(c)(iv).

34. If the recommended sanction is for termination of employment of a staff member, the VP HR will make this recommendation for final consideration by the president.

35. If the recommended sanction is for suspension without pay, termination, and/or revocation of tenure of a tenured faculty member, the provost will make this recommendation for final consideration by the Advisory Committee on Appointments.

36. NYS Educ. Law Article 129-B, Section 6349(3).

37. NYS Educ. Law Article 129-B, Section 6349(4).

38. NYS Educ. Law Article 129-B, Section 6349(9) defines and uses the term "Reporting Individual." For purposes of this policy, the term "Complainant" encompasses Reporting Individual, victim, survivor, claimant, witness with victim status, and any other terms used by an institution to reference an individual who brings forth a report of a violation.

39. Not to be confused with those mandated by state law to report child abuse, elder abuse, and/or abuse of persons with disabilities to appropriate officials, though these responsibilities may overlap with those who have mandated reporting responsibility under this Policy.

40. NYS Educ. Law Article 129-B defines the terms "Accused" and "Respondent." Per NYS Educ. Law Article 129-B, Section 6439(7-8), "Accused" means a person accused of a violation who has not yet entered an institution's judicial or conduct process while "Respondent" is defined as a person accused of a violation who has entered an institution's judicial or conduct process. For purposes of this Policy, the term "Respondent" encompasses both definitions under New York law.

41. This list of rights is derived from NYS Educ. Law Article 129-B, Section 6443, and is required to be included in College policy.

42. <https://www.nabita.org/training/nabita-risk-rubric/>

43. <https://www.nabita.org/training/sivra-35/>

44. <https://www.nabita.org/training/vraww/>

45. [www.wavr21.com](http://www.wavr21.com)

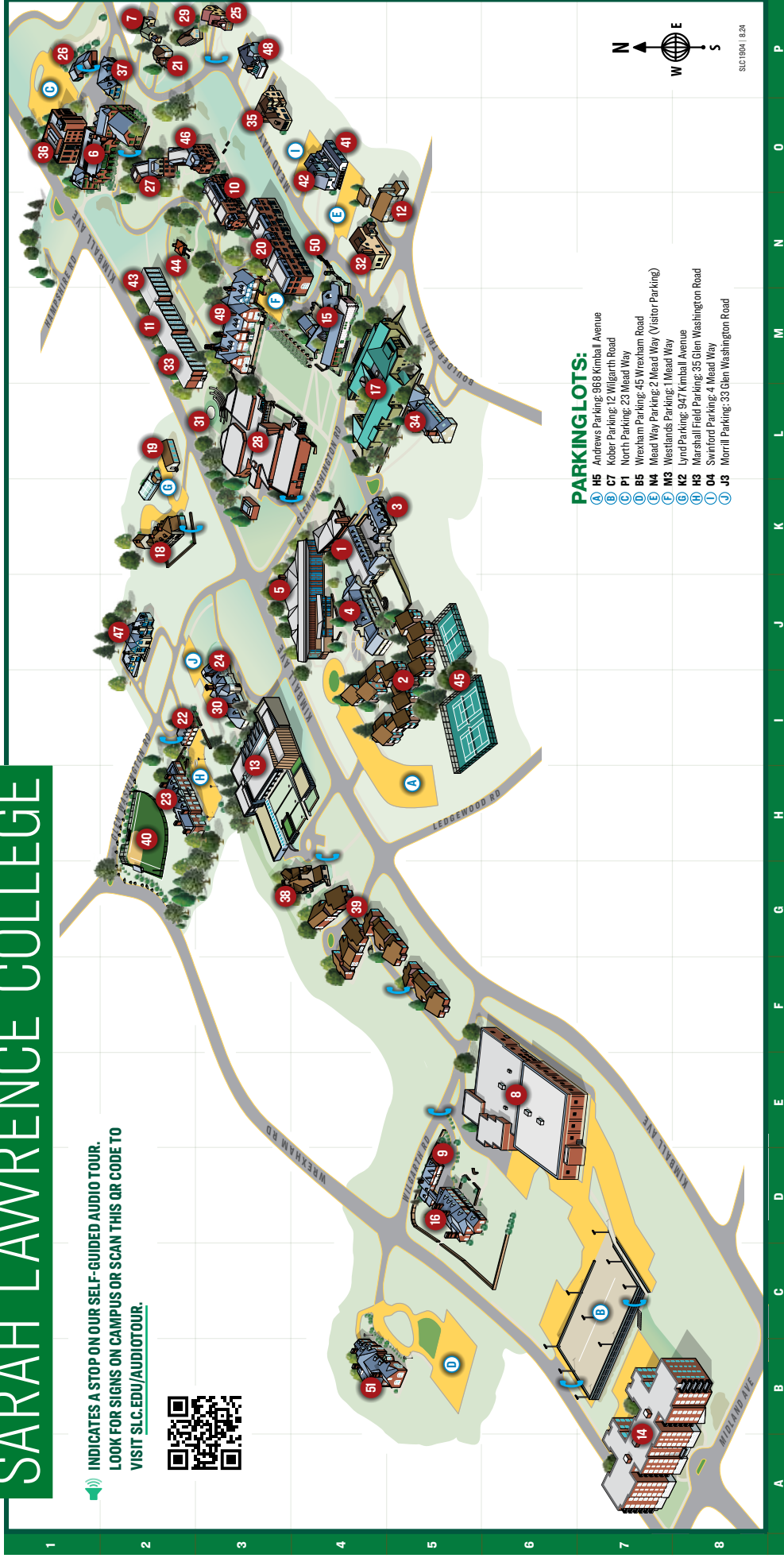
46. <http://hcr-20.com>

47. [www.mosaicmethod.com](http://www.mosaicmethod.com)

48. NYS Educ. Law Article 129-B, Section 6444(4)(a).

# SARAH LAWRENCE COLLEGE

INDICATES A STOP ON OUR SELF-GUIDED AUDIO TOUR.  
LOOK FOR SIGNS ON CAMPUS OR SCAN THIS QR CODE TO  
VISIT [SLC.EDU/AUDIOTOUR](https://slc.edu/audiotour).



## PARKINGLOTS:

- H5 Andrews Parking: 968 Kimball Avenue
- C7 Kober Parking: 12 Wilgarth Road
- P1 North Parking: 23 Mead Way
- B5 Wrotham Parking: 45 Wrotham Road
- M4 Mead Way Parking: 2 Mead Way (Visitor Parking)
- M3 Westlands Parking: 1 Mead Way
- H3 Lynd Parking: 947 Kimball Avenue
- G4 Marshall Field Parking: 35 Glen Washington Road
- J3 Swinford Parking: 4 Mead Way
- J3 Morrill Parking: 33 Glen Washington Road

## CAMPUS LOCATIONS:

- 1 K4 Andrews Annex
- 2 I5 Andrews Court
- 3 K5 Andrews East
- 4 J4 Andrews House
- 5 J4 Barbara Walters Campus Center
- 6 D2 Bates Center for Student Life
- 7 P2 Brebner House
- 8 E6 Campbell Sports Center
- 9 D5 Curtis
- 10 O3 Dudley Lawrence
- 11 M2 Garrison
- 12 N5 Health & Wellness Center (Lyles House)
- 13 H3 Heimbald Visual Arts Center
- 14 A7 Hill House
- 15 M4 The HUB at the Siegel Center
- 16 D5 Kober House
- 17 L5 Library
- 18 K2 Lynd House
- 19 L2 Lynd Offices
- 20 N3 MacCracken
- 21 P2 Mansell House
- 22 I2 Marshall Field Carriage House
- 23 H2 Marshall Field Music Building
- 24 J3 Morrill House
- 25 P3 Morris House
- 26 P1 North
- 27 O2 OSilas
- 28 L3 Performing Arts Center
- 29 P3 Perkins House
- 30 I3 President's House
- 31 L3 Remy Theatre
- 32 N4 Robinson House
- 33 M2 Rothschild
- 34 L5 Sara Wilford House
- 35 O3 Schmidt House
- 36 O1 Science Center
- 37 P2 Sheffield
- 38 G3 Stonim
- 39 G4 Stonim Woods
- 40 H2 Softball Field
- 41 O4 Swinford Annex
- 42 O4 Swinford House
- 43 N2 Taylor
- 44 N2 Teahaus
- 45 I5 Tennis Courts
- 46 O2 Tisworth
- 47 J2 Tweed House
- 48 P3 Warren Green
- 49 M3 Westlands
- 50 N4 Westlands Gate
- 51 B4 45 Wrexham

**OFF-CAMPUS**  
Center for the Urban River at Beczak  
35 Alexander Street, Yonkers

**Blue Light**  
Emergency Phones  
For emergencies: 914.395.2222  
All other: 914.395.2209

- 44 N2 Teahaus
- 45 I5 Tennis Courts
- 46 O2 Tisworth
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- 49 M3 Westlands
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