



**2016**

**ANNUAL SECURITY AND FIRE  
SAFETY REPORT**

**MESSAGE FROM THE DIRECTOR OF SECURITY**

As the Director of Security of Bard College at Simon's Rock, I am responsible for the leadership and management of the Security Department. While the Security Department serves in a leadership role for safety on campus, each individual member of the Simon's Rock community maintains primary responsibility for personal safety and crime prevention. To make the College as safe as possible, each of us must take personal responsibility for our own safety, as well as for the safety of those around us. Always keep in mind: **If you see something, say something.**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") is a federal law that requires colleges and universities to prepare, publish, and distribute an annual report about campus crime and security policies, as well as campus crime and fire statistics. Each year, the Department oversees preparation and publication of this report, based on the Department's own records, as well as communications with local law enforcement and various campus security authorities.

The 2016 Clery Act annual report and statistics for Bard College at Simon's Rock may be found below. Simon's Rock disseminates a notice of the availability of this report via an email to all current students, faculty, and staff. Prospective students are provided notification of availability of the report via the admissions website, and prospective employees are provided notification of where they may access the report on the Simon's Rock Job Opportunities website. This report is also available online at <http://simons-rock.edu/why-simons-rock/contact-us/offices-and-departments/security/clery-act.php>. Requests for paper copies can be made in person at the Security Department in Livingston Hall Student Union, or via email to [security@simons-rock.edu](mailto:security@simons-rock.edu) or [kgeremia@simons-rock.edu](mailto:kgeremia@simons-rock.edu).

Please review the information in this report and contact the Security Department with any questions. Familiarity with the programs and services provided by the College will help all community members become involved in the College's ongoing efforts to keep Simon's Rock's campus and community safe. We believe that campus security is a collective responsibility, and the Security staff asks that everyone play an active role, immediately reporting suspicious activity, emergencies, and potentially unsafe conditions to Security.

On behalf of the Security Department, we wish you the best for a safe and successful year and look forward to a continued partnership with the entire community.

Kenneth Geremia  
Director of Security  
Livingston Hall Student Union  
[kgeremia@simons-rock.edu](mailto:kgeremia@simons-rock.edu)  
413-528-7680

**CONTACT INFORMATION AND RESOURCES**

<b>EMERGENCY NUMBERS</b>	
Security Department <ul style="list-style-type: none"> <li>• Any phone</li> <li>• On-campus phone</li> </ul>	413-528-7291 '0' or 7291
Great Barrington Police Department	911
Great Barrington Fire Department	911
<b>SECURITY DEPARTMENT</b>	
<ul style="list-style-type: none"> <li>• Security Department website and information</li> <li>• Director of Security, Kenneth Geremia</li> </ul>	<a href="https://simons-rock.edu/why-simons-rock/contact-us/offices-and-departments/security/">https://simons-rock.edu/why-simons-rock/contact-us/offices-and-departments/security/</a> 413-528-7680
<b>OTHER COLLEGE RESOURCES</b>	
Main Switchboard	413-644-4400
Student Affairs (general inquiries)	413-528-7693
Dean of Students	413-528-7316
Director of Residence Life	413-528-7647
Physical Plant	413-528-7208
Win Student Resource Commons	413-528-7444
Provost's Office	413-528-7239
The Wellness Center - Health and Counseling Services (students only)	413-528-7353
CompPsych Guidance Resources (employees only)	800-272-7255
Title IX Coordinator	413- 528-7245
Deputy Title IX Coordinator	413-528-4282
<b>LOCAL RESOURCES OFF CAMPUS</b>	
Fairview Hospital	413-528-8600
Berkshire Medical Center	413-447-2000
North Adams Regional Hospital	413-664-5000
Mental Health Crisis Team 24/7:	413- 499-0412 or 800-252-0227 (toll free)
<b>RAPE CRISIS/DOMESTIC VIOLENCE RESOURCES</b>	
Elizabeth Freeman Center	866-401-2425 (toll free), 413-499-2425 (office), 413-499-2425 (TTY)
Jane Doe Inc. (Massachusetts Coalition Against Sexual Assault and Domestic Violence)	877-785-2020 (hotline), 877- 521-2601 (TTY)
SafeLink (domestic violence hotline)	877-785-2020
YWCA of Western MA	800-796-8711 (hotline), 413-733-7100 (TTY), 413-732-3121 (office)
Rape, Abuse & Incest National Network (RAINN)	(800) 656-HOPE (4673), <a href="https://www.rainn.org">https://www.rainn.org</a>
Rape Treatment Center, Santa Monica	310-319-4000, <a href="http://www.911rape.org">http://www.911rape.org</a>
GLBTQ Domestic Violence Project	800-832-1901, <a href="http://www.glbtdvp.org/">http://www.glbtdvp.org/</a>
National Domestic Violence Hotline	800-799-7233, <a href="http://www.thehotline.org/">http://www.thehotline.org/</a>
National Teen Dating Abuse Helpline	866-331-9474, <a href="http://www.ncdsv.org/ncd_linkshotlines.html">http://www.ncdsv.org/ncd_linkshotlines.html</a>

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**NOTICE OF NON-DISCRIMINATION**

Bard College at Simon's Rock ("Simon's Rock" or the "College") does not discriminate in admission, employment, education, or services on the basis of race, color, sex, creed, age, gender identity or expression, sexual preference, religion, national or ethnic origin, disability, marital status, genetic information, previous military service, or any other class protected under state or federal law. College policy is consistent with state mandates as well as federal statutes and regulation, including but not limited to Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Titles VI and VII of the Civil Rights Act of 1964. Inquiries or grievances concerning discrimination should be addressed to the Director of Finance and Administration, who serves as coordinator of Title VI, Section 504, and the Americans with Disabilities Act, federal laws preventing race, color, national origin, and disability discrimination:

Bryant Morgan  
 Director of Finance and Administration  
 Hall College Center  
[bmorgan@simons-rock.edu](mailto:bmorgan@simons-rock.edu)  
 413-528-7204

Sexual misconduct, including exploitation and any nonconsensual sexual act or behavior, is also incompatible with the values and standards of the campus community. Title IX of the Higher Education Amendments of 1972 is a federal law that prohibits discrimination (including sexual misconduct) based on sex in educational programs and activities. Inquiries or grievances concerning the College's equal rights provisions under Title IX should be directed to the Title IX Coordinator:

Leslie Davidson  
 Dean of the College  
 Blodgett House, second floor  
[leslied@simons-rock.edu](mailto:leslied@simons-rock.edu)  
 413-528-7245

**PREPARATION OF ANNUAL SECURITY REPORT*****The Clery Act***

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act") is a federal law that was championed by Howard & Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986. Signed into law in 1990, the Clery Act requires colleges and universities to disclose certain timely and annual information about safety on campus. All post-secondary public and private institutions participating in federal student aid programs must adhere to these regulations.

To ensure compliance with the Clery Act, Bard College at Simon's Rock must meet certain obligations required by federal law. They include: certain policy disclosures; records collection and retention; information dissemination; and disclosure of certain crime statistics, safety related policies and procedures, fire safety information, and fire statistics in an annual security report ("ASR"). The Clery Act mandates that institutions publish their ASRs by October 1<sup>st</sup> each year. The Clery Act statistics and safety information for Bard College at Simon's Rock for the preceding three years are found in this report and updated annually.

As a result of amendments made to the Clery Act by passage of the Violence Against Women Reauthorization Act ("VAWA"), educational institutions are now required to collect crime statistics for three new crimes: domestic violence, dating violence, and stalking. Bard College at Simon's Rock began collection and reporting crime statistics for the three new crimes for the year 2013. VAWA now additionally requires educational institutions to revise prior crime statistic disclosures to delete the categories of non-forcible and forcible sex offenses, and to replace those categories with four types of sex offenses: rape, fondling, incest, and statutory rape. Institutions must also revise their statistical disclosures by the category of "Unfounded" to reflect all Clery Act crimes which

were determined by police agencies to be “unfounded” and not included in statistical crime disclosures for the three most recent years. In addition, two new categories of bias are now required as part of collection and reporting of data for hate crimes: gender identity and national origin.

#### ***Data Collection and Policy Review***

This report is prepared by the Director of Security, with cooperation from certain local law enforcement agencies surrounding the College’s main campus, the Student Affairs Office, and the Health Services Office. Collection of the information and data necessary for the preparation of this report requires ongoing and annual efforts involving outside law enforcement agencies as well as other College departments, and includes gathering crime statistics from reports of crimes disclosed to and reported by those identified in the law as “campus security authorities” and local law enforcement agencies. In addition to collection of crime statistics, the process of preparing the ASR requires a review of College policies and procedures concerning campus safety, as well as disclosure of those policies and procedures in this report.

### **BARD COLLEGE AT SIMON’S ROCK SECURITY DEPARTMENT**

#### ***Overview***

The Bard College at Simon’s Rock Security Department is staffed by a trained group of Security Officers. These officers respond to emergencies and maintain a regular patrol of the campus. Security Department staff are trained as first responders, and all officers receive annual re-certification in CPR and the use of the department’s Automatic External Defibrillators. Several officers are trained Emergency Medical Technicians, and all officers participate in ongoing security and safety training programs. The Security Director, Assistant Director, and officers work closely with the residence directors, the directors of Residence Life, Health Services, Counseling Services, and Physical Plant, as well as the Dean of Students, and other members of the faculty and staff to maintain 24-hour coverage of

the campus, with Security Officers patrolling campus 24/7.

#### ***Authority***

Security Officers have the authority to ask persons for identification and to determine whether individuals have lawful business on campus. Security Officers also have the authority to issue parking citations, which are billed to financial accounts of students, faculty, and staff. Security Officers do not possess arrest power. Criminal incidents are referred to the local police, who have jurisdiction over the campus.

#### ***Inter-Agency Relationships***

The Security Department is responsible for maintaining a cooperative relationship with local, state, and federal law enforcement authorities, and for assisting them, on request, in the investigation of crimes. The Department is in regular contact with the Great Barrington Police and Fire Departments on matters of emergency preparation and planning. The College also maintains a relationship with the regional emergency planning committee, coordinating efforts to support the safety of the surrounding community as well as the College. The College has no written memorandum of understanding with any external agencies for investigation of alleged criminal offenses.

#### ***Criminal Activity Off-Campus***

The Security Department and Office of Student Affairs are in regular contact with local law enforcement agencies, working closely on issues or situations that affect the College and the local community. The College regularly collaborates with local law enforcement on situations involving our students, and recognizes that it is in the best interest of the College and the surrounding community to inform local law enforcement of concerns or violations of law that affect either community. Bard College at Simon’s Rock has no off-campus student organizations.

**Daily Crime Log**

The Simon's Rock Security Department maintains a daily crime log that is open to the general public. The log contains information about reported criminal incidents occurring on the College's Clery geography and related patrol jurisdiction, including the location of the incident reported, the time and date of the report (and incident if known), the resulting action(s) by the Department or Great Barrington Police officers, a brief description of the incident reported, and the disposition of the report to the extent it can be ascertained. Limited information may be temporarily withheld from the daily crime log if Security determines release of the information would jeopardize an ongoing investigation or the safety of an individual.

The Security Department updates the daily crime log each business day with information concerning reports of crime made to the Department the prior day. Reports received on weekends and College holidays are recorded in the log on the next business day. Entries made within the last sixty days are updated as information becomes available. Portions of the log older than sixty days will be made available to the public within two business days of a written request.

**REPORTING CRIMES AND EMERGENCIES****Accurate and Prompt Reporting**

Students, faculty, staff, and guests are encouraged to promptly report suspected criminal actions and other public safety-related incidents to the Security Department by dialing 413-528-7291 or x7291 from any campus phone, or to the local police by dialing 911 (9-911 from campus phones). Simon's Rock has a Security Officer available by phone at all times to receive reports, which can also be made in person to any Security Officer or to the Security Department in Livingston Hall Student Union. Students can also make an initial report to their Residence Director.

If you witness a crime or other emergency, get to a safe place right away and call the Security Department if the incident occurred on-campus, or 911 if the incident occurred off-campus. When you call, make sure to tell the dispatcher everything you can remember about the circumstances and/or

suspect (details of what happened, clothing, appearance, and physical description of suspect, vehicle, direction of travel, and anything else that may be helpful to police in their effort to apprehend the suspect).

Always remember, **quickly and accurately reporting crimes helps in preventing them from happening again**. When police arrive at the scene of a crime-in-progress within the first two minutes of receiving a call, the chances of apprehending a suspect are greatly increased, and the odds of making an arrest decrease quickly as time passes. The Security Department uses the information provided by reporters of crimes to track incidents and related trends to develop specific ways to combat crime.

Members of the Simon's Rock community receive information and instructions about how to report crimes, security procedures and practices, as well as safety and crime prevention guidance, from this report, the Student Handbook, orientations of new students and employees, in house meetings in each dormitory, postings around campus, and the College's website.

**Post-Incident Follow-up**

In response to a call, the Security Department will, depending on circumstances, investigate a matter, refer it to local law enforcement and provide related support, and/or refer it to the College for administrative review and potential action. The Security Department will assist a reporting party in securing the appropriate law enforcement resources.

**Other Emergencies**

**Medical Emergencies.** Call the Security Department by dialing 413-528-7291 or x7291, local emergency services at 911 (9-911 from campus phones), or report to the Residence Director on duty, who will notify the appropriate personnel, e.g. the on-call nurse, the emergency room, or an ambulance. Emergency contact information is posted in each dormitory.

**Fire Emergencies.** All fire emergencies are handled by the Great Barrington Fire Department. In the

event of a fire emergency, members of the community should contact the Fire Department directly by calling 911 (9-911 from campus phones), as well as notifying Security and the Residence Directors on duty.

*Maintenance Emergencies.* Maintenance emergencies should be reported to the Residence Director or the Security staff at 413-528-7291 or x7291. A member of Physical Plant can be reached if necessary at 413-528-7208.

### ***Voluntary and Confidential Reporting***

Occasionally, victims of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice or College judicial systems. Professional counselors who receive confidential reports are not required to report these crimes to the dean of student affairs or security for inclusion into the annual disclosure of crime statistics or for the purpose of a timely warning. 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. Professional counselors, if and when they deem it appropriate, are encouraged to inform the persons they are counseling of the procedures to report a crime to campus authorities for inclusion in the annual disclosure of crime statistics.

## **ACCESS TO AND SECURITY OF CAMPUS FACILITIES**

### ***Academic Buildings and Offices***

Most academic buildings are openly accessible to members of the campus community, guests, and visitors during normal business hours. All visitors and guests of current students who are on campus any time between 6 pm and 10 am must sign-in at the Security Office in the Livingston Hall Student Union.

### ***Residence Halls***

Residence halls are secured 24 hours a day and accessible only to authorized resident students with

activated Simon's Rock identification cards. Each student is also issued a room key and instructed to keep her/his room locked when unoccupied. Any person who is not a currently enrolled student must register with Security and provide photo identification before entering a residential building. Students must register their guests in person at the Security Office, accompanied by the individual(s). All residence halls are, at minimum, partially equipped with intrusion alarms that detect doors that are forced or held open.

During the academic school year, under the College's parietal system, Crosby, Dolliver, and Kendrick House close to nonresidents at midnight Sunday through Thursday, and at 1 am on weekends. All nonresidents must vacate these buildings when they closed. During this time, only occupants of each residence are authorized to have access to that building, using their key cards. Allowing or enabling others to enter – for example, by propping open a door – jeopardizes safety and may result in an infraction. Residence Directors explain to first-year students the importance of cooperating with parietals and denying access to residential buildings to those they do not recognize, and to those who live in other dormitories. During all breaks, College residence halls close and students are expected to leave campus.

### ***Access Inspections***

Security Officers regularly inspect exterior doors to campus buildings to confirm that their automatic closing and locking units are working properly. Exterior doors to all campus buildings are either automatically set to lock by an electronic system, or secured by officers when appropriate. These officers, along with Physical Plant and Student Affairs staffs, also report door and security hardware operating deficiencies to coordinate prompt repairs.

### ***Maintenance of Campus Facilities***

The College's Security, Physical Plant, and Student Affairs staffs make daily rounds in College buildings, checking and monitoring life safety systems, and maintaining order. The College, through collaboration between Security, Physical Plant, and

Student Affairs, undertakes to ensure that common areas, pedestrian walkways, and building exteriors are well-lit to reduce the likelihood of criminal activity and enhance safety. Physical Plant staff gives priority to repairs related to security concerns. Community members are encouraged to report any security-related maintenance concerns to the Security Department at 413-528-7291 (x7291) or the Physical Plant at 413-528-7208 (x7208).

### **SECURITY AWARENESS, CRIME PREVENTION, AND WELLNESS PROGRAMS**

Bard College at Simon's Rock is committed to the goal of providing a safe campus environment for its students, faculty, staff, and visitors. Below is a list of programs, services, and technologies designed to raise security awareness and increase prevention efforts.

#### ***New Student and Employee Orientation***

Matters concerning the safety of the community are regularly discussed at orientations of new students and employees. These matters are addressed with new students through an online program they complete prior to their arrival, and then discussed with students during their annual orientation week and at periodic house meetings held in each dormitory throughout the academic year.

#### ***Active Community Engagement– Health and Wellness Program***

All entering students are required to complete the Active Community Engagement (“ACE”) program. The ACE program calls for students to attend and participate in College-sponsored activities and programming each of their first three semesters. The ACE Health and Wellness Program centers on making responsible social choices while at Simon's Rock. Topics include self-care, substance use and abuse, consent, and preventing harassment and discrimination.

#### ***Sexual Violence Prevention***

Simon's Rock provides sexual violence prevention education to its campus community each year. To this end, all incoming students are required to

participate in mandatory educational programs about consent, preventing sexual harassment and assault, and promoting a culture of caring for and respecting one another. This includes an online program students complete before arriving on campus and a presentation during New Student Orientation. Through the ACE program, sessions are provided for all students throughout the year to increase awareness of and reduce the incidence of sexual misconduct, domestic violence, dating or intimate partner violence, stalking and sexual harassment. All responsible employees also receive regular training.

#### ***Emergency Alert System***

The Bard College at Simon's Rock Emergency Alert System allows the College to contact the community in the event of an emergency by sending messages via: voice message (mobile and land-line), email, or SMS Text messaging. When an emergency occurs that requires community attention or action, the Emergency Alert System will be activated.

#### ***Safety Escort Service***

Simon's Rock community members may request a safety escort whenever there is a concern for their safety and security. Personal safety escorts are available 24 hours a day and may be requested by calling the Security Department at 413-528-7291 (x7291). The service is subject to availability of officers and is limited to areas on or near campus.

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

The College's drug and alcohol abuse education program is conducted through its annual series of required health lectures for new students, and through various programs offered through its residence life office, counseling services, and health services. Employees can also seek assistance and support through the Employee Assistance Program (ComPsych Guidance Resources) if they or a family member are struggling with addiction issues.

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

Fire safety education programs for all students living in on-campus student housing and all employees

that have any association with on-campus student housing are held at the beginning of each semester. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire, and distribute information on the College's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students and employees with disabilities discuss individualized evacuation plans with the director or Security. The information provided during the fire safety programs is also available online at any time on the Security Department webpage.

### **EMERGENCY COMMUNICATIONS**

The Clery Act requires the College to issue "timely warnings" to the campus community regarding any Clery Act crime that is (i) reported to a campus security authority, or to local law enforcement where law enforcement informs the College of the incident; (ii) occurs within the College's Clery geography; and (iii) is deemed to represent a serious or continuing threat to the College community. The Clery Act also requires the College to issue "emergency notifications" to the campus community upon confirmation of a significant emergency or dangerous situation (i) occurring on campus; and (ii) involving an immediate threat to the health or safety of employees or students.

The Security Department receives information through offices and departments on campus, individuals, local law enforcement, and various media sources. Upon receiving a report that may result in the issuance of a timely warning or emergency notification, the Director of Security and/or Security Department staff will analyze the incident and, when necessary, consult with local law enforcement and/or other College departments. The decision to issue a timely warning or emergency notification is made by the Director of Security or his designee and will depend on all known circumstances, such as the nature of the crime or incident reported, whether there is a continuing

danger to the campus community, and whether there is a possible risk of compromising law enforcement efforts.

### ***Timely Warnings***

In the event that a situation arises within the College's Clery geography that, in the judgment of the Director of Security, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued to the campus community. The warning will be issued through the College email system to all students and employees when pertinent information becomes available. These warnings may also be supplemented by the College's Emergency Alert System, explained below, or communicated via voicemail message sent directly to all voicemail accounts, posted signs on campus, or the College website's emergency information page.

The decision to issue a timely warning is made on a case by case basis in light of all known circumstances surrounding a crime, including factors such as the nature of the crime reported, whether there exists a continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. A "timely warning" may not be issued if the subject(s) is apprehended and the threat of imminent danger to the community has been mitigated; if a report was not filed with the Department; or the Department was not notified in a manner that would allow it to post a "timely" warning to the community.

All crime victims and witnesses, or anyone with information warranting a timely warning are strongly encouraged to immediately report crimes to the campus Security office and the appropriate police agency. Prompt reporting assists in issuing timely warning notices on-campus, and in providing timely response to crimes. All reports of crimes to the Department may be made on a confidential, anonymous basis. The College does not release the names of victims when issuing timely warnings.

### ***Emergency Notifications***

The College will issue an Emergency Notification when there is an immediate need to impart emergency information to the entire campus. For example, an event such as an approaching tornado, an explosion, or an outbreak of a serious illness may constitute an immediate threat requiring an Emergency Notification.

If the Security Department confirms, based on information received from any source that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of the College campus, the College will, through the Security Department, without delay and taking into account the safety of the community, determine the content of an emergency notification and activate some or all of the systems described below to communicate an appropriate warning (i.e., an emergency notification), unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

In determining an appropriate communication, the College will take into account several factors, including, but not limited to, the building or segment of the population threatened, the nature of the threat, and the credibility of the information received. The message will contain information regarding the event, as well as instructions as to what steps to take to enhance safety. Such notifications will be sent through the Emergency Alert System and, depending on circumstances, may also be communicated via College email, voicemail message, posted signs on campus, the College website's emergency information page, or word of mouth.

An Emergency Notification will typically be the initial communication in a campus-wide emergency situation that requires an immediate response from all those on campus, and may trigger one or more of the emergency response or evacuation procedures explained below. Follow up messages are sent to the College community using some or all of the above-listed communication systems when such

instructions are required and/or emergency conditions have abated.

### ***Emergency Alert System***

The Bard College at Simon's Rock Emergency Alert System allows the College to contact the community in the event of an emergency by sending messages via:

- Voice message (mobile and land-line)
- Email
- SMS Text messaging

When an emergency occurs that requires community attention or action, the emergency notification system will be activated and students and employees will be notified by the methods noted above. Situations for which The Emergency Alert System will be used may include but are not limited to:

- Facility Emergencies
- Potential life-threatening situations on campus
- Extreme Weather Conditions

The Emergency Alert System will be tested once a semester while class is in session. Additional testing may be conducted as part of drills and exercises, or as necessary.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

### ***Emergency Evacuation Plan***

Specific Emergency Evacuation Plans are created for various buildings on campus, including all new and renovated buildings, which provide guidelines for occupants to follow during an evacuation. Each plan contains floor plans that show egress paths, stairwells, and exits, and are posted on each floor of the specific building.

### ***Drills/Testing***

The Security Department coordinates and oversees unannounced evacuation drills at least once per calendar year for residential facilities and other

buildings to the extent appropriate. The purpose of evacuation drills is to prepare building occupants for an organized evacuation. The process also provides the College an opportunity to evaluate efficiency of evacuation procedures and to test emergency notification system components.

### ***Sheltering in Place***

If an incident occurs and the buildings or areas in or near your location become unstable, or if the outdoor air becomes dangerous due to airborne toxins or irritating substances, it is usually safer to remain indoors because leaving your immediate location may expose you to the danger outside.

A shelter in place notification can come from several sources, including the Security Department, the Great Barrington Fire Department, or the Great Barrington Police Department. In addition, notification of a need to shelter in place may come over the radio or television or by any of the communication methods mentioned above.

No matter where you are, the basic steps to shelter in place will generally remain the same. Should the need to shelter in place ever arise, follow these steps unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are.
- Collect any emergency shelter in place supplies and a telephone to be used in case of emergency.
- If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be an interior room above ground level without windows (or with the least number of windows).
- Shut, lock, and tightly seal windows and exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able.

- Turn on a radio or TV, listen for further instructions, and to the extent possible, monitor the internet from a computer or phone.

If an incident occurs and the building you are in is not damaged, stay inside and seek an interior room until you are informed by emergency responders that it is safe to exit. If the building in which you are located is damaged, follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated the building, immediately seek shelter in the nearest safe campus building. If the Security Department, local law enforcement, or fire department are on scene, follow their directions.

### **MISSING PERSONS POLICY**

The College's missing persons policy has been developed to assist in locating students who reside in on-campus housing and who have been determined by the College to be missing. All community members are encouraged to notify the Security Department immediately when they believe a student is missing. The Student Life staff and Security will take appropriate steps to locate the student, including but not limited to:

- Attempt to make contact with student via email, cell phone, visit to room.
- Seek information from Peer Advocates, roommate, floor-mates, and friends.
- Verify student ID card use for dormitory doors within last 24 hours.
- Verify student ID card use in the Dining Hall within last 24 hours.
- Contact Academic Affairs to determine class attendance.
- Seek information from Physical Plant for any information from their staff.
- Seek information from facility managers in the Kilpatrick Athletic Center and Daniel Arts Center.

A student may register with the Security Department a confidential contact person to be notified when that student is determined to be missing. The Student Affairs Office will notify the appropriate emergency contacts within 24 hours following an official determination that a student is missing. It is important to note that confidential missing persons contact information registered pursuant to this policy will be accessible only by authorized campus officials, and it may not be disclosed except to law enforcement in furtherance of a missing persons investigation.

If the College officially determines that the student is missing, it will notify appropriate external law enforcement agencies and the missing student's emergency contact within 24 hours of reaching such determination, unless the local law enforcement agency was the entity that made the determination that the student is missing. If the missing student is under the age of 18 and is not an emancipated minor, the College will notify the student's custodial parent or legal guardian immediately in addition to notifying any additional contact person designated by the student. If no such individual has been provided, the Student Affairs Office will determine who must be informed.

The Security Department will be responsible for filing all related missing person reports with other agencies as may be required. The Dean of Students, or designee, will contact appropriate College administrators and offices on a need-to-know basis.

### **ALCOHOL AND OTHER DRUGS**

Simon's Rock is a dry campus and the possession, use, or distribution of alcohol or illegal substances is strictly prohibited. In an effort to raise awareness of substance abuse issues, as well as educate and support the community on such issues, the College offers various substance abuse prevention programming. Following are some examples of the College's available substance abuse resources:

#### ***Active Community Engagement Program***

All new students are required to attend and complete a series of required health lectures, including substance use and abuse education.

#### ***Residence Director Training***

Residence Directors are trained in basic assistance with alcohol-related problems and issues.

#### ***Health Services***

In addition to the above programs and trainings, Health Services provides assessment and referral services to students.

#### ***Drug and Alcohol Policies***

Students in possession of, under the influence of, or distributing in any way, alcohol or illegal substances are subject to disciplinary action, regardless of their age or where the substance was consumed. The misuse, abuse, or sale of prescription medication is also prohibited. The College also prohibits possession, consumption, or distribution of illegal substances by employees, and prohibits consumption of alcoholic beverages on campus by employees, except at special events sponsored by the College. Community members are responsible for ensuring their guests adhere to the College's drug and alcohol policies and, when appropriate, may be held accountable for violations committed by their guests. Simon's Rock's full policy statements on these matters are published in the current editions of its Student Handbook, Faculty Handbook, and Employee Handbook.

The College's Security and Residence Life staff have the authority to enforce these policies and ensure the campus is safe and free of alcohol and/or illegal drugs. Any employee or student who violates these policies may be subject to disciplinary action, up to and including termination of employment suspension, or expulsion, and may also be subject to other penalties under state and/or federal law.

Massachusetts and federal law prohibits possession, transportation, and/or distribution of illegal drugs by any person. Massachusetts law also prohibits individuals under the age of twenty-one (21) years from purchasing, possessing, and/or transporting

alcoholic beverages. Violations under either set of laws may result in fines, imprisonment, and loss of certain privileges (for example, driving). College policy is consistent with Massachusetts law and further prohibits students from becoming intoxicated both on and off-campus at College-related activities.

In compliance with the Drug Free Schools and Communities Act, the College's Drug and Alcohol policies can be found in the Student Handbook, which can be accessed at <http://simons-rock.edu/documents/student-handbook-2015-2016.pdf>.

### **CAMPUS SECURITY AUTHORITIES**

The Clery Act requires the College to disclose statistics concerning the occurrence of certain crimes that occur within the College's Clery geography and that are reported to College campus security authorities ("CSAs").<sup>1</sup> Under the law, CSAs include any member of the Security Department; any individual who has responsibility for campus security, but who is not a member of the Department; any individual identified by the College as someone to whom a crime should be reported; and any College official who has significant responsibility for student and campus activities.

Examples of the College's CSAs include, but are not limited to, the following:

- Security Department staff;
- Dean of Students;
- Title IX Coordinator;
- Deputy Title IX Coordinator;
- Residence Directors;
- Director of Residence Life;
- Coordinator of Student Activities;
- Director of Athletics.

A CSA is not required to disclose to the Department confidential information concerning an incident,

such as information that would identify a victim of a crime who wishes for his or her identity to remain confidential. However, CSAs are required to inform the Department of the existence of all known incidents, including confidential incidents, so that those incidents can be recorded as statistics, and, where appropriate, disclosed in the College's Annual Security Report.

If a reporting party does not consent to the disclosure of his or her identity to the Department, CSAs are expected to inform the Department of the reporting party's wish for confidentiality and to report the incident for statistical purposes only without disclosing identifying information. Simon's Rock will maintain confidentiality under this framework to the extent permissible under law and consistent with the College's obligation to investigate allegations and provide accommodations.

Professional counselors acting in those roles are not campus security authorities, and the law specifically exempts them from the responsibility to report crimes disclosed to them. However, professional counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The College urges all community members who are not CSAs to report any criminal incident to the Security Department or law enforcement for the geographical jurisdiction in which an incident occurs, particularly where a victim is unable to do themselves. In the event an individual chooses not to report to the Department, the College urges the person to at least disclose the occurrence of the incident to a campus security authority so it may be counted, as appropriate, in the College's Annual Security Report.

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<sup>1</sup> Definitions of Clery Act crimes and geographical locations are included later in this report.

## **SEXUAL MISCONDUCT**

### ***Statement of Policy on Sexual Misconduct***

Bard College at Simon's Rock's Sexual Misconduct Policy expressly prohibits sexual and gender-based misconduct of any type, including sexual discrimination, sexual harassment, sexual assault, dating and domestic violence, and stalking. Such acts have no place at Simon's Rock and offend the College's mission and values. As such, they are strictly prohibited by the College.

Simon's Rock's policies regarding sexual misconduct have three main goals:

1. Stop behavior that constitutes sexual misconduct;
2. Remedy the effects of the behavior; and
3. Take appropriate action to prevent future behavior.

The policy is also intended to:

- Identify resources and support for community members;
- Identify the Title IX Coordinator and Deputy Coordinator, and define their roles;
- Provide information about obtaining support or resources in a confidential manner;
- Provide information about how to make a report or file a complaint; and
- Provide information about how a report or complaint will be investigated, evaluated, and resolved.

Simon's Rock adheres to all federal and state civil rights laws barring discrimination, including but not limited to Title IX and Title VI of the Education Amendments of 1972, Title VII of the Civil Rights Act, Massachusetts General Laws Chapter 151B, and other applicable state and federal statutes. The College is committed not only to compliance with these mandates, but to creating and maintaining a safe, healthy, and respectful learning, living, and working environment for all of its community members.

The College, as well as state and federal law, also prohibits retaliation against any person who reports, assists in reporting, or participates in an investigation of possible sexual misconduct.

The full Sexual Misconduct Policy can be found at <http://simons-rock.edu/documents/student-handbook-2015-2016.pdf>.

### ***Complaint Process Overview***

A complaint that Simon's Rock's Sexual Misconduct Policy has been violated will be addressed under the College's Investigation and Adjudication Procedures. The College may need to proceed with an investigation even if a complainant specifically requests that the matter not be pursued. In such a circumstance, the Title IX Coordinator or Deputy will take into account the complainant's articulated concerns, the best interests of the campus community, fairness to all individuals involved, and the College's obligations under Title IX.

### ***Title IX Coordinator***

The Dean of the College serves as the College's designated Title IX Coordinator and oversees this policy and process. Questions related to the College's policy or procedures should be directed to:

Title IX Coordinator Leslie Davidson, 413-528-7245, [leslied@simons-rock.edu](mailto:leslied@simons-rock.edu), Blodgett House, second floor

Deputy Title IX Coordinator Sue Lyon, 413-528-4282, [slyon@simons-rock.edu](mailto:slyon@simons-rock.edu), College Center, first floor

Inquiries or complaints that involve potential violations of Title IX may also be referred to the U.S. Department of Education's Office for Civil Rights, which can be reached at 617-289-0111: <https://wdcrocolp01.ed.gov/cfapps/OCR/contactus.cfm> or the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice (DOJ): <http://www.justice.gov/crt/complaint/#three>.

**Policy Definitions**

The following definitions apply to the College's Policy. Legal definitions follow in this report.

Sexual Assault

Sexual assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger, and is a form of sexual violence. There are many degrees and forms of sexual assault including, but not limited to, the following:

*Non-consensual Sexual Intercourse.*

Any form of sexual intercourse (anal, oral, or vaginal) with any object without consent.

Intercourse includes but is not limited to:

- Vaginal penetration, however slight, by a penis, object, tongue or finger;
- Anal penetration, however slight, by a penis, object, tongue or finger; and
- Mouth-to-genital contact.

*Non-consensual Sexual Contact.*

Non-consensual sexual contact involves intentional and unwelcome sexual touching, however slight, usually but not necessarily involving contact with genitals, breasts, groin or buttocks by a body part or object, that is without consent.

Sexual touching includes but is not limited to:

- Intentional contact with someone's breasts, buttocks, groin or genitals;
- Touching someone else with any of these body parts;
- Making someone touch you or themselves on these same body parts; and
- Intentional physical contact in a sexual manner, even if it does not involve contact with or by these body parts.

Relationship Violence

Relationship Violence (also known as Dating Violence or Domestic Violence) refers to violent and/or manipulative behavior by one person toward another in an intimate, dating, or domestic relationship.

Relationship Violence includes but is not limited to:

- Physical violence, such as kicking, hitting, pinching, choking, biting;
- Sexual violence, such as forcing a partner to take part in a sex act when the partner does not consent;
- Emotional violence, such as isolation, intimidation, belittling, stalking, "outing" someone against his/her will, cyber-bullying/harassment, or threat of physical force; and
- Economic abuse, such as withholding financial resources to intimidate, threaten or cause a person to remain in a relationship because of access to finances.

Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for their or others' safety, or to suffer substantial emotional distress. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm them. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social media, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

Consent

Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress are used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Consent to a specific sexual activity cannot be inferred from previous sexual activity, prior sexual relationships,

consent to a different sexual activity, or consent to sexual activity with another person.

Consent cannot be obtained from an individual who is incapable of giving consent because the person:

- Has a mental, intellectual, or physical disability; or
- Is under the legal age to give consent (16 years of age in Massachusetts); or
- Is asleep, “blacked out,” unconscious, or physically helpless; or
- Is incapacitated, including through the consumption of alcohol or drugs.

Consent must be established by words or actions that are clear and mutually understandable. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent.

#### ***Privacy statement***

When assessing a report or complaint of sexual misconduct made to the College, every effort will be made to protect the privacy of the individuals involved, in a manner consistent with the College’s need to review the report thoroughly. Information related to a report of misconduct will be shared only with those College employees who “need to know” in order to assist in the investigation or resolution of the complaint. If a complainant requests that her or his identity remain confidential after the College learns of an incident, the College will balance this request with its responsibility to provide a safe and non-discriminatory environment for all College community members including the complainant, its ability to conduct an investigation if confidentiality is maintained, and its responsibilities under state and federal law. The College will seek to respect the request of the complainant and where it cannot do so, it will consult with the complainant and keep her/him informed about the chosen course of action.

All College investigations and disciplinary processes are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local law, and College policy. Information about particular investigations

and disciplinary processes will only be released in accord with law or College policy.

#### ***What to Do in the Event of Sexual Misconduct***

This policy explains options and resources available to Simon’s Rock community members who believe they have been subject to any type of sexual misconduct. The following is an overview of what to do in the event of sexual misconduct, and how the College will respond, investigate, and provide support:

##### Right away

For any individual subject or witness to sexual misconduct of any type, the first step is always the same: **get to a safe place as soon as possible and call a trusted friend or advocate.** Any individual subject to physical violence should seek medical attention. Take care to preserve any evidence of the incident, even if there is uncertainty whether a claim will be filed or legal action will be taken.

##### Assess your options

If any individual has been subject to sexual misconduct of any type or has witnessed sexual misconduct, the following options are available:

- Report the incident to the College or file a complaint with the College, so it may investigate and provide protective and remedial measures, by contacting the Title IX Coordinator Leslie Davidson (413-528-7245), Deputy Title IX Coordinator Sue Lyon, (413-644-4282), or one of the other College reporting sources identified below.
- Notify law enforcement authorities and file a criminal complaint by calling Security (413-528-7291), 911 (9-911 from campus phones), or other law enforcement units listed in this policy.
- Students: Seek confidential support and counseling from the professional Counseling Staff located in Counseling Services (413-528-7323) or other confidential resources listed in this policy. The Counseling staff provides confidential counseling to all students between 9:00am and 5:00pm, Monday through Friday. After hours, students can contact Security at 528-

7291 or by dialing 0, or the Residence Director on duty and ask to speak to the on-call counselor.

- Faculty and Staff: Seek confidential support from the College's Employee Assistance Program (EAP), ComPsych Guidance Resources (800-272-7255)

You may choose all, none, or some of these options. No matter what you choose, the College will help and support you through the process.

#### What happens next

When Simon's Rock is notified of an instance of sexual misconduct, it will put appropriate interim measures in place, including but not limited to No Contact Orders between the involved parties, campus No Trespass Orders, leaves of absence, and any other measures that may be necessary to protect the safety and well-being of the Simon's Rock community. The College may also provide academic and housing accommodations, referrals, and assistance in student and employee conduct/discipline matters, as appropriate. These measures may be available under certain circumstances even if one decides to seek only confidential support through College Counseling Staff or the College's Employee Assistance Program.

If the College receives notice of sexual misconduct, or a complaint of sexual misconduct is filed, it will initiate an investigation and pursue a prompt resolution. The investigation will follow the Investigatory Procedure set forth below, providing a chance for both parties to explain the facts, provide evidence, and identify witnesses. If the respondent is found responsible, sanctions will be imposed, ranging from a note in the respondent's file or more formal warnings, to expulsion from the College or termination of employment.

#### Going forward

The College is committed not only to fully addressing instances of sexual misconduct, but to taking measures to prevent its recurrence and address its effects. Even after an investigation is completed, complainants should follow up with the College if they have lingering concerns or would like further support of any type.

### **EMERGENCY/IMMEDIATE ASSISTANCE**

Individuals who have experienced sexual misconduct have options and resources available to them regardless of their desire to participate in an internal or criminal investigation. The College wants all such individuals to feel supported and safe at all times. The information below outlines on and off campus resources available for emergency or immediate assistance to anyone who has been subjected to sexual misconduct, whether or not they wish to report the incident.

#### Emergency Assistance

Emergency assistance is available 24 hours a day by calling Security (413-528-7291) or 911 (or 9-911 from campus phones). The College will assist any Simon's Rock community member to get to a safe place and will help arrange transportation to the hospital, coordination with law enforcement, and information about the College's resources and the complaint processes.

#### Medical Attention

The College encourages all individuals who have been subjected to sexual assault to seek appropriate medical attention immediately after the incident. This allows for the preservation of evidence and a timely investigative and remedial response. (Preserving evidence does not obligate an individual to pursue a criminal complaint in the future.) Confidential medical care is available regardless of whether the individual feels ready to report the assault to the College or to an external law enforcement agency. College Security can help arrange transportation to an emergency room or call an ambulance for you. (Note that, unlike medical professionals, reports made to Security are not confidential. See the Reporting section for more information related to confidentiality.)

The College encourages individuals to use an emergency room that is part of the Sexual Assault Nurse Examiner (SANE) program whenever feasible. The SANE program has specifically trained nurses who can examine the individual and can collect evidence that could be used in the criminal process if the individual later decides to initiate a criminal

complaint. Great Barrington-area SANE hospitals include:

- **Pittsfield, MA:**  
**Berkshire Medical Center**  
725 North Street  
Pittsfield, MA 01201  
413-447-2000
- **North Adams, MA:**  
**North Adams Regional Hospital**  
71 Hospital Avenue  
North Adams, MA 01247  
413-664-5000

Medical attention may also be received at:

- **Fairview Hospital, Great Barrington, MA, 413-528-8600**

Students only: Simon's Rock Health Services (413-528-7353) or through Security 24/7 - can also provide confidential medical care such as preventative treatment for STIs and pregnancy.

#### Preservation of Evidence

The College encourages all individuals who have experienced an incident of sexual assault to preserve any evidence by:

- Placing clothing and other relevant items (sheets, blankets) in a brown paper bag (not a plastic bag)
- Avoid drinking, bathing, showering, douching, brushing teeth, using mouthwash, combing hair, or changing clothes.

In addition, the individual (or a friend or support person) should write down everything that can be remembered about the incident. This should be done even if the individual is undecided about whether to report the incident. Such evidence may later assist in proving that the alleged criminal offense occurred or be helpful in obtaining a protection order, if the individual changes his or her mind about seeking assistance through the courts.

#### **Reporting**

The College encourages victims of sexual misconduct to talk to somebody about what happened – so victims can get the support they need, and so the College can respond appropriately. The report may be made by (i) the person who experienced sexual misconduct; or (ii) any person who has information that sexual misconduct may have occurred in connection with a College community member, event, or activity.

Different employees on campus have different obligations with respect to a complainant's request for confidentiality upon learning of an incident of sexual misconduct:

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication."
- Other employees may talk to a complainant in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a College investigation into an incident against the complainant's wishes.
- Some employees are required to report all the details of an incident (including the identities of both the complainant and alleged perpetrator) to the Title IX Coordinator or Deputy. A report to these employees (called "responsible employees") constitutes a report to the College – and generally obligates the College to investigate the incident and take appropriate steps to address the situation. See the section on Responsible Employees below for further information.

#### **Confidentiality**

*Professional, licensed counselors and pastoral counselors* who provide mental-health counseling to members of the school community (including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX

Coordinator without a complainant's permission. Following is the contact information for these individuals:

- For Students: Personal Counselors in Counseling Services, 413-528-7445
- For Faculty and Staff: Employee Assistance Program, 800-272-7255

#### *Non-Professional Counselors and Advocates*

Health or Counseling Services Staff: Individuals who work or volunteer in Health or Counseling Services, including front desk staff, can generally talk to a complainant without revealing any personally identifying information about an incident to the College. A complainant can seek assistance and support from these individuals without triggering a College investigation that could reveal the complainant's identity or that the complainant has disclosed the incident.

While maintaining a complainant's confidentiality, these non-professional counselors and advocates or their office must report the nature, date, time, and general location of an incident to the Title IX Coordinator or Deputy. This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the complainant to ensure that no personally identifying details are shared.

A complainant who speaks to a professional or non-professional counselor or advocate must understand that, if the complainant wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent. Even so, these counselors and advocates will still assist the complainant in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

A complainant who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

#### *Other Resources*

Community members may also take advantage of off-campus resources, such as those identified below. Off-campus counselors, advocates, and health care providers will generally maintain confidentiality and not share information with the College unless the individual requests the disclosure and signs a consent or waiver form.

- Mental Health Crisis Team – 24/7: 413- 499-0412 or 800-252-0227 (toll free)
- Elizabeth Freeman Center, (<http://www.elizabethfreemancenter.org/>): 866-401-2425 (toll free), 413-499-2425 (office), 413-499-2425 (TTY)
- YWCA of Western MA: 800-796-8711 (hotline), 413-733-7100 (TTY), 413-732-3121 (office)
- Jane Doe Inc. (Massachusetts Coalition Against Sexual Assault and Domestic Violence): 877-785-2020 (hotline), 877-521-2601 (TTY)
- SafeLink: 877-785-2020 (Massachusetts), 877-521-2601 (TTY)
- National Domestic Violence Hotline: 800-799-SAFE (800-799-7233)
- National Sexual Assault Hotline: 800- 656-HOPE (4673)
- Rape Hotline: 866-401-2425

*NOTE:* While professional and non-professional counselors, advocates, and other confidential resources may maintain a victim's confidentiality vis-à-vis the College, they may have reporting or other obligations under state law, such as mandatory reporting to the Department of Children and Families in cases involving minors; threat of imminent harm to self or others; or the requirement to testify if subpoenaed in a criminal case.

*Responsible Employees*

All College administrators, faculty and professional staff (except for those listed herein as confidential and private reporting options) are “responsible employees” and, as such, are required to promptly report all allegations of violations of the Sexual Misconduct Policy that they observe or learn about to the Title IX Coordinator or Deputy. Such reports must include details of an incident (including the identities of complainant and respondent, when provided; any witnesses; and any other relevant facts, including the date, time and specific location of the alleged incident). A disclosure to a responsible employee constitutes a report to the College, and generally obligates the College to review the incident and take appropriate steps to address the situation. To the extent possible, information reported to a responsible employee will be shared only with individuals responsible for handling the College’s response to the report.

The complainant may disclose an incident but request confidentiality and/or that no investigation into the particular incident is pursued, or no action through the College process is taken. In reporting an incident to the Title IX Coordinator, a responsible employee will also inform the Coordinator of any request by the complainant for confidentiality. In such instances the Title IX Coordinator or Deputy, in consultation with a small number of key college administrators and/or legal counsel, will weigh the request against the College’s obligation to provide a safe, non-discriminatory environment for all students and employees, including the complainant. A range of factors may be considered in making this assessment (e.g., whether the alleged accused is likely to commit additional acts of sexual, gender-based, or other violence; whether the act was committed with a weapon; if the complainant is a minor; whether the college can obtain relevant evidence of the misconduct through some other means; or whether the report reveals a pattern of behavior at a given location or by a particular group). The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue action against the accused.

If the College honors a complainant’s request for confidentiality or decision not to participate in an investigation, the College’s ability to meaningfully investigate the incident or pursue conduct action against the alleged accused may be limited.

If the College determines that it cannot maintain a complainant’s confidentiality, the College will inform the complainant prior to an investigation and, to the extent possible, share information only with a limited number of personnel responsible for handling the College’s response. The College will remain ever mindful of the victim’s well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. The College will also:

- Assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- Provide other support, which could include issuing a no-contact order; helping arrange a change to on-campus housing, working arrangements, or course schedules (including for the respondent pending the outcome of an investigation); or adjustments for assignments or tests; and
- Inform the complainant of the right to report a crime to campus or local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

The College may not require a complainant to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of gender-based misconduct campus-wide, reports of that nature (including non-identifying reports) will also prompt the College to consider broader remedial action – such as increased monitoring, supervision, or security at locations where the reported acts

occurred; increasing education and prevention efforts, including to targeted population groups; and/or revisiting its policies and practices.

If the College determines that it can grant a complainant's request for confidentiality, the College will also discuss other actions that might be implemented to protect and assist the complainant.

### ***Formal Reporting Options***

Victims of sexual misconduct may report complaints to be handled through the College's conduct process, may pursue criminal action, may choose one but not the other, may choose neither, or may choose both. Proceedings under the college's policies may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

### ***Reports to the College***

Reports by or against any community member may be made to:

- Title IX Coordinator Leslie Davidson, (413-528-7245, leslied@simons-rock.edu, Blodgett House, second floor)
- Deputy Title IX Coordinator Sue Lyon, (413-644-4282, slyon@simons-rock.edu, College Center, first floor)
- Security, (413-528-7291, Student Union, first floor)

Reports against staff or faculty may also be made to:

- Director of Administration and Finance Bryant Morgan (413-528-7204, bmorgan@simons-rock.edu, College Center, first floor)

Reports against faculty may also be made to:

- Dean of Academic Affairs Pat Sharpe (413-528-7240, psharpe@simons-rock.edu, College Center, first floor)

The College encourages the complainant to meet personally with the Title IX Coordinator or Deputy before filing a written statement, to ensure understanding of the administrative process.

A written statement is not required, but if provided should describe the alleged incident(s) with as much clarity and detail as possible, and should reference or include any supporting documentation. It should also include the full first and last names of the complainant, the respondent, and others who may be involved. The Title IX Coordinator or Deputy will work with the complainant to make sure s/he is aware of his/her rights and resources, and can take remedial action as described herein to alleviate the immediate effects of the alleged incident(s).

### ***Reports to Law Enforcement***

If a complainant wants to report the incident to law enforcement, the complainant may file a report with Security by calling 413-528-7291 or the Great Barrington Police Department by calling 413-528-0306. If the incident occurred off-campus, a complainant has the right to file a report with the local law enforcement agency in the jurisdiction where the incident occurred. The College will assist a complainant with this process if the complainant so chooses; however, a complainant is free to decline notification of law enforcement. Filing a complaint with law enforcement does not require the complainant to participate in a criminal process if the complainant chooses not to.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether sexual misconduct, for the purposes of this Policy, has occurred.

### ***Anonymous and Third Party Reports***

The College welcomes anonymous and third-party reports, which may come to the Dean of Academic Affairs, an advisor, the Dean of Students, Title IX Coordinator or Deputy, Security or an Residence Director. However, it may be limited in the action it can take following a report of sexual misconduct if

details are vague or incomplete, or if the complainant will not self-identify.

### ***Interim Measures***

Upon receipt of a report, the College will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. The College will determine the necessity and scope of any interim measures. Even when a complainant or respondent does not specifically request that protective action be taken, the College may choose to impose interim measures at its discretion to ensure the safety of any individual, the broader College community, or the integrity of the review process.

Individuals desiring such assistance should speak with the Title IX Coordinator or Deputy, who will coordinate such requests. The College will maintain contact with the parties to ensure that all safety and emotional and physical well-being concerns are being addressed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce measures previously ordered or implemented by the College.

The College may impose any remedy that can be tailored to the involved parties to achieve the goals of this policy, even if not specifically listed here. The range of interim measures may include:

*No Contact Order:* A complainant or respondent may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in person, telephone, electronic, or third party communications. In some cases, an individual may also wish to consider an Abuse Prevention Order, also known as a “restraining order” or “209A order,” or a Harassment Prevention Order, also known as a “258E order,” from the local courts. For more information on Massachusetts law, see

<https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A> and <http://www.mass.gov/courts/selfhelp/abuse-harassment/harassment-prevention.html>. These are civil proceedings independent of the College. If a court order is issued the College will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on campus compliance with the order. The College may also limit an individual or organization’s access to certain College facilities or activities as part of the no contact order.

### *Academic, Employment, or Residence Modifications:*

A complainant or respondent may request an academic or employment accommodation or a change in residence or workspace after a report of sexual misconduct. An individual who requests assistance in changing their academic, working, or living situation after an incident of sexual misconduct will receive appropriate and reasonably available accommodations. These may include:

- Academic accommodations, including a change in class schedule, taking an incomplete, dropping a course without penalty, attending a class via Skype or other alternative means, providing an academic tutor, or extending deadlines for assignments;
- Change of dormitory assignment;
- Change in work assignment or schedule;
- Providing an escort to ensure safe movement between classes and activities.

The College will treat any accommodation provided with confidentiality, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodation.

*Emotional Support:* The College will provide counseling services to students through the Counseling Center, or will assist in providing a referral to off campus agencies.

*Interim Separation:* Where the report of sexual misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of

the campus community, the College may place an individual on interim suspension or impose leave for an employee. Pending resolution of the complaint, the individual may be denied access to campus.

### ***Investigation and Adjudication Procedures***

The Title IX Coordinator will review all complaints, to determine whether the complaint describes a violation of this policy. The Title IX Coordinator may delegate the handling of any complaint to the Deputy Coordinator. In the event the Title IX Coordinator named in this report is unavailable, or if a conflict of interest exists in any particular case, the complaint will be reviewed by the Deputy Title IX Coordinator, or his/her designee. If the Title IX Coordinator or Deputy Coordinator/designee believes the complaint raises an allegation of sexual misconduct, s/he will appoint an investigator. The Title IX Coordinator or Deputy will determine all potential charges/violations of policy.

The parties will be informed of the investigation by the Title IX Coordinator or Deputy, and the respondent will be notified in writing of the charges against her/him under this policy. No respondent will be summoned for an interview without first being informed, in writing, of all allegations and given information on their rights. If new information comes to light that results in the need to charge the respondent with additional violations, the respondent will be provided with an updated written letter setting forth the new allegations.

### **Investigator**

Investigations will be conducted by a single investigator who may, at times, be assisted by one other investigator. The investigator(s) will either be a neutral third party selected by the Title IX Coordinator or, at the Title IX Coordinator's discretion, an employee trained to conduct such investigations. All lead investigators must have specific experience investigating allegations of sexual misconduct, and all investigators (whether serving a lead or support role) receive annual training in handling of and issues related to sexual misconduct, including specific training on how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability.

### **Advisor of Choice**

Both the respondent and the complainant have the right to be accompanied to investigative meetings and proceedings by one (1) advisor of their choice. An advisor is permitted to provide support to a participant, but may not actively participate in or advocate during a proceeding or meeting. Witnesses in an investigation may not serve as advisors in the same investigation, and advisors may be removed from proceedings for failure to comply with the College's policy concerning advisor assistance.

### ***Notification of Rights***

Complainants and respondents are afforded certain rights during the course of an investigation and adjudication, including, but not necessarily limited to those listed below, and students will be informed of these in writing upon the College's receipt of a report (regardless of whether the incident reported occurred on- or off-campus):

- Rights and options with respect to the report;
- Information about the importance of preserving evidence;
- How and to whom to report crimes;
- Options for notifying law enforcement and campus security authorities (and the option to decline to notify authorities);
- Information about orders of protection, no contact orders, restraining orders, or other similar lawful orders issued by a criminal, civil, or tribunal court or by the College;
- Information concerning confidentiality and maintenance as confidential of any accommodations or protective measures provided to the complainant (to the extent that maintenance of such confidentiality would not impair the ability of the institution to provide accommodations or protective measures);
- Options and resources for counseling, health and mental health services, victim advocacy, legal assistance, visa and immigration assistance, and other services available for College complainants, both within the College and in the community;
- Options for assistance in changing academic and living conditions (if requested and

reasonably available), transportation arrangements, and working conditions (regardless of whether the victim chooses to report the incident to law enforcement); and

- Procedures for College disciplinary action. This includes a description of each type of disciplinary proceeding used by the College; the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding; how the College determines which type of proceeding to use based on the circumstances of an allegation; a description of the standard of proof (*i.e.* a preponderance of the evidence) that will be used during any disciplinary proceeding arising from an allegation; the accuser's and accused's right to have an advisor of choice (not to be limited by the College) present at any College disciplinary meeting or hearing; a listing of all possible sanctions that the College may impose following a disciplinary proceeding; the range of protective measures the College may offer following receipt of an allegation; the right to receive written notice of the result of any College disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking; appeal procedures; written notice of any change in the result of any initial disciplinary proceeding upon appeal; and notice of when results will become final.

#### ***Evidentiary Standard***

The investigator will determine the respondent's responsibility by a preponderance of the evidence standard, which is whether the information provided supports a finding that it is "more likely than not" that the respondent is responsible for the alleged violation(s).

#### ***Investigation, Findings, and Outcome Notification***

The investigator will speak with both parties, as well as witnesses, and will review all information and evidence. After speaking with each individual, the investigator will document the conversations for the record. The complainant and respondent will each

have five (5) business days to review the investigator's summary of their own testimony to the investigator, and to respond to that summary with any amendments, clarifications, or disputes before it becomes part of the investigatory record.

The investigator will coordinate the gathering of all other information from the parties and other individuals who may have information relevant to the determination. The investigator will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. In gathering such information, the investigator will comply with applicable laws and college policies. As part of the investigation, the College will provide an opportunity for all parties to present written statements, identify witnesses, and submit other evidence. The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect.

Once the investigator has heard all parties involved, s/he will submit a final report with an opinion as to whether or not the sexual misconduct policy has been violated. If the investigator concludes that a violation did occur, s/he may recommend a sanction for the Title IX Coordinator's review.

The Title IX Coordinator reviews the findings report, consults with others as appropriate, and either accepts or modifies the suggested outcome. The Title IX Coordinator then informs the complainant and respondent, in writing, of the outcome and sanction as appropriate.

The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the investigation.

#### ***Timeframe***

The college will conduct a timely review of all complaints of sexual misconduct. Absent extenuating circumstances, review and resolution typically takes place within sixty (60) calendar days from receipt of the complaint.

Preliminary reviews of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within fifteen (15) days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with involved parties and gathering of evidence, is usually completed within forty-five (45) days of receipt of the complaint.

Final outcomes are typically issued within sixty (60) days of receipt of the complaint. The finding and outcome will be simultaneously communicated in writing to both the accused and the accuser.<sup>2</sup>

### **Sanctions**

If the respondent is found responsible for sexual misconduct, a sanction appropriate to the severity of the offense will be imposed. Sanctions include mandated education and/or counseling, formal warning, probation, suspension, expulsion (for students), or termination (for employees).

Sanctions may also include requirements that existing interim measures and accommodations stay in place for a prescribed period of time, as well as new remedies such as No Contact Orders, housing placement, or academic accommodations, based upon the investigation and adjudication of the case.

If a student is found to have violated the sexual misconduct policy, actions taken to sanction the student will vary depending on the offense but may include any of the sanctions outlined in Appendix B of the Student Handbook.

If a staff or faculty member is found to have violated the sexual misconduct policy, actions taken to sanction the staff or faculty member will vary depending on the offense but may include verbal

warning, written warning, suspension with or without pay, or termination of employment.

For non-consensual sexual intercourse, sanctions typically include suspension, expulsion, or termination.

### **Appeal Procedure**

Both parties, the complainant and the respondent, have equal rights to an impartial appeal. The parties shall have two (2) business days after receiving written notice of the outcome of the investigation to submit a written appeal of the outcome. Sanctions from the original hearing will go into effect immediately after the decision is delivered to the respondent, even if a request for appeal is submitted. If either party files an appeal, the other party will be notified.

Requests for appeals should be submitted to the Title IX Coordinator. The Deputy Title IX Coordinator (or the Title IX Coordinator if the Deputy oversaw the underlying case), will then determine if grounds exist to hear the appeal.

Appeals will be accepted solely on one or more of the following grounds:

1. **Violation of Procedure** – An appeal will be accepted if the appellant demonstrates that the College committed a material procedural error that was likely to adversely affect the result of the conduct adjudication. Minor or inconsequential deviations from procedure do not give rise to an appeal right.
2. **Previously Unavailable Information** – An appeal will be accepted in circumstances where the appellant is able to provide relevant testimony or other evidence that (i) was unavailable to the individual submitting the appeal at the time of the

<sup>2</sup> The College will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any discipline proceeding conducted by the College against a person who is the alleged perpetrator of the crimes or offense. If the alleged victim is deceased as a result of the alleged crime or offense, the alleged victim's next of kin shall be treated as the alleged victim for purposes of this provision. For

purposes of this provision, a "crime of violence is defined as "(a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense." This definition is set forth in 18 U.S.C. § 16.

adjudication process, and (ii) would have likely affected the finding.

If an appeal is accepted, both parties will be notified and an appeal panel of three (3) will be convened by the Provost or designee, consisting of three trained faculty or staff members from the Code of Student Conduct Committee for cases involving students; or the Dean of Student Affairs, Dean of Academic Affairs, and Dean of Finance and Administration, or any of their designees, in all other cases. The appellate panel will have training regarding Title IX and prohibited conduct defined under this policy and will be impartial and unbiased. The panel will review the stated grounds for appeal and may provide the non-appealing party the chance to review the appeal and provide a written response to the panel within five (5) calendar days after receiving the appeal. The panel may seek further information from the parties, witnesses, or investigator, but will not hold a formal appeal hearing. Both parties will be notified in writing of the outcome of the appeal, generally within fourteen (14) days of the initial filing of appeal.

The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the appeal.

### ***Required Disclosures***

#### *Within the College*

College officials – other than licensed health and counseling professionals – who learn of an instance of sexual misconduct, are required to report the incident to the Dean of Academic Affairs, the Dean of Students, the Title IX Coordinator, or the Deputy Title IX Coordinator. In a situation where the accused party is an employee of the College, the incident will in turn be reported to the Provost.

#### *Clery Act Compliance*

Under the Clery Act, the College is obligated to disclose information about certain crimes on campus and in the surrounding community. As part of this compliance, College officials who become aware of an incidence of sexual misconduct must notify the

director of security that such an incident has occurred, and the place and date. This information is collected only for statistical reporting as mandated by the Clery Act; no individuals or identifying details are revealed. If a report of sexual or gender-based misconduct discloses a serious and immediate threat to the campus community, Security will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include identifying information about a reporting party.

#### *Mandated Reporter Obligations*

Members of the Simon's Rock community who hold certain positions are considered "mandated reporters" under state law and required by law to report suspected abuse of minors, including sexual abuse, to the Massachusetts Department of Children and Families (DCF). These positions include, but are not limited to, teachers, educational administrators, police officers, physicians, nurses, medical treatment providers, social workers, preschool and after-school program staff, child care providers, clergy, and guidance or family counselors.

#### ***Sexual Assault, Domestic Violence, Dating Violence and Stalking Awareness and Prevention***

Simon's Rock provides sexual violence prevention education to its campus community each year. The College educates the community about sexual assaults through various programs, including mandatory freshman orientations each fall. All incoming students are required to participate in mandatory educational programs about consent, preventing sexual harassment and assault, and promoting a culture of caring for and respecting one another. This includes an online program students complete before arriving on campus and a presentation during New Student Orientation. Sessions are also provided for all students throughout the year to increase awareness of and reduce the incidence of sexual misconduct, domestic violence, dating or intimate partner violence, stalking and sexual harassment. All responsible employees also receive regular training. Literature

on date rape education, risk reduction, and Simon's Rock response is available through the office of student affairs and health services. Further, it is the policy of the College to provide the following types of programs or training:

*Residence Director Training*

Residence Directors are trained regarding the law, the College's sexual misconduct policy and investigation procedures, date rape, drugs, sexual assault reporting and protocol, and supporting affected students.

*Peer Advocate Training*

Peer Advocates, student members of the residence life staff, receive training on sexual misconduct, the College's investigation procedures, and responding to affected students.

*Security Staff Training*

Security staff members receive training on the College's sexual misconduct policy and investigation procedures, sexual misconduct reporting, and collaborating with residence life and health services staff on response to affected students.

*Responsible Employee Training*

Responsible employees receive regular training on sexual misconduct response and reporting issues.

*Bystander Intervention Awareness*

The College encourages all members of the community to foster a safe environment on campus, and expects that all community members will take reasonable and prudent actions to prevent and stop acts of sexual misconduct. Taking action may include direct intervention if safe, enlisting the assistance of friends, contacting law enforcement or the Security Department, or seeking assistance from a person in authority.

*Active Community Engagement*

As part of the ACE program, students to attend and participate in College-sponsored activities and programming each of their first three semesters, including programming related to making

responsible social choices while at Simon's Rock, Informed Consent Before Sex, and No Joke: Understanding Harassment and Discrimination.

*Health Services Support*

In addition to the above programs and trainings, Health Services provides information, support, counseling and medical care in cases of sexual misconduct.

***Sex Offender Registry and Access to Related Information***

The federal "Campus Sex Crimes Prevention Act" (P.L. 106-386, Sec. 1601) (the "CSCPA") requires institutions of higher education to advise the members of their campus communities of where to obtain information concerning individuals employed by, enrolled in, and/or serving at the institution who are registered sex offenders

<http://bpdnews.com/sex-offender-registry/>. Under the provisions of the same law, individuals who are required to register with the appropriate state office as sex offenders must inform the state office in which they are registered whenever they enroll in, become employed by, or undertake a vocation at an institution of higher education. The CSCPA requires the state Sex Offender Registry offices to notify an institution of higher education whenever a sex offender on its registry provides notice he or she is enrolled in, employed by, or has undertaken a vocation at that institution and to provide information concerning that individual. The CSCPA does not require institutions of higher education to request information from state sex offender registries.

All publicly available information received from state Sex Offender Registry offices will be maintained by the Security Department. Any member of the public who is at least 18 years of age or older may request sex offender information. The information will be provided to any person who is seeking the information for his/her own protection, for the protection of a child under the age of 18, or for the protection of another person for whom the requesting person has responsibility, care, or custody. Information concerning an individual

enrolled in, employed by, or undertaking a vocation at the College who is required to register as a sex offender may be obtained by appearing in person at the Security Department and asking to review the registered sex offender information.

Additional information about persons required to register as sex offenders and how to obtain information concerning such persons may be obtained from the Massachusetts Sex Offender Registry Board, P.O. Box 4547, Salem, MA 01970; 800 - 93 MEGAN; [www.mass.gov/sorb](http://www.mass.gov/sorb) or from the Great Barrington Police Department. Information from the Sex Offender Registry Board is available concerning those sex offenders who have been finally classified by the Board as Level 2 (Moderate Risk) or Level 3 (High Risk) offenders.

Persons seeking Sex Offender Registry information should be aware there are criminal penalties for use of Sex Offender Registry information to commit a crime or to engage in illegal discrimination or harassment of an offender.

### **CLERY ACT GEOGRAPHY DEFINITIONS**

The following definitions apply to the geographical locations of incidents disclosed in the crime statistics tables contained in this report:

*On-Campus:* Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the property described above in this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

*On-Campus Residence Halls:* An institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics: the total number of crimes that occurred on campus, including crimes that occurred in student housing

facilities, and the number of crimes that occurred in on-campus student housing facilities as a subset of the total. In other words, if a Clery Act crime is reported to have occurred in an on-campus residence hall, the incident is counted twice. It is reported in the overall on-campus statistics table and once in the on-campus residence hall statistics table.

*Public Property:* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

*Non-Campus:* Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### **CLERY ACT/VAWA CRIME DEFINITIONS**

The following definitions apply to the incidents of crime disclosed in the crime statistics tables contained in this report:

#### ***Clery Act Felony Definitions***

*Murder and Non-Negligent Manslaughter:* The willful (non-negligent) killing of one human being by another.

*Negligent Manslaughter:* The killing of another person through gross negligence.

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

*Arson:* Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling

house, public building, motor vehicle or aircraft, or personal property of another.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

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

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.

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

### ***Clery Act Sex Offenses Definitions***

The following sex offenses fall with the definition of “sexual assault” under the Clery Act.

**Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Incest:** Non forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Non forcible sexual intercourse with a person who is under the statutory age of consent.

### ***Arrest and Referrals for Discipline for Violations of Liquor, Drug, and Weapons Laws***

**Liquor Law Violations:** The violation of state and local municipal laws and ordinances prohibiting the manufacture, sale, transporting, furnishing,

possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

**Weapons Law Violations:** The violation of federal, state and local laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

**Drug Law Violations:** Violations of federal, state, and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (demerol, methadone), and dangerous non-narcotic drugs (barbiturates, benzedrine).

NOTE: Under Clery, an arrest is defined as the processing of a person by arrest, citation, or summons. A referral for disciplinary action is defined as the referral of any person to an institution official who institutes a disciplinary action of which a record is kept and which may result in the imposition of a sanction. Disciplinary action occurs where an official receiving the information initiates a disciplinary action, a record of the action is kept, and the action may, but not need have to, result in a sanction. Disciplinary actions may be initiated in both informal and formal manners and can include an interview or a simple, initial review of names submitted to an institutional official. An incident involving both an arrest and a referral for discipline is counted only as an arrest.

### ***Hate Crimes***

Under the Clery Act, a hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the

offender's bias. For Clery purposes, hate crimes include any Clery Act felony (murder or non-negligent manslaughter, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, or arson) together with any of the following crimes to the extent they manifest evidence of bias:

*Larceny-theft*: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

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

*Destruction, damage or vandalism of property*: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of the property.

Note: "Bias" is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity.

### ***Violence Against Women Reauthorization Act (VAWA) Crimes***

The Violence Against Women Reauthorization Act of 2013 requires that institutions report incidents of sexual assault, domestic and dating violence (also known as 'intimate partner violence) and stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law jurisdictions of the same crimes.

### ***Federal Definitions***

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

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

*Stalking*: A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

### ***State Definitions***

Under state law, "domestic abuse" is defined to be the occurrence of one or more of the following acts between family or household members: attempting to cause or causing physical harm, placing another in fear of imminent serious physical harm; and causing another to engage involuntarily in sexual relations by force, threat, or duress. Under this law, family or household members include people who are or were married, residing in the same household, related by blood or marriage, have a child together, or have a substantive dating or engagement relationship. See M.G.L. c. 209A, § 1.

Under Massachusetts law, M.G.L. c. 265, §43, an individual engages in stalking if s/he: 1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress; and 2) makes a threat with the intent to place the person in imminent fear of death or bodily injury.

“Sexual offenses” means any sexual act directed against another person, without the consent of that person, including instances when the person is unable to give consent. Sexual offenses including the following:

- “Rape,” which is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Under state law, rape occurs when the offender has “sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against his/her will, or compels such person to submit by threat of bodily injury.” See M.G.L. c. 265, § 22. A sexual assault that does not meet the legal definition of rape may constitute “indecent assault and battery,” which occurs when the offender, without the victim’s consent, intentionally has physical contact of a sexual nature with the victim. See M.G.L. c. 265, § 13H.
- “Fondling,” which is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- “Non-Forcible Sex Offenses,” which is defined as unlawful, non-f forcible sexual intercourse, including:
- “Incest,” which is defined as the non-f forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and
- “Statutory rape,” which is defined as non-f forcible sexual intercourse with a person who is under the statutory age of consent,

which is 16 years of age in Massachusetts.  
See Mass. Gen. Laws c. 265, §23.

Relevant federal law does not include a definition of the term “consent.” See Violence Against Women Act (Final Rule), 79 Fed. Reg. 62,572 (Oct. 20, 2014) (codified 34 C.F.R. 668). Although Massachusetts law does not contain a statutory definition of consent, reference to the jurisdictional definition is made to M.G.L., c. 265, § 22. The College’s policy definition of consent is to be applied in cases of alleged sexual assault.

### **RULES FOR CALCULATING STATISTICS DISCLOSED IN THE ANNUAL SECURITY REPORT**

The Clery Act groups crimes into the following categories in descending order of severity: Part I Crimes (felonies); Part II Crimes (arrests and referrals for discipline for violations of weapons, drug, and liquor laws); Part III Crimes (hate crimes); and Part IV Crimes (crimes added to the scope of the Clery Act pursuant to the Violence Against Women Reauthorization Act of 2013 (“VAWA”). Offense groupings must be reported in separate statistics grids (with the exception of hate crime statistics, which may be published in narrative format).

The Clery Act’s “hierarchy rule” applies to calculation of statistics concerning incidents in which multiple offenses are reported to have occurred within a single event. The rule requires that institutions count only the most serious offense where more than one Clery Act offense has occurred, subject to certain exceptions described below.

#### **Part I Crimes (Felony Offenses)**

The Clery Act requires disclosure of statistics concerning the reported occurrence of any of the crimes listed below in order of severity.

1. Criminal homicide:
  - a. Murder and non-negligent manslaughter
  - b. Negligent manslaughter
2. Sex offenses:
  - a. Rape

- b. Fondling
- c. Incest
- d. Statutory rape
- 3. Robbery
- 4. Aggravated assault
- 5. Burglary
- 6. Motor vehicle theft
- 7. Arson

**Part II Crimes** (*Arrests/ Referrals for Weapons, Drug, and Liquor Offenses*)

- 1. Weapons law arrests
- 2. Drug law arrests
- 3. Liquor law arrests
- 4. Weapons law referral for discipline
- 5. Drug law referral for discipline
- 6. Liquor law referral for discipline

**Part III Crimes** (*Hate Crimes*)

Under the Clery Act, a “hate crime” is a criminal offense committed against a person or property which is motivated (in whole or in part), by the offender’s bias. For Clery purposes, “hate crimes” include any Clery Act felony under Part I to the extent such crimes manifest evidence of bias. “Hate crimes” also include four additional misdemeanor offenses.

**Part I Felonies Subject to Hate Crime Counting Requirements**

- 1. Criminal homicide:
  - a. Murder and non-negligent manslaughter
  - b. Negligent manslaughter
- 2. Sex offenses:
  - a. Rape
  - b. Fondling
  - c. Incest
  - d. Statutory rape
- 3. Robbery
- 4. Aggravated assault
- 5. Burglary
- 6. Motor vehicle theft
- 7. Arson

**Additional Misdemeanor Offenses Subject to Hate Crime Counting Requirements**

- 1. Larceny – theft
- 2. Simple assault
- 3. Intimidation
- 4. Destruction, damage or vandalism of property

**Part IV Crimes** (VAWA Offenses)

- 1. Domestic violence
- 2. Dating Violence
- 3. Stalking

***Calculating Statistics Subject to the Hierarchy Rule***

Some single incidents involve multiple Clery Act offenses, and often, a determination of which offense to disclose in the ASR’s statistics grids is made simply based on where the offense lie in the hierarchy. For example, if a student under the legal drinking age is arrested on campus while in possession of a stolen motor vehicle and an alcoholic beverage, the institution is required to disclose only the motor vehicle theft because it is the more serious crime according to the hierarchy rule. However, in some instances involving multiple offenses, the hierarchy rule will not apply. Some counting requirements and examples are provided below to provide context for statistics in the ASR’s statistics grids.

- Crimes that occur in on-campus residence halls are counted twice – once in the general ‘on-campus’ category, and once in the ‘residence hall’ category.
- **Arson** is always counted, regardless of whether it is more or less severe than any other Clery Act offense in the same incident. (For example, if someone commits arson during a burglary, then the institution must record a statistic in both the arson and burglary categories, thus appearing to reflect two separate incidents, but really only documenting one event.)
- **Murder/non-negligent manslaughter** and **negligent manslaughter** statistics are

calculated based on the number of victims in a single incident. (For example, if two people are murdered in the same incident at the same time, or die due to the gross negligence of another person, then the institution must record two statistics in the murder category – one statistic for each victim.)

- Any incident involving both a **murder/non-negligent manslaughter** and either a **robbery, burglary, aggravated assault, or motor vehicle theft** must be recorded as one statistic in the murder/non-negligent manslaughter category. (Robbery, burglary, aggravated assault, and motor vehicle theft are subsumed within the murder/non-negligent manslaughter category. However, **arson, sexual assault, hate crimes, and Part IV VAWA** crimes are not subsumed by any other category and therefore must be reported in addition to another Clery offense involved in the same incident.)
- **Sex offenses (rape, fondling, incest, and statutory rape)** are always counted, even where they also involve a murder or non-negligent manslaughter.
- Crimes less severe than **sex offenses (rape, fondling, incest, and statutory rape)** are not counted unless the less severe crime is one of dating violence, domestic violence, or stalking, or unless it is a hate crime misdemeanor (larceny – theft; simple assault; intimidation; or destruction, damage or vandalism of property).
- **Robbery** statistics are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. (For example, if one offender robs three individuals at gunpoint at the same time and while in the same place, the institution must record one statistic in the robbery category.)
- **Aggravated assault** statistics are calculated based on the number of victims involved in

a single incident. (For example, if two people are assaulted with a weapon during the same incident, then the institution must record two statistics in the non-negligent manslaughter category – one statistic for each victim.)

- **Burglary** statistics generally are calculated by incident (or in other words, by distinct operation), not by the number of victims involved in a single incident. (For example, if one offender breaks into a structure and steals two laptops belonging to two different people who reside in the same room, then the institution must record one statistic in the burglary category.)
- There are special rules for the counting of **burglaries**: Each room in a student housing facility is considered a separate dwelling for purposes of calculating burglaries. (For example, if a burglar enters a resident hall suite and steals a television from the common area, and then enters two separate bedrooms within the suite and steals laptops from each bedroom, the institution must record three statistics in the burglary category – one for the common area, and two for the bedrooms (one for each bedroom)).

However, various rooms within an academic building are considered to be under the control of a single entity. Therefore, the burglary of a single academic building is counted as one offense, regardless of the number of offices or other spaces from which items may have been stolen, unless the various rooms were burglarized within different time frames. In that case, each burglary separated by time would be recorded as separate statistic in the burglary category.

- Part I felony crimes committed on the basis of a prohibited bias (*i.e.* “**hate**”) are always counted twice – once in the Part I felony crime grid, and once separately in the hate crimes grid/narrative. In the event a single incident involves multiple Part I

- offenses based on bias, the hierarchy rule does not apply to disclosure of statistics in the hate crimes grid/narrative, and all Part I offenses must be reported separately. (For example, if an incident involves both an aggravated assault and motor vehicle theft based on bias, the institution must record statistics in both the aggravated assault and motor vehicle theft categories in the hate crimes grid/narrative. However, only the aggravated assault would be disclosed in the Part I grid based on the hierarchy rule.)
- The four Part III misdemeanor ***hate crimes*** (larceny – theft; simple assault; intimidation; or destruction, damage or vandalism of property) are *only* reported in the hate crime grid/narrative.
  - Part IV ***VAWA crimes (domestic violence, dating violence, and stalking)*** are reported in a separate grid. If any Part I felony incident also involves a Part IV VAWA incident, then both incidents are reported – the felony crime is reported in the Part I grid, and the VAWA crime is reported in the Part IV grid.
  - In the event a Part IV ***VAWA*** offense might be classified as both “domestic violence” and “dating violence”, the incident is reported as one of “domestic violence.”
  - In the event a Part IV ***VAWA*** offense involves ***stalking*** together with domestic or dating violence, both the stalking and domestic/dating violence are reported separately. One statistic must be recorded in the stalking category, and one statistic must be recorded separately in the domestic/dating violence category.
  - Where an incident involves both an ***arrest and a referral for discipline*** for a weapon, liquor or drug law violation, only the arrest is recorded.
  - Where an ***arrest or referral for discipline*** is made in response to a Part II incident involving more than one offense (for example, unlawful possession of drugs *and* liquor), only one statistic is recorded. The DOE Clery Handbook does not offer guidance on a hierarchy for Part II offenses, and in the event of such an incident, the decision how to report should be made by a sworn law enforcement officer. For purposes of this report, in the event of such an incident, statistics will be recorded according to the following order: (1) weapons, (2) drugs, and (3) alcohol, unless circumstances suggest alternative reporting is more appropriate. (For example, if a student arrested for serving a large volume of liquor to underage students one night, and at the time of the arrest police discover a very small amount of marijuana on the student’s person, then the incident is reported as one statistic reflecting an arrest for violation of liquor laws because the relative severity of the liquor offense outweighs that of the drug offense).
  - ***Stalking*** is counted uniquely under VAWA.
    - When recording a stalking report, an institution is required to record a crime statistic only once for the calendar year in which the course of conduct was reported to a local police agency or campus security authority.
    - If the course of conduct involves the same parties and continues in a subsequent year, then the stalking must also be recorded for the subsequent year as well.

- An institution must record each report of stalking as occurring at only the first location within the institution's Clery geography in which the perpetrator engages in the stalking or a victim first becomes aware of the stalking. Therefore, a report of stalking must be reported in an institution's ASR if it meets the definition of stalking even though the stalking course of conduct does not occur on the institution's campus or in or on any of its other Clery geography.

## **ANNUAL FIRE SAFETY REPORT AND FIRE STATISTICS**

### ***Policy on Portable Electric Appliances, Smoking and Open Flames***

The Student Affairs office and the Security Department inspect residential buildings five times per year; twice during fall semester, once prior to the January Intersession, before spring break, then once again over the summer. Inspections prior to the breaks will be announced by the residence directors. These inspections are primarily designed to find and eliminate safety violations. Students are required to read and comply with Student Handbook which includes all other rules and regulations for residential buildings. The inspections include, but are not limited to, a visual examination of electrical cords, sprinkler heads, smoke detectors, fire extinguishers and other life safety systems.

In addition, each room will be examined for the presence of prohibited items (e.g., sources of open flames, such as candles; non-surge protected extension cords; halogen lamps; portable cooking appliances in non-kitchen areas; etc.) or prohibited activity (e.g., smoking in the room; tampering with life safety equipment; possession of pets; etc.). This inspection will also include a general assessment of food and waste storage and cleanliness of the room. Prohibited items will be immediately disabled or confiscated possibly without reimbursement.

### ***Housing Evacuation in the Event of a Fire***

In the event of a fire, the College expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 9-911 and the campus security. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm.

In the event fire alarms sound, College policy is that all occupants must evacuate from the building, closing doors as they leave no training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go

to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building. Students and employees with disabilities discuss individualized evacuation plans with the director of security.

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

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester.

These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the college's fire safety policies. During these programs, trainers emphasize that participating in fire drills is mandatory. Students and employees with disabilities discuss individualized evacuation plans with the director or security.

If a fire occurs, students are instructed to leave the building immediately. They should inform the Security Department immediately either by manually activating the fire alarm system at one of the pull stations if it is safe to do so, or by calling 7291 or 0 from a safe location. The student should then report to the predetermined meeting area for their building where they will remain until Security has gathered all relevant information on the incident and has determined that all building residents are accounted for. RDs are instructed to pull the fire alarm as they are leaving the building while assisting the student's evacuation, if they can do so without risking their safety.

The information provided during the fire safety programs is also available online at any time at the main Security Office page.

### ***Fire reporting***

Per federal law, Bard College at Simon's Rock is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities.

Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the security office may already be aware.

If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

Bard College at Simon's Rock Security Department  
Main Office: 413-528-7291  
Director's Office: 413-528-7680  
security@simons-rock.edu

When contacting security, please provide as much information as possible about the location, date, time and cause of the fire.

#### ***Plans for Future Improvements in Fire Safety***

Bard College at Simon's Rock intends to continually review its prevention strategies (education, inspections, fire drills, and device maintenance), and continue to upgrade fire alarm systems throughout the campus. Whenever buildings undergo major renovations, the life safety systems, fire detection, and fire suppression systems will be replaced with current code compliant systems.

#### ***Additional Fire Prevention Guidelines***

- Plug all types of multiple plug adapters directly into wall outlets. Do not use more than two extension cords in a single multiple-plug adapter. Check cords for wear and have faulty appliances repaired or removed from the residence.
- Flammable and combustible liquids are prohibited in all residence halls. This includes charcoal briquettes, lighter fluids,

gasoline, benzene, propane, alcohol, cleaning fluids, and oil-based paints.

- Combustible waste should be disposed of as soon as possible. Trash and garbage should be emptied in the proper refuse containers, not left in corridors or hallways since this may delay building egress.
- Room furnishings should not obstruct or hamper any access to an exit. All doors must be able to swing freely in their full range of motion.
- Motorcycles, mopeds, gasoline engines or engine parts are prohibited in or near buildings.
- Do not drape any type of combustible material over lamps or other electrical fixtures.
- Do not prop open fire doors. Closed fire doors are designed to prevent smoke and fire from spreading.
- Do not use flammable decorations at anytime, including during the holiday season. Live trees or combustible ornaments are not permitted.
- Do not hang any items from the ceiling as they may interfere with the designed spray pattern of the sprinkler system or the path of heat and smoke to a fire detection device.

#### ***Fire Log***

The College maintains a daily log of all fires reported. The log is available for viewing, upon request, during normal business hours, at the Security Department. The log contains the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire.

**Fire Safety Systems in Bard College at Simon’s Rock Student Residential Facilities:**

Facility*	Fire Alarm Monitoring	Sprinkler System	Smoke/Heat Detector	Fire Extinguishers	Evacuation Plans	Drills
Carriage House	X	X	X	X	X	4
Crosby House	X		X	X	X	4
Dolliver House	X		X	X	X	4
Hill House	X	X	X	X	X	4
Kendrick House	X	X	X	X	X	4
Pibly House	X	X	X	X	X	4

\*All facilities are located at 84 Alford Road, Great Barrington, MA 01230.

**Fire Statistics:**

Facility	Total Fires	Fire Number	Injuries	Deaths	Property Damage	Cause	Date
Carriage House	0	0	0	0			
Crosby House	0	0	0	0			
Dolliver House	2	1 2	0 0	0 0	\$0 \$0	Egg carton too close to burner Paper left on stovetop	2014 2015
Hill House	0	0	0	0			
Kendrick House	0	0	0	0			
Pibly House	0	0	0	0			

\* There were no incidents of fire in any residence hall reported to the College in 2013.

**CRIME STATISTICS**

CLASSIFICATION	2013					CLASSIFICATION	2014					2015				
	On Campus	Student Housing	Noncampus	On Campus	Total		On Campus	Student Housing	Noncampus	Public Property	Total	On Campus	Student Housing	Non Campus	Public Property	Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	
Negligent Manslaughter	0	0	0	0	0	Negligent Manslaughter	0	0	0	0	0	0	0	0	0	
<b>Forcible Sex Offenses</b>						<b>Sex Offenses Total</b>	9	9	0	0	9	12	11	0	0	12
-Rape	1	1	0	0	1	-Rape	9	9	0	0	9	6	6	0	0	6
-Fondling	0	0	0	0	0	-Fondling	0	0	0	0	0	6	5	0	0	6
<b>Non-Forcible Sex Offenses</b>						<b>-Incest</b>	0	0	0	0	0	0	0	0	0	0
-Incest	0	0	0	0	0	-Statutory Rape	0	0	0	0	0	0	0	0	0	0
-Statutory Rape	0	0	0	0	0											
Robbery	0	0	0	0	0	Robbery	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	Aggravated Assault	0	0	0	0	0	0	0	0	0	0
Burglary	5	5	0	0	5	Burglary	1	1	0	0	1	2	0	0	0	2
Theft – Grand Auto	0	0	0	0	0	Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	Arson	0	0	0	0	0	0	0	0	0	0
<b>Violence Against Women Act Totals</b>	1	1	0	0	1	<b>Violence Against Women Act Totals</b>	1	1	0	0	1	1	1	0	0	1
Stalking	0	0	0	0	0	Stalking	0	0	0	0	0	1	1	0	0	1
Domestic Violence	0	0	0	0	0	Domestic Violence	1	1	0	0	1	0	0	0	0	0
Dating Violence	1	1	0	0	1	Dating Violence	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>						<b>Arrests</b>										
-Liquor Law Violations	0	0	0	0	0	-Liquor Law Violations	0	0	0	0	0	0	0	0	0	0
-Drug Violations	0	0	0	0	0	-Drug Violations	0	0	0	0	0	0	0	0	0	0
-Weapons Violations	0	0	0	0	0	-Weapons Violations	0	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals</b>						<b>Disciplinary Referrals</b>										
-Liquor Law Violations	51	34 <sup>3</sup>	0	0	51	-Liquor Law Violations	37	29	0	0	37	46	25	0	0	46
-Drug Violations	19	18 <sup>4</sup>	0	0	19	-Drug Violations	9	4	0	0	9	7	6	0	0	7
-Weapons Violations	0	0	0	0	0	-Weapons Violations	0	0	0	0	0	0	0	0	0	0
<b>Unfounded Crimes</b>	0	0	0	0	0	<b>Unfounded Crimes</b>	0	0	0	0	0	0	0	0	0	0

**Hate Crimes:** In calendar year 2015 there was one reported hate crime on campus. The one reported hate crime was vandalism motivated by a religious bias. There was no reported hate crimes in 2013 or 2014.

\*NOTE: The College requested but has not received any additional statistics from local law enforcement.

<sup>3</sup> Due to a typographical error, it was previously reported that in 2013 there were 51 disciplinary referrals for liquor law violations concerning on-campus incidents, all 51 of which occurred in residence halls. As a result of a self-initiated review, the College has determined that of the 51 incidents that occurred on campus, 34 occurred in student housing. The College has revised its statistic accordingly.

<sup>4</sup> Due to a typographical error, it was previously reported that in 2013 there were 19 disciplinary referrals for drug violations concerning on-campus incidents, all 19 of which occurred in residence halls. As a result of a self-initiated review, the College has determined that of the 19 incidents that occurred on campus, 18 occurred in student housing. The College has revised its statistic accordingly.