

PELFREY HALL



Central Christian College of the Bible

2010 Annual Security & Fire Safety Report

Campus Security Policies

Timely Warnings

In the event that a situation arises, either on or off campus, that in the judgment of the Vice President of Student Development constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The decision to issue a timely warning will be made following consultation with the College President or another member of the executive team in the event that communication is not possible with the President. The warning will be issued through the College email system to students, faculty, and staff.

Depending upon the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Student Development department may also post a notice in each residence hall and in Pelfrey Hall. Anyone with information warranting a timely warning should report the circumstance to the Student Services department by phone (Director of Student Services – ext. 155; or Vice-President of Student Development – ext. 167) or in person at the Student Services department (2nd floor of Pelrey Hall next to the student mailboxes).

Policy for Reporting the Annual Disclosure of Crime Statistics

The College prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus. Campus crime, arrest, and referral statistics include those reported to designated campus officials (including but not limited to directors, deans, department heads, advisors to students and student organizations, residence hall directors, residence assistants, and athletic coaches) and local law enforcement agencies. A procedure is in place to capture crime statistics disclosed confidentially in the case of gender-based discrimination as outlined in the College’s Gender-Based Misconduct Policy available on the College’s website (<http://www.cccb.edu/sites/default/files/pdf/Gender-Based%20Misconduct%20Policy.pdf>) and at the end of this document.

Each year, an e-mail notification is made to all enrolled students, staff and faculty that provides the web site to access this report. Prospective students and employees may obtain a copy of the report from the Student Services Department or by calling 660-263-3900, ext. 155.

Reporting a Crime or Emergency

Accurately and promptly report all on and off campus crime to a College campus security authority and the Moberly Police Department (660-263-0346 OR 911 for emergencies). College campus security authorities include:

| | |
|---------------------------------------|---|
| Vice President of Student Development | 660-263-3900 ext. 167 (Walton Student Center) |
| Director of Student Development | 660-263-3900 ext. 155 (Pelfrey Hall) |
| Dean of Women | 660-263-3900 ext. 151 (Pelfrey Hall) |
| Dean of Men | 660-263-3900 ext. 186 (Pelfrey Hall) |
| Residence Director | 660-263-3900 ext. 165 (Spurling Hall) |
| Residence Director | 660-263-3900 ext. 166 (Lang Hall) |

College campus security authorities also include faculty and staff representatives, Athletic Director, coaches, Vice President of Academics, and the College President. The individual who receives the

report of crime will complete an incident report and give it to the Vice-President of Student Development. Any suspicious activity or person seen on the main campus should be reported to a campus security authority and the Moberly police.

The College does not have policies or procedures in place that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report except in the case of gender-based discrimination as outlined in the College's Gender-Based Misconduct Policy (<http://www.cccb.edu/sites/default/files/pdf/Gender-Based%20Misconduct%20Policy.pdf>). In situations involving gender-based misconduct, you can seek advice from certain resources who are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These are individuals who the college has not specifically designated as "responsible employees" for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. These resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as RAs, faculty members, counseling interns, admissions officers, student activities personnel, and others. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

Some of these resources, such as RAs, are instructed to share incident reports with their supervisors, but they will not share any personally identifiable information about your report unless you give permission, except in the rare event that the incident reveals a need to protect your or other members of the community. If your personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect your privacy.

The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the College.

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus administration regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reports include but are not limited to directors, deans, department heads, advisors to students and student organizations, residence hall directors, residence assistants, athletic coaches, and local law enforcement agencies. The information that they share includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Victims of sexual misconduct should also be aware that college administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The college will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing

enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

You are encouraged to speak to officials of the institution to make formal reports of incidents (Title IX Coordinator(s), deans, vice presidents, chief financial officer, or other administrators with supervisory responsibilities, and human resources). The college considers these people to be “responsible employees.” Notice to them is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.

Access and Security of Facilities

During business hours, the College (excluding certain housing facilities) is open to students, parents, employees, contractors, guests, and invitees. Central is a private College and the campus and buildings are not public. Employees of the College may inquire of any persons on campus whom they do not recognize as to the purpose of their presence. During non-business hours access to all College facilities is by key and/or a handkey system or by admittance through the Maintenance Department or Student Development department.

The residence hall floors are secured 24 hours a day through the handkey system. The lobby doors to residence halls are locked from 12:00pm until 7:00am. The library, located in the Reese Resource Center, is normally open from 7am - 11pm on Monday through Thursday, 7am - 8pm on Friday, and 11am - 8pm on Saturday. An attendant is on duty at all times. The College bookstore is open from 9am - 6pm Monday, Tuesday, Thursday and Friday; 9am – 5pm on Wednesday; and 9am - 3pm on Saturday. Pelfrey Hall is open from 6am - 11pm, Monday through Friday; 10am - 11pm on Saturday, and 7pm - 11pm on Sunday. The Walton Student Center is open from 7am - 11:45pm Monday through Friday, 9am - 11:45pm on Saturday, and noon - 11:45pm on Sunday. After regular hours, access to Pelfrey Hall will be only through the front door. Entrance is by the handkey system or by the RA or staff on duty for authorized individuals.

Over extended breaks, the doors of all halls are secured around the clock and building hours and accessibility may vary according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. The College’s Physical Plant Manager, Housekeeping Supervisor, and Student Development staff regularly assesses security considerations in maintaining campus facilities. Concerns are discussed by the Student Development team in weekly team meetings. Issues of pressing concern are addressed by the Physical Plant Manager under the guidance of the Chief Financial Officer.

Security Personnel

Central Christian College of the Bible does not have security personnel. Campus security authorities (directors, deans, department heads, advisors to students and student organizations, residence hall directors, resident assistants, and athletic coaches) do not have authority to make arrests. All crime is to be reported to the Moberly Police Department (660-263-0346 OR 911 for emergencies). The Student Development department oversees campus safety and security. All crime victims and

witnesses are strongly encouraged to immediately report the crime to the Moberly Police Department and a campus security authority. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

The College does not have a written memorandum of understanding (MOU) or any other type of written agreement with any law enforcement agency for the investigation of alleged criminal offenses.

Employees of the College may inquire of any persons on campus whom they do not recognize as to the purpose of their presence. Persons who cannot demonstrate a legitimate reason for being on campus may be asked to leave. Any uncooperative person may be reported to law enforcement authorities and charged with trespassing.

Tickets may be issued by Residence Directors, maintenance personnel, library, or business office personnel. A speed limit of 15 miles per hour is to be obeyed by both students and staff at all hours of the day or night. Stop signs are to be obeyed. Reckless driving of any kind is forbidden. Violators of vehicle rules will receive a \$25.00 fine. Perpetual disobedience to the traffic and parking rules can lead to a student's being barred from having a car on campus.

Crimes Reported to Pastoral Counselors and Professional Counselors

According to 34 CFR 668.46(a), campus pastoral counselors and campus professional counselors, when acting in as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. A pastoral counselor is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

The College does not have procedures for voluntary, confidential reporting of crime statistics by pastoral counselors and professional counselors. They may inform those they counsel to report gender-based misconduct voluntarily and confidentially for inclusion in the College's annual security report. All other reports will be investigated. Violations of the law may be referred to law enforcement agencies and to a College Student Conduct Administrator for review. When a potentially dangerous threat to the College community arises, timely reports or warnings will be issued through the College email system or other means to students, faculty, and staff.

Security Awareness and Crime Prevention Programs

During orientation in August and January, new students are informed of campus security procedures and practices listed in the Student Handbook. All students and employees are encouraged to cooperate with College personnel to maintain the security or property and buildings and the safety of students, employees, and visitors to the College. Students and employees are encouraged to be aware of their own responsibility to take measures that lead to their own security and the security of others.

New students are informed about the nature and number of crimes occurring on campus in previous years and the general safety of the community surrounding the campus. Specific principles are

included to encourage safety. When timely warnings of crime are warranted, information is released to the College community through email alerts and if necessary, alerts posted throughout the campus residence halls and buildings.

As indicated by the College's annual crime statistics, Central is for the most part a safe campus. Given the occurrence of violence and shootings in schools, churches, and other public gathering places, Central's safety and security initiatives include implementation of the ALICE program (Alert, Lock Down, Inform, Counter, and Evacuate). The program teaches options that members of the campus community may employ in the event of a violent intruder on campus that include Alerting the campus and police, Locking in place if appropriate, Informing the campus, Countering the attack, and Evacuating as possible. While we pray that Central will never have to respond to such an event, we prepare by informing staff and students of some options that may make a difference if such an event were to take place. ALICE training is offered during new student orientation in August and January. ALICE procedures are found in the Violent Intruder Response Options section of the Student Handbook (<http://cccb.edu/sites/default/files/pdf/1112StudentHandbook.pdf>).

Emergency Response and Evacuation Procedures

Violent Intruder Events

In order to increase students' and staff's ability to respond to a violent intruder event, the following responses are recommended.

When there is an active shooter on campus, students and staff may:

- Evacuate
- Secure in Place
- Prepare to Fight
- Fight
- Report
- Provide First Aid
- Rally at Rally Point

Each situation may dictate one or more of these options. Changing situations may dictate changing responses.

Scenarios and Response Options

When you can EVACUATE the building:

- Trust your instincts!
- If you can evacuate, DO IT! GET OUT OF THE BUILDING and away from danger.
- Exit through whatever way is available. Avoid long hallways. Break windows if necessary.
- Run away from the building as quickly as possible.
- Call 911 and report all know facts.
- Alert others using 2-way radio.
- Gather at the designated RALLY POINT.

When you are unable to evacuate the building AND your door opens to the inside of the room:

- Trust your instincts!
- Take shelter in the nearest office, room, or closet.
- Lock and barricade the door with anything you have available (desks, chairs, etc.). Keep the shooter(s) out of your area.
- Tie down the door, if possible, with a belt attached to the door handle.
- Cover any windows that may be in the doors.
- Look for alternative escape routes (windows, additional doors in the area you are sheltered in, etc.).
- Call 911.
- Alert others using 2-way radio.

- Set your cell phone to vibrate or silent.
- Stay low to the ground and remain as quiet as possible.
- Breathe to manage your fear – focus your mind on your plan to survive.
- DO NOT answer the door for anyone. Law enforcement will enter the room after the incident is over.
- You may have to take the offensive if the shooter(s) enters your area. Gather weapons (pens, pencils, books, laptops, chairs, etc.) and mentally prepare your counter attack.
- Position yourself in the room in a location that will allow for the element of surprise if the shooter(s) enters.
- Plan to survive:
 - Obtain weapons (books, pens, pencils, laptops, chairs, etc.).
 - Counter attack as the suspect(s) enters your area. Distract and SWARM.
 - Play dead if you are injured and not able to flee or fight.

When you are unable to evacuate the building AND your door opens to the hallway (outside the room):

- Trust your instincts!
- Close and lock the door, if possible.
- Barricade the door with anything possible (desks, chairs, bags, etc.).
- Tie down the door, if possible, with a belt attached to the door handle.
- Cover any windows that may be in the doors.
- Look for alternate escape routes (windows, additional doors in the area you are sheltered in, etc.).
- Call 911.
- Alert others by using 2-way radio.
- Set your cell phone to vibrate or silent.
- Breathe to manage your fear – focus your mind on your plan to survive.
- Position yourself in the room in a location that will allow for the element of surprise if the shooter(s) enters.
- Plan to survive:
 - Obtain weapons (books, pens, pencils, laptops, chairs, etc.).
 - Counter attack as the suspect(s) enters your area. Distract and SWARM.
 - Play dead if you are injured and not able to flee or fight.

When you must evacuate the area where a shooter(s) is active:

- Trust your instincts!
- Run Option:
 - Run in a zig-zag pattern.
 - Cover your head with a bag, books, or other items that would offer some level of protection.
 - Do not stop running until you are well clear of the building.
- Window Option:
 - Consider if a fall from the window will kill you.
 - Break the window, if necessary.
 - Make an improvised rope out of clothing, belts, or any other item that can be used to limit the distance you will fall.
 - Hang by your hands from the window ledge before dropping.
 - Attempt to fall into shrubs, mulch, or grass to decrease the potential for injury.
 - Gather at the Rally Point.

When you cannot escape, but a shooter(s) is in your room:

- Trust your instincts!
- Options:
 - RUN
 - FIGHT
 - Throw anything available at the shooter(s), aiming at the face to distract his/her aim.

- Attack in a group (SWARM).
- Use all available weapons to attack and secure the shooter(s) – anything can be a weapon.
- Grab the shooter’s extremities (arms, legs, head) and take him/her to the ground using body weight to secure him/her.
- “Fight Dirty” to survive – bite, kick, gouge eyes, apply pressure, etc.
- Continue to fight until shooter is no longer a threat.
- Separate weapon from the shooter.
- Cover with a trash can and secure by one person lying on ground with both arms holding the trash can.
- If the group evacuates the room, carry the trash can with the weapon inside the trash can.
- Announce to law enforcement that there is a gun in the trash upon exiting the building or approaching law enforcement in the building.
- PLAY DEAD – dead if you are injured and not able to flee or fight.

When you have incapacitated the shooter(s):

- Call 911 and advise law enforcement the shooter(s) is down.
- Provide your location and stay on the line if possible.
- Alert others by using 2-way radio.
- Secure the suspect (belts, body weight, etc.).
- Remove any weapons away from the shooter but DO NOT HOLD THE WEAPON.
 - Cover the weapon with a trash can and secure by one person lying on ground with both arms holding the trash can.
 - If the group evacuates the room, carry the trash can with the weapon inside the trash can.
 - Announce to law enforcement that there is a gun in the trash upon exiting the building or approaching law enforcement in the building.
- DO NOT RUN from the room if the shooter(s) is incapacitated. Help will be there very soon.
- RAISE YOUR HANDS and DROP TO YOUR KNEES when law enforcement officers appear. Do not appear threatening to law enforcement officers.
- Provide first aid to others in the room as needed.

Emergency Notification

Central’s commitment to providing a safe learning environment results in providing a state of the art emergency text and email notification system through industry standard e2Campus. An added benefit to our students and staff is the ability to also enroll to receive text and/or email updates with specific information for the following groups:

- Emergency (Timely warnings of potential threats to safety, notification of security, natural hazard, an weather incidents/events)
- Activities (Student Life Activities @ CCCB)
- Announcements (All-campus announcements)
- Commuters (Information for off-campus students)
- Online (Information for online students)
- Prayer (Prayer requests from the CCCB family)
- Residential (Information for Residential Students)
- Sports News (Track the Saints games and scores)

Enroll today at cccb.edu/alerts. When creating an account you will only be able to enroll using a cell phone number or email address. Once enrolled and verified, you will be able to manage your account by adding additional phone numbers, email addresses, and feeds; adding or deleting group participation, and canceling your enrollment. If you enrolled last year, please check at

cccb.edu/alerts to make sure that your account information is current. Please contact Richard Rexrode (rrr@cccb.edu) if you have any questions or problems. All standard text messaging costs/fees/charges apply to the user.

In the event of an actual emergency, the campus community will be notified through text message and email. Students should take responsibility for regularly checking their College email and are encouraged to enroll to receive emergency text messages.

All crime is to be reported to the Moberly Police Department (660-263-0346 OR 911 for emergencies). All crime victims and witnesses are strongly encouraged to immediately report the crime to the Moberly Police Department and a campus security authority. Notification of situations or incidents that involve a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus is to be then made to the Student Development Office.

The Student Development Office has the responsibility of responding to and documenting any situation that may cause a significant emergency or dangerous situation. The Student Development office will determine if the situation does in fact, pose a threat to the community. If that is the case, the College will immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. The Student Development Office will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the department in collaboration with the Moberly Police Department and other emergency agencies, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Emergency response and evacuation procedures are tested at least twice each year with an evacuation drill which is coordinated by the Student Development Office each semester for all residential facilities. Students learn the locations of emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for different types of emergencies.

Evacuation drills are monitored by the Student Development Office to assess and evaluate the effectiveness of emergency plans and capabilities. Any equipment or plan deficiencies are communicated for repair and improvements to the appropriate departments for consideration.

The College community is made aware of the College's emergency response and evacuation procedures through orientation sessions, the Annual Security & Fire Report, the Student Handbook, and drills.

Criminal Activity at Off-Campus Locations of Student Organizations

The College does not have any off-campus student organizations.

Alcohol and Illegal Drug Policies

Central is committed to a drug-free environment. Because of the detrimental effects that illegal drug use has on our physical, mental, and spiritual health, it is the policy that no student or staff member will be allowed to use illegal drugs on- or off-campus. The unlawful possession, use, or distribution of illicit drugs or alcohol by students or employees on or off the school property is prohibited.

If it is determined that such use or distribution has occurred, or is occurring, the student will be dismissed and urged, if necessary, to find a counselor or treatment center through the American Association of Christian Counselors (www.aacc.net/resources/find-a-counselor/).

In addition, local, state and federal laws also prohibit the unlawful possession, use, distribution and sale of alcohol and illicit drugs. Criminal penalties for violation of such laws range from fines up to \$20,000 to imprisonment for terms up to and including life.

If at a later time, the person wishes again to become a student at Central Christian College, an investigation will be conducted by the Vice President of Student Development to determine if any drug problem still exists. If there is sufficient evidence that the student no longer is using illegal substances, he or she may, if all other requirements are met, reenter the school. However, the student will be on disciplinary probation for the first semester of study following re-entry.

Drug & Alcohol Prevention Program

Central Christian College of the Bible's Drug and Alcohol Prevention Program is comprised of the following components. The program consists of the distribution of policies of the College and is given to each student each year during registration through distribution of the Student Handbook. Included in the handbook are the College's expectations of its students and staff to maintain a drug and alcohol free environment and the consequences if a violation occurs. An informational piece, "Winning the Battle Against Drugs" (published by the Missouri State Highway Patrol's Public Information and Educational Division), will be given to the students and staff each year during the registration period at the beginning of each semester. This piece provides information on preventing drug and alcohol abuse and the associated health risks and is available at <http://www.mshp.dps.missouri.gov/MSHPWeb/Publications/Brochures/documents/SHP-553.pdf>. The Vice President of Student Development administers the Prevention Program and reviews the program at least once every two years to determine its effectiveness and to ensure that its sanctions are being enforced. Any violation, as defined by the annual Campus Crime Report, will be reported to the Department of Education using the report as its means of communication.

Students who struggle with drug, alcohol, and tobacco use are encouraged to see the Director of Student of Student Services for advice and options for assistance.

Sex Offense Policy

The College informs the student community about sexual assaults through mandatory freshman orientation each fall. The attached Gender-based Sexual Misconduct Policy reflects what the College does to prevent sex offenses and the procedures it follows when a sex offense or alleged sex offense occurs.

Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offences

The College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime of offense, the College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Sexual Offender Registration

Information provided by the State of Missouri concerning registered sex offenders is provided to the College by the Randolph County Sheriff's Office and is available in the College Student Services

department. It is also available directly from the Sheriff's Office located at 223 N. Williams, Moberly, MO 65270 (660-263-0095).

Missing Student Notification Policy

In accordance with federal law, it is the policy of Central Christian College of the Bible that each student will be informed annually of the following missing student notification procedure.

Registering Confidential Contact

Any student may identify a confidential contact to be notified not more than 24 hours after the student is determined missing. Students may register this confidential contact by completing a form available during registration or by contacting the Director of Student Services in the Student Development Suite in Pelfrey Hall.

Emergency Contact Procedures

Missing persons should be reported to campus Student Development personnel (Residence Directors, Student Life Coordinator, Campus Security Coordinator, Director of Student Services, Deans, or the VP of Student Development). The missing person report will be immediately referred to the VP of Student Development, Director of Student Services, or the Campus Security Coordinator. Once a missing persons report has been filed with Student Development personnel, the following emergency contact procedures will be initiated no later than 24 hours after a student is determined missing:

- The VP of Student Services, Director of Student Services, or Campus Security Coordinator will notify law enforcement, the student's confidential contact, and the Student Development Committee.
- If a student is under 18 years of age and not emancipated, the missing student's custodial parent or guardian will be notified by the VP of Student Development or his/her designee no later than 24 hours after the student is determined missing.

The Director of Student Services will notify other campus offices and personnel having a need to know.

2008-2010 Crime Statistics

| Offense | Year | On-Campus Property | *Residential Facilities | Non-Campus Property | Adjacent Public Property |
|---|------|--------------------|-------------------------|---------------------|--------------------------|
| Murder/Non-Negligent Manslaughter | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Sex Offenses, Forcible | 2008 | 1 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Sex Offenses, Non-forcible | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 1 |
| | 2010 | 0 | 0 | 0 | 0 |
| Robbery | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Aggravated Assault | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Burglary | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Arson | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Arrests: Weapons: Carrying, Possessing, Etc. | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons, Carrying, Possessing, Etc. | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Arrests: Drug Abuse Violations | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |

| | | | | | |
|---|------|---|---|---|---|
| Disciplinary Referrals: Drug Abuse Violations | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Arrests: Liquor Law Violations | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 2008 | 0 | 0 | 0 | 0 |
| | 2009 | 0 | 0 | 0 | 0 |
| | 2010 | 0 | 0 | 0 | 0 |

* The Residence Facilities column is a sub category of the On-Campus Property column that indicates the number of crimes reported in the On-Campus Property column that occurred in student residence facilities.

Hate Crimes

There were no reported hate crimes for the years 2008, 2009 or 2010.

Fire Safety Report

In accordance with the Higher Education Opportunities Act of 2008, Central Christian College of the Bible is providing mandatory fire safety information as part of this Annual Report. All reports of fires and fire alarms are maintained in a log in the College's Student Development Department. Data collected includes, but is not limited to, the building name; alarm location; time and date; the number and cause of each fire; any and all injuries; any fatalities; and dollar values for property damaged by the fire.

In an effort to keep the campus safe and secure from fire, the Annual Fire Safety Report is intended to:

- result in a more informed public
- identify any potential fire problems
- communicate and evaluate fire safety plans and polices
- evaluate protective system performance
- enhance training programs, protocols, and practices

On-Campus Student Housing Facility Fire Safety System

Central Christian College of the Bible has three residence halls: Mabee Foundation Hall, Lang Hall, and Spurling Hall. The following fire safety systems are in place.

Mabee Foundation Hall

- fire and smoke detectors in each room and hallway
- entire building alarm
- first and second floor wet sprinkler system
- third floor dry suppression system
- emergency exits through stairwells
- three fire extinguishers on each floor

Lang Hall

- three fire and smoke detectors in each hallway
- entire building alarm
- one fire extinguisher on each floor
- one fire extinguisher in the basement and one in the lobby
- pull alarm on each floor

Spurling Hall

- two fire and smoke detectors in each hallway
- entire building alarm
- three fire extinguishers on each floor
- one fire extinguisher in the lobby
- pull alarm on each floor

Student housing facilities are inspected annually by the Moberly Fire Department. Fire extinguishers are inspected yearly by Cintas.

Student Housing, Open Flames, and Smoking Policies

No kitchen facilities are provided in the dormitories. Students may have limited cooking appliances in their rooms, including a microwave, slow cooker, "George Foreman" type grill, refrigerator, or

coffee (with automatic shutoff). No other cooking appliances are allowed and will be confiscated. Cleanliness of appliances must be maintained at all times in order to keep from attracting bugs and mice. Before leaving for breaks, all students must complete a before-break checklist as specified by the Residential Staff. This is provided by the RD's and RA's and usually includes tasks such as emptying trashcans, unplugging unnecessary appliances, removing food, and tidying the room for return.

Due to the potential damage from fire and smoke, candles are not allowed to be ignited anywhere in the residence halls. Exceptions may be made in case of power outages. Candle warmers may be used to freshen up the smell of a room without the danger of an open flame. Central is a smoke free campus and zone. No smoking is allowed.

Procedures for Student Housing Evacuation in the Case of a Fire and Fire Drills

In case of a fire all occupants should exit the building in an orderly manner as quickly as possible, closing all doors behind them. Central maintains a Natural Hazards Mitigation Plan in conjunction with Randolph County to promote sound public policy designed to protect citizens, critical facilities, infrastructure, private property, and the environment from natural hazards.

Central had one fire drill in 2010 coordinated with the Moberly Fire Department. The College plans on implementing a more comprehensive fire safety education and training program during the 2011 Spring semester's orientation and registration. Each student is provided information about how to access to the online Student Handbook during registration.

Responding to a Fire Emergency

- Immediately pull the nearest fire alarm as you exit the building.
- Evacuate the building.
- Call 911 when you are safely away from danger.
- Call or notify a Residence Director, Residence Assistant, or Residence Life Staff. If you are not able to reach a College employee, call the on-duty number (660-998-4102).

2008-2010 On-Campus Student Housing Fire Statistics

| Student Housing Facility | Date of Fire | Time of Fire | Nature of Fire | No. of Fire-Related Injuries that Resulted in Treatment at a Medical Facility | No. of Deaths Related to Fire | Value of Property Damage Caused by Fire |
|--------------------------|--------------|--------------|--|---|-------------------------------|---|
| 2010 | | | | | | |
| Mabee Foundation Hall | None | None | None | 0 | 0 | \$0 |
| Lang Hall | 9/23 | 6:30pm | Student burned paper in coffee can in dorm room. | 0 | 0 | \$0 |
| Spurling Hall | None | None | None | 0 | 0 | \$0 |
| 2009 | | | | | | |
| Mabee Foundation Hall | None | None | None | 0 | 0 | \$0 |
| Lang Hall | None | None | None | 0 | 0 | \$0 |
| Spurling Hall | None | None | None | 0 | 0 | \$0 |
| 2008 | | | | | | |
| Mabee Foundation Hall | None | None | None | 0 | 0 | \$0 |
| Lang Hall | None | None | None | 0 | 0 | \$0 |
| Spurling Hall | None | None | None | 0 | 0 | \$0 |

Gender-Based Misconduct Policy

INTRODUCTION

Members of the college community, guests and visitors have the right to be free from sexual violence. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others, conforms to Biblical purity, and expresses godly love that does no wrong to others. Central Christian College of the Bible believes in a zero tolerance policy for gender-based misconduct. When an allegation of misconduct is brought to an appropriate administration's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO PHYSICAL SEXUAL MISCONDUCT

Central students are expected to conduct themselves with sexual purity and guard against even the appearance of sexual impropriety. The Word of God is clear: "among you there must not be even a hint of sexual immorality ... because these are improper for God's holy people" (Ephesians 5:3, NIV). Therefore students are expected to abstain from sexual intimacy between people who are not legally married (as defined in the State of Missouri) to each other. More information about Central's expectation of sexual purity may be found in the Student Handbook.

Title IX of the Education Amendment of 1972 prohibits discrimination on the basis of sex in educational programs or activities operated by recipients of Federal financial aid. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or any intellectual or other disability. The National Institute of Justice found that about 1 in 5 women and 6.1 percent of males are victims of completed or attempted sexual assault in college.

Sexual harassment and sexual violence are unacceptable – especially among a campus community of spiritually minded students seeking to become equipped for vocational church leadership and volunteer Christian ministry. In cases of sexual harassment and sexual violence, the college endorses the obligations mandated by the Department of Education to prevent and respond to sexual harassment and sexual violence.

Title IX requires the college to provide a notice of nondiscrimination, notice of the college's Title IX coordinator, and notice of grievance procedures. These are found in this document (Gender-Based Misconduct Policy).

The expectations of our community regarding sexual harassment and sexual violence can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence – without actions demonstrating permission – cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” and “Yes” may not always mean “Yes.” Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “no.”

OVERVIEW OF POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. The college does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the college. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student) are generally discouraged. Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, and will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. This includes RA's and students over whom they have direct responsibility. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee.

Sexual Violence – Risk Reduction Tips

The following tips are presented with the following caveat. The college expects all students to adhere to the limits of sexual conduct and alcohol and drug policy established in the Student Handbook and Student Code. The choice to exceed the college's limits of sexual conduct and use of alcohol or drugs never makes the victim at fault for sexual violence.

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to **reduce your risk of experiencing a non-consensual sexual act**. Below, suggestions to avoid committing a non-consensual sexual act are also offered.

1. Make your limits known as early as possible.
2. Tell a sexual aggressor “NO” clearly and firmly.
3. Try to remove yourself from the physical presence of a sexual aggressor.
4. Find someone nearby and ask for help.

5. Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
6. Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in a position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you **to reduce your risk for being accused of sexual misconduct**:

1. Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
2. Understand and respect personal boundaries.
3. **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you **DO NOT** have consent.
4. Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
5. Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
6. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
7. Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
8. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

In campus hearings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the college never assumes a student is in violation of college policy. Campus hearings are conducted to take into account the totality of all evidence available, from all relevant sources.

The college reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the college reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending upon the severity of the offense. The college will consider the concerns and rights of both the complainant and the person accused of sexual misconduct.

Sexual Misconduct Offenses Covered by this Policy Include, But Are Not Limited To:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempt to commit same)
3. Non-Consensual Sexual Intercourse (or attempts to commit same)
4. Sexual Exploitation

1. SEXUAL HARASSMENT:

Sexual Harassment is

- unwelcome, gender-based verbal or physical conduct that is,
- sufficiently severe, pervasive and objectively offensive that it,
- unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the college's educational program and/or activities, and is
- based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

2. NON-CONSENSUAL SEXUAL CONTACT:

Non-Consensual Sexual Contact is

- any intentional sexual touching or making another touch you or themselves,
- however slight,
- with any object or body part,
- by a man or a woman upon a man or a woman,
- that is without consent and/or by force.

If you are unsure if you have experienced Non-Consensual Sexual Contact you may find more information by contacting the Director of Student Services.

3. NON-CONSENSUAL SEXUAL INTERCOURSE:

Non-Consensual Sexual Intercourse is

- any sexual intercourse
- however slight,
- with any object or body part,
- by a man or woman upon a man or a woman,
- that is without consent and/or by force.

If you are unsure if you have experienced Non-Consensual Sexual Intercourse you may find more information by contacting the Director of Student Services.

4. SEXUAL EXPLOITATION:

Sexual Exploitation occurs when a student takes a non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

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

- invasion of sexual privacy;
- prostituting another student;

- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another student;
- exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

Additional Applicable Definitions

1. CONSENT:

Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

2. FORCE:

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and **coercion*** that overcome resistance or produce consent ("Have sex with me or I'll hit you. Okay, don't hit me, I'll do what you want.").

- ***Coercion** is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- NOTE: There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
- In order to give effective consent, one must be of legal age.
- Sexual activity with someone who one should know to be – or based on the circumstances should reasonably have known to be – mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.
 - **Incapacitation** is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).
 - This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org>.

- Use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.
- The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. For reference to the pertinent state statutes on sex offenses, please see the Director of Student Services.

Sanction Statement

- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous campus code violations.*
- Any student found responsible for violating the policy on Non-Consensual or Forced Sexual Intercourse will likely face a recommended sanction of suspension or expulsion.*
- Any student found responsible for violating the policy on sexual exploitation or sexual harassment will likely receive a recommended sanction ranging from warning to expulsion, depending on the severity of the incident, and taking into account any previous campus conduct code violations.*

*The conduct body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

OTHER MISCONDUCT OFFENSES (WILL FALL UNDER TITLE IX WHEN GENDER-BASED)

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the college community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
6. Violence between those in an intimate relationship to each other;
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

Confidentiality, Privacy and Reporting Policy

Institutions must clearly articulate who are “responsible employees” under Title IX for purposes of initiating notice and/or investigation, and those who have more discretion on how they act in response to notice of gender-based discrimination. Different people on campus have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the college and upon college policy.

When consulting campus resources, all parties should be aware of confidentiality, privacy, and mandatory reporting in order to make informed choices. **On campus, some resources can offer you confidentiality, sharing options and advice without any obligation to tell anyone unless you want them to.** Other resources are expressly there for you to report crimes and policy violations and they will take action when you report your victimization to them. Most resources on campus fall in the middle of these two extremes. Neither the college nor the law requires them to divulge private information that is shared with them except in certain circumstances, some of which are described below. A victim may seek assistance from these college officials without starting a formal process that is beyond the victim's control, or violates her/his privacy.

TO REPORT CONFIDENTIALLY

If one desires that details of the incident be kept confidential, they should speak with off-campus mental health counselors, health service providers or rape crisis resources who can maintain confidentiality. In addition, you may speak on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them.

REPORTING TO THOSE WHO CAN MAINTAIN THE PRIVACY OF WHAT YOU SHARE

You can seek advice from certain resources who are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These are individuals who the college has not specifically designated as "responsible employees" for purposes of putting the institution on notice and for whom mandatory reporting is required, other than in the stated limited circumstances. These resources include those without supervisory responsibility or remedial authority to address sexual misconduct, such as RAs, faculty members, counseling interns, admissions officers, student activities personnel, and others. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

Some of these resources, such as RAs, are instructed to share incident reports with their supervisors, but they will not share any personally identifiable information about your report unless you give permission, except in the rare event that the incident reveals a need to protect your or other members of the community. If your personally identifiable information is shared, it will only be shared as necessary with as few people as possible, and all efforts will be made to protect your privacy.

NON-CONFIDENTIAL REPORTING OPTIONS

You are encouraged to speak to officials of the institution to make formal reports of incidents (Title IX Coordinator(s), deans, vice presidents, chief financial officer, or other administrators with supervisory responsibilities, and human resources). The college considers these people to be "responsible employees." Notice to them is official notice to the institution. You have the right and can expect to have incidents of sexual misconduct to be taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.

FEDERAL STATISTICAL REPORTING OBLIGATIONS

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus administration regarding the type of incident and its general location (on or off-

campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reports include but are not limited to directors, deans, department heads, advisors to students and student organizations, residence hall directors, residence assistants, athletic coaches, and local law enforcement agencies. The information that they share includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

FEDERAL TIMELY WARNING REPORTING OBLIGATIONS

Victims of sexual misconduct should also be aware that college administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The college will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

Questions and Answers

Here are some of the most commonly asked questions regarding the college's sexual misconduct policy and procedures.

Does the information about a complaint remain private?

The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the college's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused student may lead to conduct action by the college.

In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain college administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the college, the Title IX Coordinator(s), and VP of Student Development & Enrollment). If there is a report of an act of alleged sexual misconduct to a conduct officer of the college and there is evidence that a felony has occurred, local police may be notified. This does not mean charges will be automatically filed or that a victim must speak with the police, but the institution may be legally required to notify law enforcement authorities. The institution must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

Will my parents be told?

No, not unless you tell them. Whether you are the complainant or the accused student, the college's primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. College officials will directly inform parents when requested to do so by a student, in a life-threatening situation, or if an accused student has signed the permission form at registration which allows such communication.

Will the accused student know my identity?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused student has the right to know the identity of the complainant/alleged victim. If there is a hearing, the college does provide options for questioning without confrontation, Skype, or using a room divider.

Do I have to name the perpetrator?

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete confidentiality policy above to better understand the college's legal obligations depending on what information you share with different college officials). Victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

What do I do if I am accused of sexual misconduct?

DO NOT contact the alleged victim. You may immediately want to contact someone in the campus community who can act as your advisor. You may also contact the Student Conduct Office, which can explain the college's

procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor or seek other community assistance. See below regarding legal representation.

Will I (as a victim) have to pay for counseling/or medical care?

The college does not provide these services. When accessing community services, payment for these will be subject to state/local laws, insurance requirements, etc. For assistance in identifying and accessing community services please see the Director of Student Services.

What about legal advice?

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because representation will be handled by the District Attorney's office. You may want to retain an attorney if you are the accused student or are considering filing a civil action. The accused student may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the campus conduct proceeding.

What about changing residence hall rooms?

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused student to move, and believe that you have been the victim of sexual misconduct, you must be willing to pursue a formal or informal college complaint. No contact orders can be imposed and room changes for the accused student can usually be arranged quickly. Other accommodations available to you might include:

- Assistance from college support staff in completing the relocation;
- Arranging to dissolve a housing contract and pro-rating a refund;
- Assistance with or rescheduling an academic assignment (paper, exams, etc.);
- Taking an incomplete in a class;
- Assistance with transferring class sections;
- Temporary withdrawal;
- Assistance with alternative course completion options;
- Academic support services such as tutoring;
- Other accommodations for safety as necessary.

What should I do about preserving evidence of a sexual assault?

Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room, before washing yourself or your clothing. Some hospital's have a Sexual Assault Nurse Examiner (SANE: a specially trained nurse) at the hospital who is usually on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). The college may be able to help identify someone who can accompany you to the hospital and to law enforcement and provide transportation. If a victim goes to the hospital, local police may be called, but she/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligation him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.

For the Victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.

Will a victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?

The college's primary concern is for your safety. Any other rules violations will be addressed separately from the sexual violence allegation. The use of alcohol or drugs never makes the victim at fault for sexual violence. The severity of the infraction will determine the nature of the college's response, but whenever possible the college will respond educationally rather than punitively to the use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and the college does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.

Will the use of drugs or alcohol affect the outcome of a sexual misconduct complaint?

The use of alcohol and/or drugs by either party will not diminish the accused student's responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the accused without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation by an accused student.

Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

What should I do if I am uncertain about what happened?

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the Director of Student Service who can help you to define and clarify the event(s), and advise you of your options.

Civil Rights Grievance and Investigation Process

Definitions

1. **SEXUAL HARASSMENT:** Unwelcome, gender-based verbal or physical conduct is sufficiently severe, pervasive and objectively offensive that it unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the College's educational program. The unwelcome behavior may be based on power differentials (quid pro quo), the creation of a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.
2. **DISCRIMINATION:** Any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual's race, color, national origin, sex, disability, or age that is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the college's educational program or activities.
3. **DISCRIMINATORY HARASSMENT:** Detrimental action based on an individual's race, color, national origin, sex, disability, or age that is so severe, pervasive and objectively offensive that it interferes with or limits a student's ability to participate in or benefit from the college's educational program or activities.
4. **RETALIATORY HARASSMENT:** Intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a civil rights grievance proceeding.

SEXUAL HARASSMENT OF A STUDENT BY ANOTHER STUDENT

Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student that is so severe, pervasive and objectively offensive that it interferes with or limits a student's ability to participate in or benefit from the College's educational program or activities.

SEXUAL HARASSMENT OF A FACULTY/STAFF MEMBER BY A STUDENT

Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed toward a faculty/staff member by a student that is so severe, pervasive and objectively offensive that it substantially interferes with employment or living conditions or deprives the individual of employment access or benefits.

SEXUAL HARASSMENT OF A STUDENT BY A FACULTY/STAFF MEMBER

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a faculty or staff member toward a student are held to constitute sexual harassment when:

- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating an individual's educational development or performance; or
- Such conduct is so severe, pervasive and objectively offensive that it interferes with or limits a student's ability to participate in or benefit from the college's educational program and activities.

While a particular interaction must be offensive to both a reasonable person and to the victim to be defined as harassment, faculty and staff members and other persons of authority should be sensitive to questions about mutuality of consent that may be raised and to the conflict of interests that are inherent in personal relationships that result from professional and educational interactions. Harassment is particularly damaging when it exploits the educational dependence and trust between students and faculty/staff. When the authority and power inherent in faculty/staff relationships with students, whether overtly, implicitly, or through misinterpretation, is abused in any way, there is potentially great damage to the individual student, to the accused individual, and to the climate of the institution.

COMPLAINTS CONCERNING DISCRIMINATION AND/OR HARASSMENT

The college does not permit discrimination or harassment in our programs and activities on the basis of gender, race, color, national origin, sex, disability, or age. Students who believe they have been subjected to discrimination or harassment in violation of this policy should follow the procedure outlined in this policy to report these concerns.

This process involves an immediate initial investigation to determine if there is reasonable cause to believe the nondiscrimination policy has been violated. If so, the college will initiate a prompt, thorough and impartial investigation. This investigation is designed to provide a fair and reliable determination about whether the college's nondiscrimination policy has been violated. If so, the college will implement a prompt and effective remedy designed to end the discrimination, prevent its recurrence and address its effects.

Students who wish to report a concern or complaint relating to discrimination or harassment may do so by reporting the concern to the College Title IX Coordinator(s): Richard Rexrode (VP of Student Development) or Rhonda Dunham (Financial Aid Director).

Richard Rexrode, Title IX Coordinator
VP of Student Development & Enrollment
Walton Student Center
660-263-3900 (extension 167, office)
888-263-3900 (toll free, extension 167, office)
660-998-4116 (cell)

Rhonda Dunham, Assistant Title IX Coordinator
Financial Aid Director
Pelfrey Hall – First Floor – Admissions/Business Office Hall (see receptionist in Pelfrey Hall's lobby)
660-263-3900 (extension 121, office)
888-263-3900 (toll free, extension 121, office)

Individuals with complaints of this nature also always have the right to file a formal complaint with the United States Department Education:

Office for Civil Rights (OCR)
400 Maryland Avenue, SW
Washington, DC 20202-1100 Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012 TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

FORMAL AND INFORMAL GRIEVANCE PROCEDURE FOR STUDENT COMPLAINTS

This procedure is intended to apply to student civil rights grievances against employees, employee civil rights grievances against students, and student-on-student civil rights grievances. All other grievances by students against students or employees against students will be addressed through the student conduct procedures located in the Student Handbook.

The college community benefits from formal and informal procedures that encourage prompt resolution of complaints and concerns that students may have about the implementation of policies and procedures that govern the institution.

INFORMAL DISPUTE RESOLUTION EFFORTS: A USEFUL FIRST STEP BEFORE FILING FORMAL COMPLAINTS

For grievances other than sexual harassment and sexual violence, before pursuing the formal complaint process, every reasonable effort should be made to constructively resolve issues with faculty, staff, or administrators, including following procedures for formal appeal. Whenever possible and safe, the problem or complaint should first be discussed with the individual involved in the complaint. If satisfactory resolution is not reached after discussion with the individual, the student should contact the individual's direct supervisor to attempt to resolve the complaint. If these efforts are unsuccessful, the formal complaint process may be initiated. The college does not require a student to contact the person involved or that person's supervisor if doing so is impracticable, or if the student believes that the conduct cannot be effectively addressed through informal means.

For cases involving allegations of sexual harassment, students **may** follow an informal process but **are not required** to work out the problem directly with the alleged perpetrator. Students may end an informal process at any time and begin the formal stage of the complaint process.

For cases involving allegations of sexual assault, informal procedures will not be used to resolve sexual assault complaints. The formal process will be followed for all cases involving allegations of sexual assault.

FORMAL GRIEVANCE PROCESS

The college's student conduct officers are designated to formally investigate student grievances, address inquiries and coordinate the college's compliance efforts regarding student complaints and grievances. Notice of a formal complaint can be made in person or orally to an appropriate official, but the college strongly encourages submission of grievances in writing, by email attachment as a MS Word or PDF document, in other written form to the college's Title IX Coordinators Richard Rexrode or Rhonda Dunham, and Student Conduct Administrator(s) (Dean of Men or Dean of Women). See earlier in this document (Gender-based Misconduct Policy) for the college's Title IX Coordinators contact information.

The grievance should clearly and concisely describe the alleged incident(s), when and where it occurred, and the desired remedy sought. The grievance should be signed by the initiator or, in the case of an email submission, sent as an email attachment, in letter format and should contain the name and all contact information for the grievant. Any supporting documentation and evidence should be referenced within the body of the formal grievance. Additionally, the initiator of a formal grievance should submit any supporting materials in writing as quickly as is practicable.

The grievant's supporting documentation should clearly demonstrate all informal efforts, if any, to resolve the issue(s) with the person involved and the person's supervisor. This includes names, dates and times of attempted or actual contact along with a description of the discussion and the manner of communication

made in the course of each effort. If contacting the person involved and/or the supervisor is impracticable, the grievant should state the reasons why.

Upon receipt of a grievance the Student Conduct Administrator will open a formal case file and will assign a case officer who will direct the investigation and confer with the Title IX Coordinator on interim action, accommodations for the alleged victim, or other necessary remedial short-term actions. The VP of Student Development may authorize the same student conduct officer to function simultaneously or subsequently in the roles of Student Conduct Administrator, case officer, and Student Conduct Hearing Board.

The Student Conduct Administrator will then take the following steps:

- In coordination with the campus Title IX Coordinator, initiate any necessary remedial actions;
- Determine the identity and contact information of the complainant (whether that be the initiator, the alleged victim, or a College proxy or representative);
- Identify the correct policies allegedly violated;
- Conduct an immediate initial investigation to determine if there is reasonable cause to charge the accused individual, and what policy violations should be alleged as part of the complaint;
 - If there is insufficient evidence to support reasonable cause, the grievance should be closed with no further action;
- Meet with the complainant to finalize the complaint and
- Prepare the notice of charges on the basis of the initial investigation;
- Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the accused individual, who may be given notice prior to or at the time of the interview;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
- Present the findings to the accused individual, who may accept the findings, accept the findings in part and reject them in part, or may reject all findings;
- Share the findings and update the complainant on the status of the investigation and the outcome.

Where the accused individual is found not responsible for the alleged violation(s), the investigation should be closed. Where the accused individual accepts the finding that s/he violated college policy, the Student Conduct Administrator(s) will impose appropriate sanctions for the violation, after consultation with the Title IX Coordinator(s). The College will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the college community.

In the event that the accused individual rejects the findings in part or entirely, the Student Conduct Administrator will convene a hearing under the college's respective procedures to determine whether the accused individual is in violation of the contested aspects of the complaint. At the hearing, the findings of the investigation will be admitted, but are not binding on the decider(s) of fact. The Student Conduct Administrator(s) may give evidence. The hearing will determine whether it is more likely than not that the accused individual violated the policies forming the basis of the charge. The goal of the hearing is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants.

The Student Conduct Administrator has final decision making authority with regard to formal complaints, subject to appeal. Where an accused individual is found in violation, the Student Conduct Administrator will impose appropriate sanctions for the violation, after consultation with the Title IX Coordinator. The college will act to end the discrimination, prevent its recurrence, and remedy its effects on the victim and the college community. Appeal proceedings as described in this code will apply to all parties to the complaint.

ELABORATION ON STUDENT PARTICIPATION IN THE GRIEVANCE PROCESS

The Student Conduct Administrator will contact or request a meeting with the initiator of the formal grievance, and the complainant (if different people). The investigator also may contact or request a meeting with relevant college staff, students, or others as part of the investigation. The complainant may request to meet and discuss the allegations of the grievance with the Student Conduct Administrator and may offer any documentation, witnesses, or other materials in support of the complaint. The complainant has the option to have an advocate during a meeting with the Student Conduct Administrator to discuss the documentation submitted by the student in support of the grievance. Such an advocate should be a member of the college community: student, faculty member, academic advisor, or staff member.

The complainant must advise the case officer of the identity of an advocate or witness at least two (2) business days before the date of the meeting with the case officer. During a meeting with the case officer, an attorney acting as a lawyer may not serve as the student's advocate or formally represent the student. These procedures are entirely administrative in nature and are not considered legal proceedings. No audio or video recording of any kind other than as required by institutional procedure is permitted, nor is formal legal representation allowed. At the Student Conduct Administrator's discretion, the case officer may remove anyone disrupting the meeting from the discussion. All these same opportunities and privileges extend to all parties to the complaint.

TIME FRAME AND GROUNDS FOR FILING AN APPEAL REQUEST

In the event that an accused individual accepts the findings of the investigation, those findings cannot be appealed. Sanctions imposed by the Student Conduct Administrator's post-investigation can be appealed by any party according to the grounds, below. Post-hearing, any party may appeal the findings and/or sanctions only under the grounds described, below.

All sanctions imposed by the original hearing body will be in effect during the appeal. A request may be made to the Student Development Administrator for special consideration in exigent circumstances, but the presumptive stance of the institution is that the sanctions will stand. Graduation, study abroad, internships/externships, etc. do NOT in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

The decision of the Student Conduct Administrator may be appealed by petitioning Student Conduct Administrator. Accused students or complainants must petition within 5 business days of receiving the written decision for a review of the decision or the sanctions imposed. Any party who files an appeal must do so in writing to the Student Conduct Administrator (SCA). The SCA will share the appeal with the other party (e.g., if the accused student appeals, the appeal is shared with the complainant, who may also wish to file a response), and then the SCA will draft a response memorandum (also shared with all parties). All appeals and responses are then forwarded to the appeals officer/committee for initial review to determine if the appeal meets the limited grounds and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final. If the appeal has standing, the documentation is forwarded for consideration. The party requesting appeal must show error as the original finding and sanction are presumed to have been decided reasonably and appropriately. The ONLY grounds for appeal are as follows:

1. A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);

2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
3. The sanctions imposed are substantially disproportionate to the severity of the violation.

If the appeals officer or committee determines that new evidence should be considered, it will return the complaint to the original hearing body to reconsider in light of the new evidence, only. The reconsideration of the hearing body is not appealable.

If the appeals officer or committee determines that a material procedural or substantive error occurred, it may return the complaint to the original hearing body with instructions to reconvene to cure the error. In rare cases, where the procedural or substantive error cannot be cured by the original hearing officers (as in cases of bias), the appeals officers or committee may order a new hearing on the complaint with a new body of hearing officers. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on the three applicable grounds for appeals.

Appellate boards reviewing an appeal based upon an assertion of substantive error review the Student Conduct Administrator's decision in order to determine whether it was supported by substantial information. Substantial information means such relevant information as a reasonable mind might accept as adequate to support a conclusion. In making such a determination, the appellate board will not substitute its judgment for the judgment of the student conduct board. Instead, the appellate board respects that credibility judgments made by the student conduct board and reviews the student conduct board's determination only to see whether there was information before the student conduct board that supported the result it reached.

If the appeals officer or committee determines that the sanctions imposed are disproportionate to the severity of the violation, the appeals officer or committee will return the complaint to the student conduct administrator, which may then increase, decrease or otherwise modify the sanctions. This decision is final.

The determination of whether sanctions are proportionate will be viewed as a "stand alone" outcome. The impact of the sanction is different than the sanction itself. The other impacts on the student's life are not withstanding. For example: A violation of the college's policy where the sanction is a one-year suspension is not "disproportionate" because of graduation status, time in the semester, pending internship/job/externship/graduate school, and/or application.

The procedures governing the hearing of appeals include the following:

- All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Every opportunity to return the appeal to the original hearing body for reconsideration (remand) should be pursued;
- Appeals are not intended to be full rehearings of the complaint (de novo). In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;
- This is not an opportunity for appeals officers to substitute their judgment for that of the original hearing body merely because they disagree with its finding and/or sanctions. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so;
- Sanctions imposed are implemented immediately unless the student conduct administrator stays their implementation in extraordinary circumstances, pending the outcome of the appeal.

- The appeals committee or officer will render a written decision on the appeal to all parties within seven (7) business days* from hearing of the appeal. The committee's decision to deny appeal requests is final.

SPECIAL GRIEVANCE PROCESS PROVISIONS

1. Attempted violations

In most circumstances, the college will treat attempts to commit any of the violations listed in the Student Conduct Code, Student Handbook, and this policy as if those attempts had been completed.

2. College as Complainant

As necessary, the college reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.

3. False Reports

The college will not tolerate intentional false reporting of incidents. It is a violation of the Student Conduct Code to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

4. Immunity for Victims and Witnesses

The college community encourages the reporting of Conduct Code violations, especially sexual misconduct. Sometimes, victims or witnesses are hesitant to report to college officials or participate in grievance processes because they fear that they themselves may be charged with policy violations, such as underage drinking at the time of the incident. It is in the best interest of this community that as many victims as possible choose to report to college officials, and that witnesses come forward to share what they know. To encourage reporting, college pursues a policy of offering victims of sexual misconduct and witnesses limited immunity from being charged for policy violations related to the sexual misconduct incident. While violations cannot be completely overlooked, the college will provide educational rather than punitive responses, in such cases.

5. Bystander Engagement

The welfare of students in our community is of paramount importance. At times, students on and off-campus may need assistance. The college encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, as student who has been drinking underage might hesitate to help take a sexual misconduct victim to the Campus Police). The college pursues a policy of limited immunity for students who offer help to others in need. [While policy violations cannot be overlooked, the college will provide educational options, rather than punishment, to those who offer their assistance to others in need.

6. Parental Notification

The college reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The college may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is not-dependent, the college will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or

safety risk. The college also reserves the right to designate which college officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act.

7. Notification of Outcomes

The outcome of a campus hearing is part of the educational record of the accused student, and is protected from release under a federal law, FERPA. However, the college observes the legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and relationship violence incidents have an absolute right to be informed of the outcome, essential findings, and sanctions of the hearing, in writing, without condition or limitation.
- The college may release publicly the name, nature of the violation and the sanction for any student who is found in violation of a college policy that is a “crime of violence,” including: arson, burglary, robbery, criminal homicide, sex offenses, assault, destruction/damage/vandalism of property and kidnapping/abduction. The college will release this information to the complainant in any of these offenses regardless of the outcome.

8. Alternative Testimony Options

For sexual misconduct complaints, and other complaints of a sensitive nature, whether the alleged victim is serving as the complainant or as a witness, alternative testimony options will be offered, such as placing a privacy screen in the hearing room, or allowing the alleged victim to testify outside the physical presence of the accused individual, such as by Skype. While these options are intended to help make the alleged victim more comfortable, they are not intended to work to the disadvantage of the accused student.

9. Past Sexual History/Character

The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or hearing unless such information is determined to be highly relevant by the Chair. All such information sought to be admitted will be presumed irrelevant, and any request to overcome this presumption by the parties must be included in the complaint/response or a subsequent written request, and must be reviewed in advance of the hearing by the Student Conduct Administrator. While previous conduct violations by the accused student are not generally admissible as information about the present alleged violation, the Student Conduct Administrator may supply previous complaint information to the investigators, the conduct board, or may consider it him/herself if s/he is hearing the complaint, only if:

- 1) The accused was previously found to be responsible;
- 2) The previous incident was substantially similar to the present allegation;
- 3) Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.

STATEMENT OF THE RIGHTS OF THE ALLEGED VICTIM

The following rights are provided in accordance with all applicable policies and procedures found in the Student Handbook, Student Conduct Code, and the Gender-based Misconduct Policy. The college provides equal rights to both the complainant and the accused student (see the college's statement of the accused student's rights).

- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators;
- The right to be treated with respect by college officials;
- The right to have an advisor to accompany and assist in the campus hearing process according to student conduct hearing procedures and policies.
- The right not to be discouraged by college officials from reporting an assault to both on-campus and off-campus authorities;
- The right to be informed of the outcome and sanction of any disciplinary hearing involving sexual assault, usually within 24 hours of the end of the conduct hearing;
- The right to be informed by college officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the student so chooses. This also includes the right not to report, if this is the victim's desire;
- The right to be notified of available counseling, mental health or student services for victims of sexual assault, both on campus and in the community;
- The right to notification of and options for, and available assistance in, changing academic and living situations after an alleged sexual assault incident, if so requested by the victim and if such changes are reasonably available (no formal complaint, or investigation, campus or criminal, need occur before this option is available). Accommodations may include:
 - Change of an on-campus student's housing to a different on-campus location;
 - Assistance from college support staff in completing the relocation;
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course completion options.
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right **not** to have any complaint of sexual assault mediated (as opposed to adjudicated);

- The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to a campus no contact order against another student who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining student or others;
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least 48 hours prior to the hearing;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a hearing closed to the public;
- The right to petition that any member of the conduct body be removed on the basis of demonstrated bias;
- The right to bring an advisor to all phases of the investigation and campus conduct proceeding;
- The right to give testimony in a campus hearing by means other than being in the same room with the accused student;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- The right to have the college compel the presence of student, faculty and staff witnesses, and the opportunity to ask questions, indirectly through and at the discretion of the hearing chair, of witnesses, and the right to challenge documentary evidence.
- The right to be present for all testimony given and evidence presented before the conduct body;
- The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct training;
- The right to a conduct panel comprised of representatives of both genders;
- The right to have college policies and procedures followed without material deviation;
- The right to be informed in advance of any public release of information regarding the complaint;
- The right not to have released to the public any personally identifiable information about the complainant, without his or her consent.

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STATEMENT OF THE ACCUSED STUDENT'S RIGHTS

The following rights are provided in accordance with all applicable policies and procedures found in the Student Handbook, Student Conduct Code, and the Gender-based Misconduct Policy. The college provides equal rights to both the complainant and the accused student (see the college's statement of the complainant's rights).

- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators against the accused student;
- The right to be treated with respect by college officials;
- The right of both accuser and accused to have the same opportunity to have other present (in support or advisory roles) during a campus disciplinary hearing;
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to be notified of available counseling, mental health, or students services both on campus and in the community;
- The right to a hearing on the complaint, including timely notice of the hearing date, and adequate time for preparation;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus hearing;
- The right to make an impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law, at least 48 hours prior to the hearing;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the hearing, except in cases where a witness' identity will not be revealed to the accused student for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to a hearing closed to the public;
- The right to petition that any member of the conduct body be removed on the basis of bias;

- The right to have the college compel the presence of student, faculty and staff witnesses, and the opportunity to ask questions, indirectly through and at the discretion of the hearing chair, of witnesses, and the right to challenge documentary evidence.
- The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct adjudication training;
- The right to have college policies and procedures followed without material deviation;
- The right to have an advisor to accompany and assist in the campus hearing process according to student conduct hearing procedures and policies.
- The right to a fundamentally fair hearing, as defined in these procedures;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice;
- The right to written notice of the outcome and sanction of the hearing;
- The right to a conduct panel comprised of representatives of both genders;
- The right to be informed in advance, when possible, of any public release of information regarding the complaint.