



ANNUAL SECURITY AND FIRE SAFETY REPORT 2020

A Message from Chief James J. Mendonca



Dear Campus Community,

It is my honor to present to you our 2020 Rhode Island College Annual Security and Fire Safety Report. This document is required under the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act and details our security policies and crime statistics. This report reaffirms the enduring commitment made by the leadership of Rhode Island College to ensuring the security and safety of all of our campus community members.

This has been a year of positive change for the Rhode Island College Campus Police Department. We have established a new organizational structure that not only allows for more effective communication and collaboration with the campus community, but that also facilitates our adoption of nationally and locally recognized best practices and policies, which are vital to successfully policing today's campuses. As your police chief, I strive to foster an environment that reassures our campus community members that their safety and wellbeing is our highest priority, and that they will be treated in a manner that is fair, courteous, responsive, and efficient whenever they set foot on any portion of Rhode Island College.

Our philosophy is simple: provide a secure and welcoming environment so that our campus community members can grow and thrive in their personal and professional lives. The Rhode Island College Campus Police Department focuses on fulfilling this philosophy in earnest so that all members of the campus community can focus on the advancement and realization of their goals and aspirations.

In closing, if any member of the campus community has questions or concerns regarding this report or has general inquiries for their Campus Police Department, please do not hesitate to reach out to us at (401) 456-8888.

Sincerely,

James J. Mendonca
Direct of Security and Safety
Chief of Campus Police

The Jeanne Clery Disclosure of Campus Security and Campus Police Statistics Act is codified in federal law under Title IV of the Higher Education Act of 1965. Known as the Clery Act, this federal law requires colleges and universities that receive federal financial assistance to disclose annually certain crime statistics and information about campus safety and security policies to current and prospective students and employees. The Annual Security and Fire Safety Report is published and available for distribution on October 1st of each year. The report details crime statistics from the three (3) previous calendar years and outlines current and prospective security policies and/or potential revisions.

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JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY AND CAMPUS CRIMES STATISTICS ACT “Clery Act”

Rhode Island College encourages everyone to review the Annual Security and Fire Safety Report. This report satisfies the requirements of the Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act (Clery Act) codified under the Title IX of the Higher Education of 1965. The Clery Act requires all institutions of higher education that receive federal funding assistance to disclose annually all crime statistics, classified as Clery Crimes, and campus safety and security policies and procedures to active and prospective students and employees. In this report, you will find a detailed breakdown of all Rhode Island College safety and security policies and procedures, the last three (3) calendar years of Clery Act specific crime statistics on physical locations known as Clery Geography, and fire safety policies and fire statistics for our On-Campus Housing Residence Halls.

The Clery Act requires colleges to report incidents and crimes classified as Clery crimes to the United States Department of Education (DOE) and to be detailed in this Annual Security and Fire Safety Report by October 1st of each calendar year. Criminal offenses classified as reportable Clery Crimes are shown in the box to the right. Crimes are defined according to the Federal Bureau of Investigation (FBI)'s Uniformed Crime Reporting (UCR) and applicable Rhode Island General Laws.

Any of the reportable Clery crimes founded to be motivated by bias for a victim is classified by the Clery Act as a Hate Crime. Any crimes listed on the right in addition to Simple Assault, Larceny-Theft, Intimidation or Damage/Destruction/Vandalism of Property found to be motivated by bias are also reportable to Clery as Hate Crimes.

Rhode Island College Campus Police Department reviews each incident reported to the Campus Police. Reports made to the Title IX Coordinator and Campus Security Authorities (CSAs) are reviewed for inclusion in the Annual Security Report. Crime statistics are also collected from local law enforcement agencies that compromise Rhode Island College's Clery geography. The Clery Act also stipulates that a Daily Crime

Log and Fire Log track each Clery Crime or fire occurring in On-Campus Housing reported to Campus Police.

Security and safety policies must be established and crime statistics (Clery Crimes) reported for Rhode Island College that pertains to what is known as Clery geography. Clery geography

Clery Crimes Reportable to the United States Department of Education (DOE)

Murder/Non-Negligent Manslaughter
Manslaughter by Negligence
Sex Offenses: Rape, Fondling, Incest, and Statutory Rape
Robbery
Aggravated Assault
Burglary
Motor Vehicle Theft
Arson
Liquor Law Violations Arrests and Referrals
Drug Law Violations Arrests and Referrals
Weapons Law Violations Arrests and Referrals
Dating Violence
Domestic Violence
Stalking



Rhode Island College Clery Geography



ON CAMPUS

All property owned or controlled by the university that is used in a manner in direct support of, or in a manner related to, the institution's educational purpose. This includes all academic, administrative, and supportive buildings and Residence Halls and other on campus housing facilities. For example, the main campus entails all our academic, administrative, and residence buildings and structures.



PUBLIC PROPERTY

All public property, including thoroughfares, streets, or sidewalks, that is within the campus, or immediately adjacent to or accessible from the campus. For Clery purposes, any property that immediately borders and is accessible from the campus. Here at Rhode Island College (RIC), public property entails portions of the sidewalk, street, and sidewalk that are adjacent to the campus on both Mount Pleasant Avenue, Providence and Fruit Hill Avenue, North Providence, RI, excluding private residences or other commercially owned and city/town owned property.



NON-CAMPUS PROPERTY

Any building or property that is not part of the campus, does not fit the definition of a separate campus, is owned and controlled by the institution and is used in direct support of or relation to the institution's educational purpose and is frequently used by students. For example, the Rhode Island College Nursing Education Center, Westerly Education Center and as of 2020, the Central Falls Workforce Development Hub. (Central Falls Workforce Development Hub is not included in this year's data.)

refers to the physical parameters under Rhode Island College's control and locations that support the educational purpose of the college.

The Clery Act stipulates that crime statistics, specifically Clery Crimes, be reported to the United States Department of Education (DOE) and in this annual report. Clery Crimes are also collected from local law enforcement agencies, specifically the Providence Police Department, North Providence Police Department, and the Westerly Police Department. Fire statistics are required to be reported ONLY for those fires that occur in on-campus Residence/Housing facilities.

Throughout each section, Rhode Island College will detail all policies and procedures currently in place that include policies on reporting crimes, security and access to campus facilities, law enforcement policies, educational programs for security awareness and crime prevention programs, drugs and alcohol possession on campus, sex offender registration, Timely Warning notices, Emergency Response/Evacuation and Notifications, fire safety, missing persons, and Violence Against Women Act offenses (VAWA) (Sexual Assault, Domestic Violence, Dating Violence, and Stalking).

The responsibility for preparation of this report lies with the Rhode Island College Campus Police in conjunction with the leadership team at RIC, particularly the Title IX Coordinator at the Division of Community, Equity, and Diversity, Director of Residence Life, Assistant Vice President/Dean of Student Success, Office of Facilities (Fire Safety), and Director of Communications and Marketing. Policies and procedures are developed by various administrative offices here at Rhode Island College, particularly the Rhode Island College Campus Police, Title IX Coordinator at the Division of Diversity, Equity, and Inclusion, Vice President of Administration and Finance, Director of Residence Life, Dean of Students, and Office of Facilities. Responsibility for crime and incident statistics collection and reporting



lies with the Rhode Island College Campus Police, specifically the Data Management Coordinator for Clery Compliance. Production of the report is a collaborative effort with the Rhode Island College Campus Police (Data Management Coordinator for Clery Compliance) and Office of Communications and Marketing.

For any questions regarding this report, please do not hesitate to contact the Rhode Island College Campus Police Department at (401) 456-8888. Please refer any thoughts, questions, and concerns regarding Clery Compliance Issues at Rhode Island College to the Data Management Coordinator for Clery Act Compliance at (401) 456-9044.

CAMPUS POLICE LAW ENFORCEMENT POLICIES

STATEMENT OF NON-DISCRIMINATION AND AFFIRMATIVE ACTION

Pursuant to the philosophy of the Board of Education and the Council on Postsecondary Education, Rhode Island College prohibits discrimination, including harassment and retaliation, on the basis of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam era veteran, or any veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized. Rhode Island strictly prohibits all forms of sexual harassment and sexual violence. This policy is consistent and compliant with all applicable state and federal laws and regulations, including but not limited to:

- Titles IV and VII of the Civil Rights Act of 1964 (as amended)
- Title IX of the 1972 Educational Amendments to the Higher Education Act
- Age Discrimination in Employment Act of 1967
- Sections 503 and 504 of the Rehabilitation Act of 1973 (as amended)
- Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 (as amended) Equal Pay Act of 1963
- Americans with Disabilities Act of 1990
- ADA Amendment Act of 2008
- Higher Education Act of 1965 (as amended)
- Violence Against Women Reauthorization Act of 2013
- The Genetic Information Nondiscrimination Act, Executive Order 11246 (as amended)
- Executive Order 91-39 / Executive Order 92-2
- Rhode Island General Law 28-5.1 (as amended)

Rhode Island College Campus Police serves as the law enforcement and security provider for the Rhode Island College Campus. RIC Campus Police is responsible for the planning, directing, and implementing guidelines pursuant to established RIC security and safety policies and procedures. RIC Campus Police fully cooperates with federal and state agencies and local law enforcement agencies in accordance with all applicable federal and Rhode Island General Laws.

Rhode Island College Campus Police FACTS

24/7

Campus Police is a 24/7/365 security operation that provides law enforcement response to the main Rhode Island College campus.

21

Campus Police is comprised of twenty-one (21) sworn officers.



Campus Police Officers have full arrest powers.



Campus Police Officers are required to be graduates of a Police Officers Standards and Training (POST) Certified Academy.



Campus Police Officers do NOT carry firearms.



Campus Police Officers are required to have served with a municipal or state police agency prior to coming to the College.

Campus Police does not have any written memoranda of understanding (MOUs) or any type of written agreement with any law enforcement agencies. However, local and state law enforcement agencies have jurisdiction to investigate any alleged criminal incidents.

Rhode Island College Campus Police may enforce social order through the legitimized use of force. Use of force describes the amount of effort required by a police officer to compel compliance by an unwilling subject. The levels or options of force our agency employs include basic verbal and physical restraint. The level of force exercised by an officer will vary based on the situation. Because of this variation, guidelines for use of force are based on many factors. However, our officers are expected to only use the amount of force necessary to control an incident, affect an arrest, or protect themselves or others from harm or death.

HOW TO REPORT A CRIME

Rhode Island College Campus Police is located at the Welcome Center located just past the Mount Pleasant Avenue entrance to the campus. Campus Police is open to all students, employees, and visitors 24 hours /7 days a week. **All criminal actions or other emergencies occurring on campus should be reported immediately to Campus Police at (401) 456-8888.**

Campus Police officers will respond to all calls for assistance, either by vehicle or foot. Campus Police officers will evaluate the situation and assist in its resolution. Campus Police strongly encourage prompt and accurate reporting when a victim of a crime elects to make such a report. Campus Police will also assist any victim who chooses to report a crime to a state or local law enforcement agency.



In cases of sex offenses, victims are encouraged to file a report with Campus Police. Campus Police will exercise all efforts to ensure a victim's privacy and, again, will assist any victim if they choose to report a sex offense crime to state or local law enforcement agency. Rhode Island College policies surrounding sexual misconduct, sex offenses, dating violence, domestic violence, and stalking will be detailed further in this report.

In addition to reporting to RIC Campus Police, victims can also file reports with state and local law enforcement authorities. For On-Campus violations, victims may contact the Providence Police Department, the North Providence Police Department, or Rhode Island State Police. For students, faculty, or staff working or attending classes at the Rhode Island College Nursing Education Center, a RIC campus police officer is present at this location. However, the Providence Police Department will respond to all requests for emergency assistance and to take reports of criminal offenses for that location, if contacted. For the Education Center in Westerly, RI, Westerly Police Department is responsible for responding to all calls for assistance and reports of criminal offenses. Again, if a victim of crime wishes, Campus Police will assist state and local law enforcement efforts in any criminal offense reported.

In the event of an immediate threat to a person's health or safety, Emergency Blue Lights telephones are available throughout the RIC campus. These Emergency Blue Lights can give users the ability to dial 911 or Campus Police in the event of the need to report an emergency or call for assistance in a dangerous, unsafe situation. Emergency Blue Lights telephones are dispersed throughout the main Rhode Island College Campus and for those looking for further information regarding Emergency Blue Light telephones and their locations, please contact Campus Police.

CAMPUS SECURITY AUTHORITIES

Under the Clery Act, Campus Security Authorities (CSAs) are individuals who are employed by or volunteer at the higher education institution who has significant responsibility for student and campus activities. Campus Security Authorities are defined by their function and that function entails building relationships with students. Under the Clery Act, Campus Security Authorities (CSAs) are required to report any Clery Crimes to Campus Police that are reported to them by students, employees, or other members of the campus community. Campus Security Authorities are also trained upon hiring and annually for the duration of their employment/ service to the higher education institution.

STATE AND LOCAL LAW ENFORCEMENT

Rhode Island College Campus
Police: (401) 456-8888

Providence Police Department
(401) 272-3121

North Providence Police
Department: (401) 231-4533

Central Falls Police
Department: (401) 727-7411

Westerly Police Department
(401) 596-2022

Rhode Island State Police
(401) 444-1000

Categories of Campus Security Authorities (CSAs)

All members of a Campus Security Police/Security Department:

1. Campus Police Officers

Individuals responsible for security which includes students or professional employees:

1. Access Monitors
2. Contract or Event Security—personnel hired to provide security for large events.
3. Individuals who provide safety escort services

Officials of the Institution with significant responsibility for student and campus activities including but not limited to student housing, student discipline, or campus judicial proceedings:

1. Dean of Students
2. Director of Residence Life
3. Residence Hall Assistants
4. Title IX Coordinator
5. Athletic Trainers
6. Faculty/Student Advisors
7. Director of Student Health
8. Human Resource Director

Any individual or organization specified in an institution’s statement of a campus security policy as an individual or organization to which students or employees should reports criminal offenses to.

1. Assistant to the President



CONFIDENTIAL ASSISTANCE

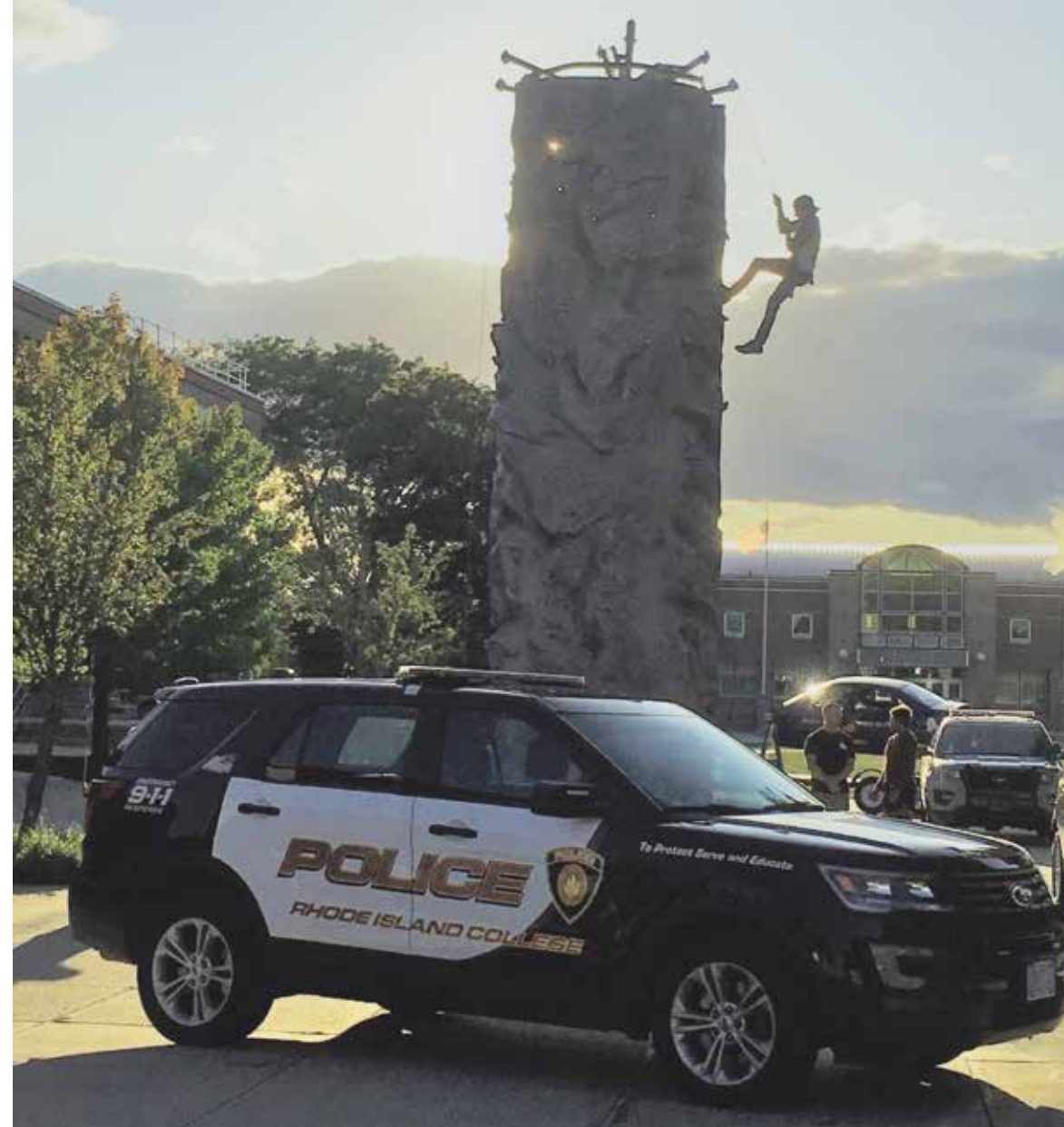
The Clery Act mandates that students, employees, and other campus members must be informed that any Clery crimes reported to Campus Security Authorities (CSAs) will not be confidential and may result in an investigation conducted by the College. However, victims of crime may seek confidential assistance from three (3) sources on the Rhode Island College campus. (See below)

Victims or witnesses may report crimes on a voluntary, confidential basis for inclusion in the Annual Security Report through the services listed below. Pastoral and professionally accredited counselors and health service providers are encouraged to inform those they counsel or provide treatment to about procedures to report crimes voluntarily and confidentially for inclusion for both the Annual Security Report and to the U.S. Department of Education. Pastoral and professional credentialed counselors are not required to report and are afforded the ability to use their discretion under the Clery Act.

SOURCES OF CONFIDENTIAL ASSISTANCE AT RHODE ISLAND COLLEGE

- Counseling Center
(401) 456-8094
- Health Services
(401) 456-8055
- College Pastor
(401) 456-8791

CONTACT INFORMATION



DAILY CRIME LOG

The Clery Act mandates that Campus Police maintain a Daily Crime Log. The Daily Crime Log details all criminal incidents and alleged criminal incidents that are reported to Campus Police on Rhode Island College designated Clery geography. (For a description on Rhode Island College geography, please see page 3 on the Clery Act.) Rhode Island College Campus Police maintains the Daily Crime Log in electronic format and records all criminal incidents and alleged criminal incidents.

All criminal incidents or alleged criminal incidents are reported into the Daily Crime Log within two (2) business days from when they were reported. This includes any crimes reported directly to Campus Police. All Daily Crime Log entries are open to inspection by the public within two (2) business days of when they were reported. Prohibition of the release of information can occur in the following instances:

- Disclosure is prohibited by federal of Rhode Island General Law
- Jeopardize the confidentiality of a victim
- Compromise an active law enforcement investigation
- Jeopardize the safety of an individual
- Result in the destruction of evidence
- Cause an alleged suspect to flee or evade detection

Campus police will temporarily withhold only that information that could cause a specifically identified adverse effect. Once the adverse effect is no longer present, Campus Police will disclose the information requested.



The most recent Daily Crime Log entries for the past sixty (60) days is available for public inspection upon request free of charge. Anyone looking to review the Daily Crime Log is asked to go to the Campus Police Department at the Welcome Center during business hours – Monday through Friday 8:30am to 4:30pm. Any review of Daily Crime Log entries older than sixty (60) days from the date of request must allow Campus Police two (2) business days to process such a request.

CRIMES OF VIOLENCE

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

Rhode Island College Campus Police Daily Crime Log

- Elements of the Crime Log**
1. Date the crime was reported
 2. Date and time the crime occurred
 3. Nature of the crime
 4. General Location of the Crime
 5. Disposition of the Complaint, if known

POLICIES AND PROCEDURES FOR TIMELY WARNINGS

Rhode Island College is committed to providing a safe and healthy environment for its students and employees to grow and thrive. To that end, it is the policy of the Rhode Island College Campus Police Department to notify the campus community when a criminal incident poses a **serious and continuing threat** to the safety of Rhode Island College students, faculty, and staff. Further, it is the policy of the RIC Campus Police Department to maintain compliance with applicable Federal Regulations and applicable sections of the Clery Act as mandated by the United States Department of Education.

A TIMELY WARNING is an official notification and/or alert to the college campus community that will enable people to protect themselves against a serious and continuing criminal threat and aid in the prevention of similar crimes. **A TIMELY WARNING** notification shall be issued as soon as pertinent information becomes available. The warning shall contain information that is about the type of criminal activity that has occurred. The type of criminal activity covered in a timely warning are enumerated crimes set forth in the guidelines of the Code of Federal Regulations, Section 668.46(e) and the Department of Education’s “Clery Act” that occur on an institution’s designated Clery geography which includes on campus, non-campus property or buildings, and all public property immediately adjacent to and accessible from the campus.

In the event of a criminal incident that has occurred anywhere on Rhode Island College designated Clery geography, the Chief of Campus Police or his or her designee may issue a Timely Warning, an official notification to all members of the campus community of a **serious and continuing threat** to their safety and security. While Clery does not specify a definition of timely, the notification is designed to provide pertinent information to all campus community members to protect themselves and to aid in the prevention of similar crimes. Timely Warning notifications shall be issued as soon as pertinent information becomes available.

Clery crimes that may require a Timely Warning notification include, but are not limited to:

- Homicide – murder, negligent and non negligent manslaughter
- Aggravated Assault
- Sex Offenses (Forcible/Non-Forcible)
- Burglary
- Motor Vehicle Theft
- Hate Crimes
- Stalking
- Arson
- Illegal Drug Violations
- Illegal Weapons Violations
- Arrests for liquor law violations

Information gathered through incident reports, complainants/victim statements, witness accounts, Campus Security Authority (CSAs) reports, and other relevant information pertaining to a Clery reportable crime shall trigger the consideration for the issuance of a Timely Warning notification. The Commanding Officer will be responsible for compiling all relevant information to consider the issuance of a Timely Warning notification.





The Chief of Campus Police or his or her designee will examine the following three primary factors in consideration for the issuance of a Timely Warning notification as required by the Clery Act:

1. Is the incident a criminal offense as defined by the FBI's Uniformed Crime Reporting (UCR) and meet the criteria for a reportable Clery Crime?
2. Is the incident or situation considered by campus officials to represent a **serious and continuing threat** to students, faculty, staff, or visitors to any area identified in the Clery geography of Rhode Island College?
3. Will issuing a notification compromise a law enforcement effort?

Rhode Island College Campus Police may also examine other factors when considering whether to issue a Timely Warning notification in incidents involving Aggravated Assault, Sex Offenses, or Burglary. Incidents of this nature will be evaluated on a case by case basis and may be issued weighing the following factors:

1. Nature of the Crime
2. Date of Disclosure
3. Continuing danger to the campus community
4. Whether the perpetrator has been apprehended by law enforcement authorities
5. Possibility of compromising law enforcement efforts

The Chief of Campus Police or his or her designee will review and approve all Timely Warning notifications prior to their release. Timely Warning notifications for NON-Clery reportable crimes will be evaluated by the Chief of Campus Police or his or her designee on a case by case basis with considerable emphasis placed on the frequency of the offense and the likelihood of reoccurrence.

When it is determined that a **Timely Warning notification will be issued**, the warning shall contain enough information and specificity to allow recipients to take appropriate action to protect themselves and to aid in the prevention of similar crimes. This information may include the following:

1. Title of the Crime Reported
2. Date/Time of the warning is to be released
3. Date/Time/Location of the Incident
4. Description of the Incident
5. Physical Description of Suspect, if known Information regarding any potential connection to previous incidents
6. Tips for maintaining personal security and safety
7. Request for information or assistance and where to direct such assistance to law enforcement
8. Any Timely Warning notification issued will not include any identifying information on a victim of a crime.

A Timely Warning notification may be disseminated to the campus community in a similar format as an Emergency Notification. However, the extent of dissemination will be considered evaluating the nature and location of the incident and the severity of the continuing and ongoing threat. Timely Warning notifications may be communicated in the following ways:

- RICAlerts - a text messaging notification system that provides text message alerts to all subscribers
- Email alerts through the IT Department
- Alerts through the IP (Internet Protocol) phones
- Rhode Island College Electronic Message Boards located across from Henry Barnard School and one located at the entrance of the college on the Fruit Hill Avenue side of campus
- Blue Light Emergency Phones – Fifty-two (52) locations
- Rhode Island College Website: www.ric.edu
- Social media postings: Facebook (@RhodeIslandCollege) and Twitter (@RICNews)

- Posters/flyers displayed on bulletin boards in Rhode Island College Residence Halls (Browne, Penfield, Sweet, Thorp, Weber, and Willard), Donovan Dining Hall, Student Union, all Rhode Island College academic buildings, all Rhode Island College administrative buildings, Rhode Island College Recreation Center, Adams Library, the Nazarian Center for Performing Arts, and the Henry Barnard Laboratory School
- Local media: television (WJAR 10, WPRI 12/Fox 11, and ABC6) radio (630AMWPRO/WHJY920AM/92PRO FM, 94.1HJY, Lite 105), and print (Providence Journal Bulletin)

The Chief of Campus Police or his or her designee will determine how extensive a Timely Warning notification must be and what methods will be selected for dissemination. Further and/or updated information regarding a Timely Warning notification will be disseminated after evaluation by the Chief of Campus Police or his or her designee that it is warranted to mitigate a serious and continued threat to the safety and security of the campus community or to aid in the prevention of similar crimes.

If a determination has been made by the appropriate designated authorities that a Timely Warning notification is not warranted, the Chief of Campus Police or his or her designee will document the reasoning behind such determination. Documentation will detail the pertinent information around the crime and specify the reasons why a Timely Warning notification was not issued. The Chief of Campus Police will maintain a separate file for all Timely Warning notifications disseminated on the college campus and all relevant documentation pertaining to the reasoning behind not issuing a Timely Warning notification. Information relevant to the nature and dissemination of Timely Warnings shall be placed in the Dispatch log in the Records Management System (IMC) utilized by the Rhode Island College/ Campus Police at the time of issuance and shall be maintained as a part of the Dispatch Log.

The Chief of Campus Police or his or her designee will notify the Vice President of Administration and Finance or other campus authorities when issuing a Timely Warning notification and forward documentation surrounding the need to issue such a notification.

POLICES AND PROCEDURES FOR EMERGENCY NOTIFICATIONS & EVACUATION PROCEDURES

An EMERGENCY NOTIFICATION is an official notification that will be issued to the college/campus community upon confirmation of a significant emergency and/or dangerous situation occurring on campus that involves an **immediate and imminent threat** to the health and safety of students or employees. Confirmation means an institution official (or officials) has verified that a legitimate emergency or dangerous situation exists. Confirmation does not necessarily mean that all pertinent details are known or available.

Significant emergencies and dangerous situations are defined as but are not limited to: health emergency (outbreak of

meningitis, norovirus, or other serious communicable illness); extreme weather conditions (approaching tornado, hurricane, or other extreme weather event); earthquake; gas leak; terrorist incident; armed intruder/active shooter; bomb threat; civil unrest or rioting; explosion; nearby chemical or hazardous waste spill; and approaching fire.

The Emergency Notification System is managed by the Rhode Island College Campus Police. Upon a report of an incident that presents an **immediate and imminent threat** to health and safety of the campus community, the Chief of Campus Police or his or her designee will immediately assess the need to activate the Rhode Island College Emergency Notification procedures and actively work for confirmation of an incident that meets the criteria set forth in the definition above. Confirmation of an incident

necessitating an **EMERGENCY NOTIFICATION** will be achieved through direct reporting to the Rhode Island College Campus Police or observed firsthand by one or more Campus Police sworn personnel.

The Chief of Campus Police or his or her designee will immediately assess:

1. Type of crime (if criminal) or hazards that present an immediate or imminent threat to the health and safety of campus students, faculty, staff, or visitors
2. Magnitude or scope of the emergency
3. Resources threatened
4. Whether access to certain buildings should be restricted to first responders from state and local resources or whether an evacuation is warranted

Upon confirmation of an emergency set forth in the criteria above, the Chief of Campus Police or his or her designee will notify all affected segments of the college campus **without delay**. Utilizing pre-scripted messages appropriate for the emergency presented, the Chief of Campus Police or his or her designee will initiate all components of the RICAlerts/Rave Communication system. The components include:

- o Blue Light Emergency Phones – Fifty-two (52) locations
- o RICAlerts - a text messaging notification system that provides text message alerts to all subscribers
- o Email alerts through the IT department
- o IP (Internet Protocol) phones
- o Rhode Island College Electronic Message Boards located across from Henry Barnard School and one located at the entrance of the college on the Fruit Hill Avenue side of campus
- o Rhode Island College Website: www.ric.edu
- o Social media postings: Facebook (@RhodeIslandCollege and Twitter (@RICNews)
- o Local media: television (WJAR 10, WPRI 12/ Fox 11, and ABC6) radio (630AMWPRO/ WHJY920AM/92PRO FM, 94.1HJY, Lite 105), and print (Providence Journal Bulletin)

The Chief of Campus Police or his or her designee will immediately contact state and local authorities responsible for responding to a specific emergency incident. The Chief of Campus Police or his or her designee will notify the Vice President of Administration and Finance and/or other campus authorities. The Vice President of Administration and Finance and/or Chief of Campus Police or his or her designee will further notify other campus authorities such as:

1. President of Rhode Island College
2. Vice President of Student Success
3. Vice President of Advancement and External Relations
4. Title IX Coordinator

Depending on the nature of the emergency, an Incident Command would immediately be established to manage all aspects of the emergency with the Chief of Campus Police or his or her designee serving as Incident Commander or delegating such authority to state and local law enforcement/local fire authorities or other pertinent responding state authorities. The Chief of Campus Police or his or her designee will issue any further notifications deemed necessary to ensure the safety and security of the campus community. Incident Command will remain in place until the emergency is deemed NO longer a threat to the health and safety of the campus community by the appropriate authorities.

In the event of an emergency potentially impacting the communities surrounding the Rhode Island College campus, the Rhode Island Campus Police will contact the appropriate authorities in both the City of Providence and/or the Town of North Providence to notify area residents of any emergency that presents an **immediate and imminent threat** to their health and safety.



Rhode Island College posts information on the Campus Police web page regarding actions for students and employees in event of an emergency. Instructions on what members of the campus community can do during various emergency situations can be found at:

www.ric.edu/campuspd/Pages/Emergency-Response-Training.aspx

The RIC Emergency Quick Reference Guide is posted on the college website and is posted on poster boards throughout the campus in both academic buildings, administrative buildings, and residence halls. The RIC Emergency Quick Reference Guide provides detailed instructions

SECURITY AND ACCESS OF CAMPUS FACILITIES AND RESIDENCE HALLS

The responsibility for securing most administrative and academic buildings each morning and evening or when not in use lies with Campus Police. Campus Police unlock most doors during these hours. Buildings are also opened and closed for scheduled events that take place after normal working hours. If faculty or staff needs to gain entrance to a building outside of normal working hours, Campus Police will assist. Faculty or staff who access their own assigned work area or any campus facility outside of the normal business hours must notify Campus Police. Faculty or staff who have given students permission to work in any academic building outside of normal business hours must also notify Campus Police in writing. Campus Police regularly check academic buildings after business hours for security purposes. The notification is required for both the safety and security of Campus Police and all campus community members. Campus Police prefers notification via email so the communication can be distributed to all Campus Police officers at the beginning of each shift.

Campus Police also routinely checks to ensure that pathways on campus property are well lit

on what to do during various emergencies. This guide can be found at www.ric.edu/campuspd/Documents/EmergencyQuickReferenceGuide.pdf

Rhode Island College tests their emergency responses systems and procedures on an annual basis. The test is designed to assess and evaluate the emergency plans and capabilities. Campus Police maintains information regarding annual tests, including the description of the test, the date the test was held, times when the test started and ended, and whether the test was announced.

and any egress lighting is working properly in hallways and stairwells in buildings on campus. Campus Police will immediately contact the Facilities Department to correct any problems with lighting or any equipment designed to keep our campus safe. The Rhode Island College Facilities and Physical Plant is responsible for fixing any lighting or equipment.

All Residence Halls are locked twenty-four (24) hours a day and monitored by Residence Hall staff during the evening hours. These entrances are equipped by card-access locks. Each Residence Hall is staffed with a Director and several Resident Assistants, who are responsible for the enforcement of the enforcement of interior security and safety regulations. Campus Police are available to assist students who have been locked out of their Residence Hall rooms between the hours of 11:30pm to 7:00am and during the day on weekends. Campus Police will call the specific on-call Resident Assistant for the specific Residence Hall. Students must have proper identification.

Students are encouraged to take responsibility for their safety and security of their person and their belongings. Students are urged to walk in

groups and not to be alone in any campus facility during the evening hours. When leaving their Residence Hall rooms, students should secure their windows and doors. Both campus officials and Campus Police regularly communicate basic safety tips to all campus community members through the Rhode Island College website and Residence Hall safety tips posted on Residence Halls. Rhode Island College strongly encourages an environment where all campus community members assume responsibility for their safety and the safety of its fellow members.





OFF-CAMPUS BEHAVIOR

Campus Police monitors off-campus behavior for criminal activity that may affect the Rhode Island College Community. Campus Police looks for incidents that may trigger the need to issue a Timely Warning or other crime and/or safety advisories. Campus Police does not routinely record crime statistics that occur off RIC property except those that fall under the Clery Act provisions surrounding crime reporting and disclosure on Clery geography. As earlier indicated, if a student is a victim of a crime off Rhode Island College property, particularly a crime of violence including but not limited to sexual assault, domestic violence, dating violence, or stalking, and needs assistance filing a criminal complaint with a local or state law enforcement agency, Campus Police encourages any member of the Rhode Island College campus community to contact Campus Police for that assistance. Regardless of whether

a criminal complaint was filed with a local law enforcement agency, members of the College Community may make an internal complaint to the College if the crime was committed by another member of the College community. Student behavior occurring off campus that is in violation of the Rhode Island College Student Code of Conduct and/or adversely affects the College or its relationship to the surrounding community may subject students and/or student organizations to disciplinary action. Currently, the College does not have any officially recognized student organizations with non-campus locations.

CAMPUS DRUG AND ALCOHOL POLICIES

Possession, use, and sale of alcohol and illegal drugs by any students and/or their guest(s) on campus is prohibited. This policy applies to all campus facilities, including Residence Halls, and at all student activities and events presented on campus by a College sponsored or non-sponsored host. Exceptions to this policy may be granted by the Vice President for Administration and Finance. All scheduled events are required to provide non-alcoholic beverages.

Students may be subject to general principles of the Rhode Island College judicial process through the Dean of Students office and/or the Student Conduct Board for violating this alcohol and illegal drug policy. Sanctions may be issued. Students are also liable and risk prosecution by the State of Rhode Island and/or the U.S. Department of Justice for violating existing state and/or federal laws surrounding alcohol and illegal drug possession, sale, and use.



Rhode Island College Drug and Alcohol Policies

Possession, use, or sale of alcohol or illegal drugs is prohibited by any student(s) and/or their guests on all campus facilities, including Residence Halls, and at all student activities and events presented by a College sponsored or a non-sponsored host

Exceptions to the policy should be approved by the Vice President of Administration and Finance ONLY and non-alcoholic beverages are required to be provided at such events.

Students are subject to a campus disciplinary procedures by the Dean of Students office and/or Student Conduct Board if found to have violated the College policies on alcohol of illegal drugs.

Sanctions include but are not limited to warnings, removal of attendance privileges at College events, or institutional expulsion.

Students are also at risk for prosecution by local, state, and federal authorities for any violation of state or federal laws around Alcohol and Illegal Drug Possession, Use or Sale.



Alcohol Policy Violation Judicial Sanctions

Students found responsible for violating an alcohol policy will be subject to college judicial action. In all situations, the consumption of alcoholic beverages will be considered an aggravating rather than mitigating factor.

I. Individual Violations

(possession and/or use):

1st Offense - The resident will be required to meet with the Professional Hall staff member and will be placed on automatic probation with a written copy of the action to be placed in the Hall Judicial File and one copy sent to the Director of Residential Life & Housing. The resident will receive a fine of \$25.00 payable to the Office of Residential Life & Housing within ten business days. There will also be additional sanctioning which may include but is not limited to referral to an online judicial course or restitution-based work. Failure to meet with the Professional Hall staff member will result in additional sanctions.

2nd Offense - The resident will be referred to the Director of Residential Life & Housing which may result in eviction from the residence halls and termination of the Housing Contract. The resident will also be fined \$50.00 payable to the Office of Residential Life & Housing within ten business days and receive further educational sanctioning.

The above fines will be doubled when violations occur during 24-Hour Quiet Hours/ Final Exam Weeks. This means that a \$50.00 fine will be issued on the first offense, and a \$100.00 fine will be issued on the second offense during these periods. Also, failure to pay fines that assessed may result in further fines and/or referral to the Director of Residential Life and Housing.

2. Party Violations:

1st Offense – There will be an immediate cessation of the party, automatic probation and community service hours for suite

members in attendance. Judicial action will also be taken against resident guests involved in the violation. A written account of action taken will be sent to residents involved, with copies forwarded to the Hall Judicial File and to the Director of Residential Life & Housing.

2nd Offense – Any violation occurring while on probation or after the initial probation period will result in referral to the Director of Residential Life & Housing resulting in potential eviction from the residence halls.

3. Students with Alcohol Use Problems:

Students who have been determined to be having a problem with the use of alcohol may be approached by Residential Life & Housing staff to discuss the situation. If the problem is not resolved, the student may be referred to an appropriate treatment center or to the Counseling Center by the Director of Residential Life & Housing and/or Professional Hall Staff.

4. Minor Aged Students Alcohol Possession & Supplying to Minors:

Minors violating the Residential Life & Housing Alcohol Policy and anyone distributing alcohol to individuals under the age of 21 may face increased sanctioning in addition to that imposed under the general alcohol policy which may include removal from the residence halls.

5. Common Source Containers & Kegs:

Residents who are found to be responsible for kegs, beer balls, or excessive amounts of alcohol (as determined by college staff), face further administrative actions up to and including immediate eviction from the residence halls.



CAMPUS WEAPONS POLICIES

Possession of weapons or weapon facsimiles are prohibited. Possession of weapons or weapon facsimiles of any kind are prohibited in Residence Halls and may result in immediate probation and administrative action if violated. Two exceptions apply regarding this prohibition. Law enforcement officers or uniformed members of the armed forces in connection with their duties may possess weapons on campus property. Also weapon facsimiles may be used or allowed when used as part of an organized College sanctioned event or academic activity.

Rhode Island College Policies Weapons Policies

- Possession of weapons and weapon facsimiles are prohibited on campus property with only two (2) exceptions.
- Those two (2) exceptions include the following: 1. Worn by law enforcement officers while on duty. 2. Weapons facsimiles may be used in a College sanctioned event or academic activity.
- Weapons and weapon facsimiles are strictly prohibited in Residence Halls.
- Students are subject to immediate probation and administrative action if found to be in possession of a prohibited weapon or weapon facsimiles in a Residence Hall. Termination of housing and referral for disciplinary actions may also result.
- For the purposes of this policy, a weapon is defined as the follows (including but not limited to) firearms of any nature or description, including shotguns, rifles, pistols, revolvers, paint ball guns, or BB/ pellet guns; firearm replicas; ammunition, martial arts-type weapons; explosives (including fireworks); bows, crossbows, arrows; slingshots; switchblade knives, double-edged knives, hunting (fixed blade) style knives of any length, throwing knives, or folding style pocket knives with a blade length of three inches or greater; swords; pointed metal darts; mace, pepper gas/spray or other dangerous chemicals; or any other destructive device or instrument that may be used to do bodily injury or damage to property.

CAMPUS DRUG AND ALCOHOL ABUSE PREVENTION AND EDUCATIONAL PROGRAMS

Alcohol and drug abuse prevention programs are available to all students and employees at Rhode Island College. Further, the College organizes educational programs that address the issues and health risks that are associated with alcohol and illicit drug abuse. Referrals and information for treatment for alcohol and illicit drug abuse are provided by the College to all students, faculty, and staff.

Resources for alcohol and drug abuse education and treatment

ON-CAMPUS

- Educational Programs are offered throughout the year in many campus settings such as Orientation, Athletics, Residential Life, Dining Center, Health Services, Health Promotion, Counseling Center, and Human Resources.
- Self-assessment for alcohol and drug abuse is available at both the RIC Counseling Center and Health Services.
- Online screening is offered by the Counseling Center BASICS program.



OFF-CAMPUS

- Life Watch Employee Assistance Program at 1-800-333-6228
- Alcoholic Anonymous(AA) at (401) 438-8860 and a complete list of every AA meeting held in Rhode Island is available online at www.rhodeisland-aa.org/
- Alanon Support groups for relatives and friends of alcoholics at (401) 781-0044 and available online at www.riafg.org/
- Rhode Island Council on Alcoholism/Phoenix House at 1-888-392-7867 for an assessment or (401) 441-6107. This can also be accessed online at www.phoenixhouse.org/
- Narcotics Anonymous at 1-877-461-1110 or available online at www.nerna.org/meetings-by-area/greater-providence-area-meetings/
- Substance Abuse and Mental Health Service Administration (SAMHSA) at 1-800-662-HELP or available online at www.samhsa.gov/find-help/national-helpline
- Butler Hospital at (401) CARENOW (227-3669) or available online at www.butler.org/
- Roger William Hospital at (401) 456-2000 or available online at www.rwmc.org/

POLICIES AND PROCEDURES ADDRESSING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, SEXUAL HARASSMENT AND STALKING

Rhode Island College considers its responsibility to ensuring the health, safety, and well-being of its students, employees, and visitors of paramount importance. Further, the College works consistently to provide a safe and welcoming environment for all. To that end and pursuant to the Title IX of the Educational Amendments of 1972, Rhode Island College prohibits all forms of discrimination based on sex in an education program or activity. This prohibition against discrimination based on sex applies to all persons, including third parties.

Further, it is the policy of the College to prohibit the crimes of sexual harassment, sexual assault, dating violence, domestic violence, and stalking, as they are defined for purposes of this Policy and in accordance with the Clery Act.

Rhode Island College Title IX policies is overseen by the Title IX Coordinator, who also serves as the Director of Institutional Equity. The Title IX Coordinator is responsible for monitoring compliance with Title IX and coordinating and implementing the policies and procedures that govern both the Title IX and Affirmative Action federal laws.

TITLE IX

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

RHODE ISLAND COLLEGE TITLE IX COORDINATOR/DIRECTOR OF INSTITUTIONAL EQUITY

Margaret Lynch-Gadaleta
301 Roberts Hall
Providence, RI 02908
(401) 456-8387
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CONTACT INFORMATION



Recently, the United States Department of Education (DOE) issued new regulations to govern how higher education institutions handle complaints of dating violence, domestic violence, sexual assault, sexual harassment, and stalking reported to the Title IX Coordinator. Utilizing these regulations, Rhode Island College has crafted new policies that were implemented on August of 2020 in accordance with the directive from the U.S. Department of Education. Under Title IX dating violence, domestic violence, sexual assault, sexual harassment, and stalking are prohibited. Any complaints regarding all forms of sexual misconduct and relationship violence that are fall under the scope of Title IX made against students enrolled at Rhode Island College or employees of the College are subject to a complaint resolution process. The policies and procedures surrounding Title IX complaints is detailed in Rhode Island College's Title IX Sexual Harassment Policy and Procedures that can be found here www.ric.edu/titleIX/Documents/Title-IX-Sexual-Harassment-Policy-and-Procedure.pdf. These policies and procedures are applicable to all students, faculty, staff, contractors, or volunteers engaged in the College's Educational programs and activities.



Council On Postsecondary Education Title IX Sexual Harassment Policy And Procedures

I. Policy Statement

It is the Policy of the Council on Postsecondary Education ("CPE"), its constituent institutions of higher education (specifically, Rhode Island College and the Community College of Rhode Island) and the Office of Postsecondary Commissioner (collectively referred to as the "Covered Entities") to prohibit all forms of unlawful Sexual Harassment occurring within the Covered Entities' Education Programs or Activities, as those terms are defined herein.

prohibited under the Violence Against Woman Reauthorization Act of 2013 ("VAWA").

IV. Applicability

All faculty, staff, and students at all Covered Entities must comply with this Policy to help foster an inclusive and safe academic and work environment. This Policy applies to the perpetration of Sexual Harassment by one member of the Covered Entity's community (faculty, staff, student, or volunteer) against another. The Policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity.

V. Remedies for Sexual Harassment

Administrators, faculty members, staff, students, contractors, guests, and other members of a Covered Entity's community who commit Sexual Harassment are subject to the full range of discipline including, but not limited to, verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; permanent separation from the institution (i.e., termination or dismissal); physical restriction from the Covered Entity's property; cancellation of contracts; and any combination of the same. Disciplinary sanctions for violations of this Policy are imposed in accordance with applicable policies and collective bargaining agreements.

A Covered Entity will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Covered Entity's education programs or activities.

II. Purpose and Goals of Policy

- A. Define the conduct that is prohibited Sexual Harassment at the Covered Entities
- B. Provide examples of such prohibited conduct
- C. Set forth the reporting options and procedures pertaining to such conduct that is witnessed, experienced or learned about by, or reported to, employees of the Covered Entities
- D. Set forth the process to investigate and adjudicate complaints of Sexual Harassment encompassed within this Policy
- E. Provide contact information for the Title IX Coordinator at each Covered Entity
- F. Provide a list of internal and external resources available to individuals who experience, witness, or are accused of acts of Sexual Harassment

III. Background

Sexual Harassment, as defined herein, is prohibited in Education Programs or Activities by Title IX of the Education Amendments of 1972 and its implementing regulations ("Title IX") (see 34 C.F.R. § 106 et seq.). Sexual Assault, Domestic Violence, Dating Violence, and Stalking, as defined herein, are also

VI. Scope

This Policy applies to Sexual Harassment that occurs within the Covered Entities' Education Programs or Activities and its procedures are the exclusive means for resolving Formal Complaints of Sexual Harassment.

This Policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of a Covered Entity's Education Programs or Activities; such Sexual Harassment or other forms of sexual misconduct may be prohibited by a Covered Entity's Student Code of Conduct if committed by a student or employment policies if committed by an employee.

Consistent with the U.S. Department of Education's implementing regulations for Title IX, this Policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in a Covered Entity's Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States may be governed by a Covered Entity's Student Code of Conduct if committed by a student or employment policies if committed by an employee.

VII. Other Forms of Sexual Misconduct or Sex Discrimination

Complaints involving allegations of sex discrimination that do not meet the definition of Sexual Harassment under this Policy are investigated and adjudicated in accordance with the Council for Postsecondary Education Non-Discrimination Policy and Complaint Procedures.

Each Covered Entity shall investigate complaints against their students involving sexual misconduct that does



not meet the definition of Sexual Harassment under this Policy in accordance with procedures described in their respective student conduct policies or the Council for Postsecondary Education Non-Discrimination Policy and Complaint Procedures, as determined by the Covered Entity.

VIII. Definitions

- A. "Sexual Harassment" is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking. (Please note that sexual assault, domestic violence, and stalking are also crimes under Rhode Island General Law.)
- B. "Quid Pro Quo Sexual Harassment" occurs when an employee of a Covered Entity conditions the provision of an aid, benefit, or service of the Covered Entity on an individual's participation in unwelcome sexual contact. The following

is an example of "Quid Pro Quo Sexual Harassment:"

- o A faculty member conditions a student's favorable evaluation on the student's submission to sexual advances. The faculty member then gives the student a poor evaluation after the student rejects the faculty member's advances.
- C. "Hostile Environment Sexual Harassment" is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the Covered Entity's Education Programs or Activities. The following are examples of "Hostile Environment Sexual Harassment:"
 - o A student editor for the college newspaper continually and inappropriately touches another student newspaper staff member in a sexual manner over an extended period of time. The touching is unwelcome and continues even after the student editor is asked to stop. The conduct makes the staff member uncomfortable and creates an offensive environment in the newsroom.
 - o A male faculty member has a habit of touching the hair and shoulders of female students during class when he walks through the classroom reviewing their projects. Additionally, when he addresses female students, he often prefaces his comments with "hey, beautiful" or "hello gorgeous." Several students have changed courses as a result.
- D. "Sexual Assault" includes the sex offenses of rape, attempted rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape as defined in 20 U.S.C. §1092(f)(6)(A)(v).² These sex offenses encompass the following prohibited conduct. (This Policy's definition of



“Sexual Assault” is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the Covered Entities to adopt a definition of “Sexual Assault” that incorporates various forcible and non-forcible sex crimes as defined by the FBI’s Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a.)

- The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.
- Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.

- Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.
- Touching 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 age or because of a temporary or permanent mental or physical incapacity.
- Sexual intercourse between persons who are related to each other within

the degrees wherein marriage is prohibited by Rhode Island law.

- Sexual intercourse with a person who is under the statutory age of consent as defined by Rhode Island law.
- E. “Domestic Violence” is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Rhode Island, 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 Rhode Island.
- F. “Dating Violence” is physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.

- G. “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.
- H. “Consent” refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is incapacitated is not capable of giving Consent.
- I. “Coercion” is defined as direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would otherwise not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person’s words or conduct alone cannot amount to Coercion for purposes of this Policy unless they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity.





- J. "Incapacitated" refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep.
- K. "Retaliation" is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.
- L. "Complainant" means an individual who is reported to be the victim of conduct that could constitute Sexual Harassment.
- M. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
- N. "Formal Complaint" means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Covered Entity investigate the allegation of Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the Covered Entity's education programs or activities. A "document filed by a Complainant" means a document or electronic submission (such as an email) that contains the Complainant's physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.
- O. "Supportive Measures" are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or



charge, that are designed to restore or preserve equal access to the Covered Entity's Education Programs or Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the Covered Entity's education environment, or to deter Sexual Harassment.

Examples of Supportive Measures include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

- P. "Education Programs or Activities" refers to all the operations of a Covered Entity, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life (where applicable), dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the Covered Entity. It also includes off-campus locations, events, or circumstances over which the Covered Entity exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the Covered Entity.

IX. Understanding Hostile Environment Sexual Harassment

In determining whether a hostile environment exists, the Covered Entity will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the context in which the conduct occurred; and the number of persons affected.

Sexual Harassment need not be intentional. The intent of the person who is alleged to have committed such behavior is not relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be Sexual Harassment.

Sexual Harassment can arise from many different types of unwelcome verbal, nonverbal and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence, stalking and other coercive activity. Examples of such conduct and behaviors that may constitute Sexual Harassment include, but are not limited to, the following:

- o Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.
- o Non-verbal: The display of sexually explicit stares, gestures, or suggestive pictures, including secretly video recording sexual acts or objects.
- o Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence, stalking, and rape.

Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender- stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, may also be considered Hostile Environment Sexual Harassment under this Policy. Specific examples of such behavior that may lead to a finding of Sexual Harassment include the following:

- o A male employee is repeatedly taunted and insulted verbally by his co-workers for his "looking like a girl," "for acting like a girl" and "acting like a queer."
- o A female program director is repeatedly called "bossy", "overly aggressive" and "un- lady like" by

her male supervisors with some of these criticisms noted in her performance evaluations.

The Covered Entities encourage members of their communities to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a Policy violation.

The scope of Hostile Environment Sexual Harassment as encompassed within this Policy, as compared to other forms of sex-based harassment addressed by the Nondiscrimination Policy and Complaint Procedures:

SERVERE - PERVASIVE - OBJECTIVELY OFFENSIVE

X. Consent and Incapacitation

A. Consent

Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation, coercion, or any kind of physical force or weapon, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal "no"

constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/ temporary psychological or physical disability, and being below the age of consent (age 16) are factors which may make consent impossible.

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

B. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the "who, what, where, when, why or how" of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One's own intoxication is not an excuse for failure to recognize another person's incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol of other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual's:

- o Decision-making ability
- o Awareness of consequences
- o Ability to make informed judgments
- o Capacity to appreciate the nature of circumstances of the act

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.



XI. Reporting Sexual Harassment

Any person may report Sexual Harassment to the Covered Entity's Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

In addition to reporting to the Title IX Coordinator, any person may report Sexual Harassment to a Covered Entity official with authority to institute corrective measures when Sexual Harassment has occurred. Such officials, referred to as "Reporting Officials," must promptly forward reports of Sexual Harassment to the Title IX Coordinator.

The name and contact information for each Covered Entity's Title IX Coordinator, as well as a list of Reporting Officials, if any, is listed further in this document.

XII. Employee Reporting

All employees of the Covered Entities are strongly encouraged to report Sexual Harassment to the Covered Entity's Title IX Coordinator when they receive a report of such conduct or witness such conduct. The report should include all known relevant details of the alleged Sexual Harassment.

Notwithstanding the language above, employees who are designated as Campus Security Authorities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") must fulfill their reporting obligations as described by the Covered Entity's policies.

All employees are required to report known or suspected cases of child abuse and/or neglect to the Rhode Island Department of Children, Youth and Families (DCYF) within 24 hours of becoming aware of such abuse/neglect. DCYF has a single, statewide toll-free hotline that operates twenty-four (24) hours per day, seven (7) days per week. The number is 1-800-RI-CHILD (1-800-742-4453).

XIII. Guidance for Individuals Reporting Sexual Assault, Domestic Violence, Dating Violence, or Stalking

If you believe you are the victim of Sexual Assault, Domestic Violence, or Dating Violence, get to safety and do everything possible to preserve evidence by making certain that the scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of Sexual Assault, Domestic Violence, or Dating Violence, the Covered Entities recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime—avoid bathing, using the toilet, rinsing one's mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred- preserve for law enforcement

- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911 or campus police.
- Get medical attention - all medical injuries are not immediately apparent. This will help collect evidence that may be needed in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with counselors, health care providers, or other campus officials who can help explain options, give information, and provide emotional support.
- Talk with or make a report to the Title IX Coordinator.
- Explore this Policy and its avenues for resolution.





It is also important to take steps to preserve evidence in other investigations, such as Stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc. rather than evidence of physical contact and violence.

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the victim has several options such as, but not limited to:

- obtaining Supportive Measures
- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- filing a Formal Complaint
- requesting that no further action be taken

The Covered Entity's Department of Public Safety can assist individuals in obtaining a personal protection order ("PPO").

XIV. Preliminary Assessment

Upon receipt of a report made pursuant to Section VI, the Title IX Coordinator will conduct a preliminary assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of the Policy; and
- Whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of the Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to other offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of the Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take

investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

XV. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures; to discuss and consider the Complainant's wishes with respect to such Supportive Measures; to inform the Complainant of the availability of such Supportive Measures with or without filing a Formal Complaint; and to explain the process for filing and pursuing a Formal Complaint. The Complainant will also be provided options for filing complaints with the local or State police and information about resources that are available on campus and in the community.

XVI. Supportive Measures

If a report is not closed as a result of the preliminary assessment, the Covered Entity will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the Covered Entity will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant.

The Covered Entity will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The Covered Entity will maintain the confidentiality of Supportive Measures

provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the Covered Entity's ability to provide the Supportive Measures in question.

XVII. Emergency Removal and Administrative Leave

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from one or more of the Covered Entity's Education Programs or Activities on a temporary basis if the Covered Entity's threat assessment committee conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent within twenty-four (24) hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the Covered Entity may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the Covered Entity retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.



XVIII. Formal Complaint

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the Covered Entity investigate and adjudicate a report of Sexual Harassment in accordance with these procedures. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the Covered Entity's education programs or activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Exhibit A or B.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the Covered Entity if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the Covered Entity's community. No person other than the Complainant or the Title IX Coordinator may submit a Formal Complaint.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the Covered Entity will commence an investigation and proceed to adjudicate the matter as specified in these procedures. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of the party's level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

XIX. Consolidation of Formal Complaints

The Covered Entity may consolidate Formal Complaints of Sexual Harassment where the

allegations arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this Policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Sexual Harassment.

XX. Dismissal Prior to Commencement of Investigation

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the Policy specified in Section VI (i.e., because the alleged conduct did not occur in the Covered Entities' Education Programs or Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The dismissal is a final determination unless modified or overturned on appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other offices and procedures, as appropriate.

XXI. Notice of Formal Complaint

Within five (5) business days of the Title IX Coordinator receiving a Formal

Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of this Policy or a hyperlink to this Policy;
- Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
- Notifying the Complainant and Respondent of their right to inspect and review evidence;
- Notifying the Complainant and Respondent of the Covered Entities' prohibitions on retaliation and false statements; and
- Information about resources that are available on campus and in the community.

Should the Covered Entity elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the Covered Entity will provide a supplemental written notice describing the additional allegations to be investigated.



XXII. Investigation

A. Commencement and Timing

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the Covered Entity and not with the parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the length of each investigation may vary depending on the totality of the circumstances, the Covered Entity strives to complete each investigation within ninety (90) calendar days of the transmittal of the written notice of Formal Complaint.

B. Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A



party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, surprise, or excusable neglect.

C. Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. Access to the Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint,

including evidence the Covered Entity may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have ten (10) calendar days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this complaint resolution process and may not photograph or disseminate the evidence to the public.

E. Investigation Report

After the period for the parties to provide any written response as specified above has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the



Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form. The parties and their advisors are provided the report for the purposes of this complaint resolution process and may not disseminate the report to the public.

XXIII. Adjudication

A. Hearing Officer

After receipt of the investigation report, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator.

B. Hearing Notice and Response to the Investigation Report

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time

for the hearing; and providing a copy of the Covered Entity's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) calendar days from the date of transmittal of the written notice of hearing.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any objection that the party has to the Covered Entity's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing.
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;

- If the party does not have an advisor who will accompany the party at the hearing, a request that the Covered Entities provide an advisor for purposes of conducting cross-examination. A party's written response to the investigation report may also include:
 - Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and
 - Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

A. Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

B. Issuance of Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any Covered Entity employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing

and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The Covered Entity will not issue a notice of attendance to any witness who is not an employee or a student.

C. Hearing

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the Covered Entity's Hearing Procedures. The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary Covered Entity personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.





In the hearing officer’s discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each party’s advisor to cross-examine directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to

testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;

- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect; and
- Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary Covered Entity personnel. Witnesses will be sequestered from one another at the hearing until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them before the conclusion of the investigation.

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this section, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this section are met.

D. Subjection to Questioning

In the event that any party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the parties’ advisors, the statements of that party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any party or witness, whether given during the

investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither party requested attendance of the witness at the hearing.

In applying this section, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness’s absence from the live hearing and/or refusal to submit to questioning by the parties’ advisors.

E. Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person’s status as a Complainant, Respondent, or witness.

The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or because it constitutes impermissible sexual history information. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., “more likely than not”) standard



and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the Policy as alleged in the Formal Complaint.

F. Discipline and Remedies

In the event the hearing officer determines that a student or other non-employee Respondent is responsible for violating this Policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate Covered Entity official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

In the event the hearing officer determines that an employee Respondent is responsible for violating this Policy, the hearing officer will, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant. The hearing officer will refer the matter to the appropriate Vice President, Provost, or Associate Commissioner, along with a recommendation regarding appropriate disciplinary and/or corrective action that comports with applicable personnel policies and collective bargaining agreements. The Vice President, Provost, or Associate Commissioner shall consult with the Covered Entity's Office of Human Resources and determine the appropriate disciplinary and/or corrective action in accordance with applicable personnel policies and collective bargaining agreements.

G. Written Decision

After reaching a determination and consulting with the appropriate Covered Entities official and Title IX Coordinator, the hearing officer will prepare a written decision that will include:

- o Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- o A description of the procedural steps taken by the Covered Entity upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties, interviews with the parties and witnesses, site visits, methods used to gather non-testimonial evidence, and the date, location, and people who were present at or presented testimony at the hearing.



- o Findings of fact, made under a preponderance of the evidence standard, that support the determination;
- o A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;



- o The discipline determined by the appropriate Covered Entity official (for students and non-employees) or the discipline recommended to the appropriate Covered Entity official (for employees);
- o Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- o A description of the Covered Entity's process and grounds for appeal.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the Covered Entities strives to issue the hearing officer's written determination within fourteen (14) business days of the conclusion of the hearing.

XXVI. Dismissal During Investigation or Adjudication

The Covered Entity shall dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that one or more of the following is true:

- o The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- o The conduct alleged in the Formal Complaint falls outside the scope of the Policy.





- The Covered Entity may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:
- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the Covered Entity; or
- Specific circumstances prevent the Covered Entity from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other offices or procedures, as appropriate. The dismissal is a final determination unless modified or overturned on appeal.

VIII. Appeal

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, or hearing officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) business days of the date they receive notice of dismissal or written determination. The appeal must be submitted in writing to the Covered Entity's designated appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the

appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) business days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the Covered Entity strives to issue the appeal officer's written decision within (21) business days of an appeal being filed.

XXVI. Advisor of Choice

The Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be any person the party chooses.

Except for the questioning of witnesses during the hearing, the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the Covered Entity about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violation of the parameters specified in these procedures, the Covered Entity may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing and requests the Covered Entity to provide an advisor, the Covered Entity will provide the party an advisor, without



fee or charge, who will conduct questioning on behalf of the party at the hearing. The Covered Entity will have sole discretion to select the advisor it provides. The advisor the Covered Entity provides may be, but is not required to be, an attorney.

The Covered Entity is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing and requests that the Covered Entity provide an advisor.

XXVII. Treatment Records and Other Privileged Information

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use:

- o A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- o Information or records protected from disclosure by any other legally recognized privilege, such as the attorney client privilege unless the Covered Entity has obtained the party's voluntary, written consent to do so for the purposes of the investigation and adjudication process.

Notwithstanding the foregoing, the investigator and/or adjudicator may consider any such records or information otherwise covered by this section if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

XXVIII. Sexual History

During the investigation and adjudication processes, questioning regarding a

Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this section, but only to the limited extent the Complainant has used the information.

XXIX. Informal Resolution

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- o Describes the parameters and requirements of the informal resolution process to be utilized;
- o Identifies the individual responsible for facilitating the informal resolution

(who may be the Title IX Coordinator, another Covered Entities official, or a suitable third-party);

- o Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- o Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended. A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

If the parties do not reach a resolution through the informal resolution process, the Complainant may choose to proceed with the formal investigation and adjudication process outlined in these procedures.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is

final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the Covered Entity, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the Covered Entity. Informal resolution reached pursuant to this section is not subject to appeal.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) calendar days. If an informal resolution process does not result in a resolution within twenty-one (21) calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant

to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this section notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

XXX. Presumption of Non-Responsibility

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XXXI. Resources

The Covered Entities shall publish and make available to all students and employees, information about “available resources” for individuals who believe they are victims of, witnesses to, or are simply concerned about, Sexual Harassment and other forms of sexual

violence. Such “available information” should include a list of internal and external agencies, offices, hotlines, websites, or other information resources or service providers the Covered Entity believes would be important or valuable resources for their students and employees.

The current “available resources” listings for Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner are attached hereto as Exhibits A and B respectively and are incorporated by reference into this Policy. Each Covered Entity shall be obligated to keep their “available resources” listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits A and B) to the Council, which will substitute the updated exhibits for the old ones and attach them to this Policy.

XXXII. Conflicts of Interest, Bias, and Procedural Complaints

The Title IX Coordinator, investigator, hearing officer, appeals officer, and informal resolution facilitator will be free

of any material conflicts of interest or material bias. Any party who believes one or more of these officials has a material conflict of interest or material bias must raise the concern promptly so that the Covered Entity may evaluate the concern and find a substitute, if appropriate. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

XXXIII. Objections Generally

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the Covered Entity may evaluate the matter and address it, if appropriate.

XXXIV. Constitutional Rights and Academic Freedom

The Covered Entities will construe and apply this Policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom specified in its handbooks. In no case will a Respondent be found to have



committed Sexual Harassment based on expressive conduct that is protected by the First Amendment and/or the principles of academic freedom specified in the Covered Entity's handbooks.

XXXV. Relationship with Criminal Process

This Policy sets forth the Covered Entities' processes for responding to reports and Formal Complaints of Sexual Harassment. The Covered Entities' processes are separate, distinct, and independent of any criminal processes. While the Covered Entities may temporarily delay its processes under this Policy to avoid interfering with law enforcement efforts if requested by law enforcement, the Covered Entities will otherwise apply this Policy and its processes without regard to the status or outcome of any criminal process.

XXXVI. Civil Lawsuits

The Complainant may choose to file a civil lawsuit against the Respondent, whether or not criminal charges have been filed. A civil lawsuit provides the Complainant the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering, and emotional distress.

XXXVII. Amnesty

The health and safety of every student is of utmost importance. The Covered Entities recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The Covered Entities strongly encourage students to report incidents of violence to institution officials. The reporting party, responding

party, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the Covered Entity or law enforcement will not be subject to the Covered Entity's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

XXXVIII. Vendors, Contractors and Third Parties

The Covered Entities do business with various vendors, contractors, and other third parties who are not students or employees of the Covered Entities. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this Policy, the Covered Entity retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the Covered Entity retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this Policy.

XXXIX. Bad Faith Complaints and False Information

It is a violation of this Policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this Policy. Violations of this section are not subject to the investigation and adjudication processes in this Policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other Covered Entity policies and standards, as applicable, for other persons.

XL. Retaliation

It is a violation of this Policy to engage in Retaliation. Reports and Formal Complaints of retaliation should be filed directly with the Title IX Coordinator. Any report or Formal Complaint of Retaliation will be processed under this Policy in the same manner as a report or Formal Complaint of Sexual Harassment. The Covered Entity retains discretion to consolidate a Formal Complaint of Retaliation with a Formal Complaint of Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

XLI. Confidentiality

The Covered Entity will keep confidential the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation including any Complainant, the identity of any individual who has been reported to be a perpetrator of Sexual Harassment or Retaliation including any Respondent, and the identity of any witness. The Covered Entity will also maintain the confidentiality of its various records generated in response to reports and Formal Complaints, including, but not limited to, information concerning Supportive Measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, the Covered Entity may reveal the identity of any person or the contents of any record if permitted by FERPA, if necessary to carry out the Covered Entity's obligations under Title IX and its implementing regulations including the conduct of any investigation, adjudication, or appeal under this Policy or any subsequent judicial proceeding, or as otherwise required by law. Further, notwithstanding





the Covered Entity's general obligation to maintain confidentiality as specified herein, the parties to a report or Formal Complaint will be given access to investigation and adjudication materials in the circumstances specified in this Policy.

While the Covered Entities will maintain confidentiality specified in this section, the Covered Entity will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties are advised, however, that the manner in which they communicate about, or discuss a particular case, may constitute Sexual Harassment or Retaliation in certain circumstances and be subject to discipline pursuant to the processes specified in this Policy.

Note that certain types of Sexual Harassment are considered crimes for which the Covered Entity must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information.

XLII. Extension of Deadlines

All deadlines and other time periods specified in this Policy are subject to modification by the Covered Entity where, in the Covered Entity's sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the investigator, adjudicator, or the parties; and unforeseen weather events.

XLIII. Other Violations of this Policy

Alleged violations of this Policy, other than violations of the prohibitions on Sexual Harassment and Retaliation, will be subject to review under the Student Code of Conduct for students and applicable personnel policies for employees. Examples of such violations include, but are not limited to, failure to abide by Supportive Measures or dissemination of evidence in contradiction to Section XXII.D of this Policy.

XLIV. Education

Each Covered Entity shall provide information regarding its education and primary prevention and awareness programs as required by VAWA as an appendix to this Policy.

XLV. Outside Appointments and Dual Appointments

The Covered Entities retains discretion to retain and appoint suitably qualified persons who are not Covered Entity's employees to fulfill any function of the Covered Entity under this Policy, including, but not limited to, the investigator, hearing officer, informal resolution officer, and/or appeals officer.

The Covered Entities also retain discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, informal resolution officer, and/or appeals officer.

XLVI. Training

The Covered Entities will ensure that Covered Entity officials acting under this Policy, including but not limited to the Title IX Coordinator, investigators, hearing officers, administrative officers, informal resolution facilitators, Covered Entities provided advisors, and appeals officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii) and any other applicable federal or state law.

XLVII. Recordkeeping

The Covered Entities will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of seven years after which point in time they may be destroyed, or continue to be retained, in the Covered Entities' sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.





The College recognizes that some individuals, for a variety of reasons, may be reluctant to cooperate or participate in the investigation or file a complaint without the advice or counsel of a sympathetic party. The following resources are available to provide assistance and information to anyone who is concerned or witnessed incident(s) of sexual harassment and sexual violence or sexual assault:

AVAILABLE RESOURCES

INTERNAL RESOURCES

Counseling Center

Brown Residence Hall Suite 100
401-456-8094

www.ric.edu/healthservices/Pages/default.aspx

Health Services

Brown Residence Hall
401-456-8055

www.ric.edu/healthservices/Pages/default.aspx

Office of Student Life

Student Union #408
401-456-8061

www.ric.edu/studentlife/Pages/default.aspx

Residential Life and Housing

Penfield Residence Hall
401-456-8240

www.ric.edu/residential-life/Pages/default.aspx

Human Resources

Building #6, East Campus
401-456-8218

www.ric.edu/humanresources/Pages/default.aspx

Campus Police

Welcome Center
401-456-8201 or 401-456-8522

www.ric.edu/campuspd/Pages/default.aspx



EXTERNAL RESOURCES

U.S. Department of Education Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
(617)-289-0111

www.ed.gov/category/location/massachusetts

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
3rd Floor Providence, RI 02903
Phone: (401)-222-2661
Fax: (401)-222-2616
TTY (Relay RI): (401)-222-2664

www.richr.ri.gov/

Equal Employment Opportunity Commission
Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

www.eeoc.gov/field-office/boston/location

CONTACT INFORMATION

Rhode Island State Law: Sexual Or Relationship Assault Or Violence

SEXUAL ASSAULT (R.I.G.L. 11-37-1 thru 11-37-6)

§ 11-37-1. Definitions. The following words and phrases, when used in this chapter, have the following meanings:

1. "Accused" means a person accused of a sexual assault.
2. "Force or coercion" means when the accused does any of the following:
 - I. Uses or threatens to use a weapon, or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.
 - II. Overcomes the victim through the application of physical force or physical violence.
 - III. Coerces the victim to submit by threatening to use force or violence on the victim and the victim reasonably believes that the accused has the present ability to execute these threats.
 - IV. Coerces the victim to submit by threatening to at some time in the future murder, inflict serious bodily injury upon or kidnap the victim or any other person and the victim reasonably believes that the accused has the ability to execute this threat.
3. "Intimate parts" means the genital or anal areas, groin, inner thigh, or buttock of any person or the breast of a female.
4. "Mentally disabled" means a person who has a mental impairment which renders that person incapable of appraising the nature of the act.
5. "Mentally incapacitated" means a person who is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or who is mentally unable to communicate unwillingness to engage in the act.

6. "Physically helpless" means a person who is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.
7. "Sexual contact" means the intentional touching of the victim's or accused's intimate parts, clothed or unclothed, if that intentional touching can be reasonably construed as intended by the accused to be for the purpose of sexual arousal, gratification, or assault.
8. "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, and anal intercourse, or any other intrusion, however slight, by any part of a person's body or by any object into the genital or anal openings of another person's body, or the victim's own body upon the accused's instruction, but emission of semen is not required.
9. "Spouse" means a person married to the accused at the time of the alleged sexual assault, except that such persons shall not be considered the spouse if the couple are living apart and a decision for divorce has been granted, whether or not a final decree has been entered. "Victim" means the person alleging to have been subjected to sexual assault.

§ 11-37-2. First degree sexual assault.

A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:

1. The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
2. The accused uses force or coercion.
3. The accused, through concealment or by the element of surprise, is able to overcome the victim.
4. The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.



§ 11-37-4. Second degree sexual assault.

A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:

1. The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.
2. The accused uses force, element of surprise, or coercion.
3. The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

§ 11-37-6. Third degree sexual assault.

A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

DOMESTIC VIOLENCE- (R.I.G.L. 12-29-2)

§ 12-29-2. Definitions.

- A. ("Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:
1. Simple assault (§ 11-5-3);
 2. Felony assaults (chapter 5 of title 11);
 3. Vandalism (§ 11-44-1);
 4. Disorderly conduct (§ 11-45-1);
 5. Trespass (§ 11-44-26);
 6. Kidnapping (§ 11-26-1);
 7. Child-snatching (§ 11-26-1.1);
 8. Sexual assault (§§ 11-37-2, 11-37-4);
 9. Homicide (§§ 11-23-1 and 11-23-3); 37 (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4
 10. Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4;
 11. Stalking (chapter 59 of title 11);
 12. Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
 13. Burglary and Unlawful Entry (chapter 8 of title 11);
 14. Arson (chapter 4 of title 11);
 15. Cyberstalking and cyberharassment (§ 11-52-4.2);
 16. Domestic assault by strangulation § 11-5-2.3; and
 17. Electronic tracking of motor vehicles (§ 11-69-1).



- B. "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors:
1. The length of time of the relationship;
 2. The type of the relationship;
 3. The frequency of the interaction between the parties.
- D. "Victim" means a family or household member who has been subjected to domestic violence.

STALKING (R.I.G.L. 11-59-1 through 11-59-2)

§ 11-59-1. Definitions. For the purpose of this chapter:

1. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."
2. "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.



§ 11-59-2. Stalking prohibited.

- A. Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking.
- B. Stalking shall be deemed a felony punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars (\$10,000), or both.

If members of the Rhode Island College campus community are victims of dating violence, domestic violence, sexual assault, or stalking, they are strongly encouraged to contact Rhode Island College Campus Police at (401) 456-8888 or file a complaint in person at the Welcome Center. RICCP will assist all victims of the aforementioned crimes in pursuing potential criminal charges, adjudication through the Title IX process, or accessing outside resources to assist victims of such crimes. Victims also may contact local and state law enforcement agencies:

- Providence Police Department
(401) 272-3121
- North Providence Police Department
(401) 231-4533
- Rhode Island State Police
(401) 444-1000
- Central Falls Police Department
(401) 727-7411
- Westerly Police Department
(401) 596-2022

Victims may also dial 911 for emergency response.

Victims of such crimes are also strongly encouraged to seek medical attention when appropriate and may access the following local resources:

Rhode Island College Health Services
(401) 456-8055
www.ric.edu/healthservices/Pages/default.aspx

Women & Infants Hospital
101 Dudley Street
Providence, RI 02905
(401) 274-1100
www.womenandinfants.org/

Rhode Island Hospital
80 Dudley Street
Providence, RI 02905
(401) 444-4000
www.lifespan.org/

Miriam Hospital
164 Summit Street
Providence, RI 02906
(401) 739-4420
www.miriamhospital.org/

CONTACT INFORMATION

It is critical that victims try to preserve any evidence of a potential crime. Preserving evidence may assist in proving the alleged behavior occurred and may be helpful in obtaining a protective order or in prosecuting an alleged offense. Preserving evidence may entail photographs of any injuries, saving text messages or other forms of electronic communication, or undergoing a forensic examination. Please note that undergoing a forensic examination does not require someone to file a police report or pursue criminal charges. It is recommended if choosing to undergo a forensic examination that the victim do not wash any part of their body, do not comb his or her hair, do not change clothes, and do not douche or use the toilet. Victims should bring an extra pair of clothes to the hospital.

EDUCATIONAL PROGRAMS AND CAMPAIGNS ADDRESSING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, SEXUAL HARASSMENT, AND STALKING

Rhode Island College works collaboratively with the campus community to provide educational programs and campaigns to prevent dating violence, domestic violence, sexual assault, and stalking. The focus of these programs is to promote awareness surrounding these critical issues and to offer information to empower campus members to prevent such activity from occurring. Programs emphasize prevention, awareness, risk reduction, and bystander intervention. These programs and campaigns also provide resources for support if any campus member is a victim of such violence.

Green Dot Program

Green Dot is a prevention program that works to reduce the prevalence of power-based personal violence such as sexual assault, stalking and bullying. While red dots on a community map symbolize acts of violence, green dots symbolize actions that prevent violence before it occurs. The Green Dot philosophy is based on the idea that individual safety is a community responsibility.

Green Dot representatives offer trainings throughout the year for incoming students, Resident Assistants, faculty, staff, and members of our Greek Life community. The trainings emphasize prevention to reduce the likelihood of becoming a victim of personal violence.

Information on this program can be found here:
www.ric.edu/green-dot/Pages/default.aspx

The Unity Center

The Unity Center is a department of the Division on Community, Equity, and Diversity (CED) and works with all aspects of Rhode Island College campus to ensure equitable practices, an inclusive culture, and an affirming environment. The Center looks to engage students in meaningful and critical dialogue and practice about their academic, social, and emotional experiences, while challenging systems of oppression such as racism, sexism, classism, heterosexism, disableism, and colonialism.

The Center oversees resources and services on campus relating to identity and social justice, including a LGBTQ+ and Gender Office, an Intercultural Office for Students of Color, an Office for International, Immigrant, Undocumented, and Refugee Students, and Interfaith Services. In addition to intersectional programming, each individual office is responsible for providing support services, and resources for marginalized and disenfranchised frontline communities on campus.

The Unity Center provides both a physical and mental space for students to address a variety of personal experiences. The mission is to give students the opportunity to gather to learn from each other, empower them to create their own dialogue and solutions to complex societal problems, and provide various resources of support to the campus community.

The Unity Center hosts both trainings and lectures throughout the year that include addressing not all oppression and discrimination but issues of interpersonal violence.

Information of the Unity Center can be found here:
www.ric.edu/unitycenter/Pages/default.aspx



Women and Gender Studies

The main goal of Gender and Women's Studies at Rhode Island College is to discover and communicate new knowledge about women, to reexamine and reinterpret existing knowledge about women, and to synthesize and integrate this understanding into the traditional disciplines. Students gain an understanding of and respect for difference in their lives as they encounter issues of gender, age, ability, class, ethnicity, race, religion, sexual orientation, and national origin in the classroom and in their curriculum.

Rhode Island College offers a degree program in Women and Gender Studies. In addition to being a field of study, the program also holds lecture series throughout the year to address a variety of issues surrounding women and gender that include powerful accounts of dating violence, domestic violence, and sexual assault. These events are open to the greater college community.

Information on this program can be found here: www.ric.edu/genderwomenstudies/Pages/default.aspx

Title IX Office of Institutional Equity

RIC recognizes how essential diversity and inclusion is in an educational environment informed by cultural inquiry and designed to stimulate critical and creative thinking. The mission of the Rhode Island College division for Diversity, Equity and Inclusion is to ensure that diversity and inclusion are active and ongoing processes that promote social justice and equity college wide. The division provides leadership to identify, assess, and eliminate institutional inequalities in areas related to race, ethnicity, sexual orientation, gender expression or identity, religion, social class, language, disability, socio-economic status, national origin, citizenship status, age, and veteran status. Our commitment is to promote campus climate that is diverse, supportive, welcoming, and safe for all.

The Title IX/Office of Institutional Equity conducts trainings for Responsible Employees, Campus Security Authorities, and other employees both faculty and staff who have direct responsibility for ensuring the health, welfare, and safety of students on issues surrounding Title IX, Clery Act, Violence Against



Women Reauthorization Act of 2013 (VAWA), and Discrimination/Harassment. These trainings address the applicable laws and statutes on Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking, reporting responsibilities of Responsible Employees and Campus Security Authorities (CSAs), and strategies to foster a welcoming environment that encourages prevention, risk reduction, and dealing with any reported incidents of interpersonal violence. Trainings are conducted upon hire and annually to ensure proper protocols are followed in any instance of reported interpersonal violence.

Information on Office of Institutional Equity can be found here: www.ric.edu/institutionalequity/Pages/default.aspx

Information on all Title IX Issues can be found here: www.ric.edu/titleIX/Pages/default.aspx



RIC Department of Human Resources

The Rhode Island College Department of Human Resources is the department charged with finding, screening, recruiting, and training job applicants, and administering employee-benefit programs. Human Resources also works with various departments on development of policies and procedures applicable to all College employees both faculty and staff in accordance with state and federal laws and Union contracts and provisions.

Human Resources conducts all trainings for employees upon hire regarding applicable federal and state laws and institutional policies surrounding Affirmative Action, Discrimination, Sexual Harassment and Misconduct, and any issues surrounding hostile work environments and interpersonal violence. These trainings also detail procedures for employees to report any instances of workplace misconduct.

Human Resources also provides resources for employees seeking assistance for support surrounding any physical or mental challenges such as Depression, Anxiety, Substance Abuse, Workplace Issues, Financial problems, and legal issues whether personal or professional. Employees are encouraged to seek assistance for support through the State of Rhode Island Employee Assistance Program. This program has fully trained specialists available twenty-four (24) hours a day seven (7) days a week.

Information on Rhode Island College Human Resources can be found here: www.ric.edu/humanresources/Pages/default.aspx

Trainings and educational programs on these key issues around Dating Violence, Discrimination, Domestic Violence, Sexual Assault/Misconduct, Sexual Harassment, and Stalking are delivered both online and in-person.

If a member of the campus community becomes a victim of Dating Violence, Domestic Violence, Sexual Assault or Misconduct, and Stalking, Rhode Island College strongly encourages campus members to seek the assistance of resources in the greater Providence community. In incidents of alleged criminal violations of applicable state and federal laws, Rhode Island College also strongly encourages contacting Campus Police and/or local law enforcement. Again, all efforts will be made to accommodate any campus community member in seeking assistance of any available outside resource.

On campus, Rhode Island College offers the RIC HOPE (Helping Others Pursue Excellence) LINE at (401) 456-HOPE (4673). This resource is available twenty-four hours (24) seven (7) days a week. Information on the HOPE line can be found here: www.ric.edu/hope-team/Pages/default.aspx

Also, students can seek assistance through the Rhode Island College Counseling Center at (401) 456-8094 and located at Browne Hall. Information on the Counseling Center can be found here: www.ric.edu/counseling-center/Pages/default.aspx

For those seeking resources outside the campus community for Dating Violence, Domestic Violence, Sexual Assault, and Stalking, the following organizations aid those in need:

Day One (Sexual Assault and Trauma Center)
 100 Medway Street
 Providence, RI
 (401) 421-4100
<https://www.dayoneri.org/>

RI Coalition Against Domestic Violence
 422 Post Road
 Warwick, RI
 (401) 467-9940
<http://www.ricadv.org/>

Women's Resource Center
24 Hour Helpline- 1(800) 494-8100
 Sojourner House
 (401) 861-6191 Office
 (401) 765-3232 Residential Services
<http://womenscenterri.org/>

Again, any member of campus community seeking any assistance with contacting these resources are encouraged to reach out to the Title IX office, Dean of Students, or Campus Police.

MISSING STUDENT POLICY FOR STUDENTS LIVING ON CAMPUS (RESIDENTIAL STUDENTS)

Rhode Island College has policies and procedures to that address the possibility of missing students. However, these policies and procedure only apply to **those students who reside in on-campus housing.**

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

CONTACT INFORMATION

REGISTERED SEX OFFENDER INFORMATION

Both federal regulations as defined by section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)) and the Sexual Offender Registration and Community Notification Act, R.I. Gen. Laws §11-37.1-1 et seq., govern the Rhode Island College policy on Sex Offender Registration and Notification. The State of Rhode Island supports the policy that if members of the public are provided adequate notification and information about a sex offender who has been or is about to be released from custody and who lives or will live in or near their neighborhood, the community can develop constructive plans to prepare themselves and their children for the offender's release.

Members of the campus community are encouraged to look for information regarding Sex Offender Community Notification here:

Rhode Island Parole Board and Sex Offender Community Notification Unit
 1 Center Place
 Providence, Rhode Island 02903
 Phone: (401) 222-5180
 Fax: (401) 222-5186
www.paroleboard.ri.gov

CONTACT INFORMATION



College Procedures for Missing Residential Students

- A. Any individual who has information that a residential student has been missing for twenty-four (24) hours must immediately file an official report with Campus Police by calling extension 8888 or, if calling from off-campus, (401) 456-8888.
- B. When an official report is filed, Campus Police or other College officials will, absent extraordinary circumstances, make reasonable efforts to contact the residential student through various methods that include but are not limited to speaking with any of residential student's acquaintances, cell phone number, or email. Additionally, Campus Police will gather other information about the missing residential student from the reporting person and from the residential student's acquaintances. Campus Police will seek information to include but not limited to a physical description of residential student, clothes last worn, where the residential student might be, with whom the residential student might be, vehicle description, information about the physical and mental well-being of the residential student, an up-to-date photograph, class schedule, or any other pertinent information that may lead to the return of the missing student.
- C. If Campus Police's reasonable efforts to contact the residential student outlined in "b" above are unsuccessful in locating the residential student, the Dean of Students or designee will notify the residential student's emergency contact person. If the missing residential student is under 18 years of age and not emancipated, the College must notify the custodial parent or guardian at this time. The College also will notify the local law enforcement agency if Campus Police's reasonable efforts to contact the residential student outlined in "b" above are unsuccessful in locating the residential student, unless the local law enforcement agency was the entity that made the determination that the residential student is missing.

- D. Prior to providing the College community with any information about a missing residential student, College personnel shall consult with the Campus Police and/or with local law enforcement authorities to ensure that no statements are made that are likely to hinder the investigation.

Procedures for Registering an Emergency Contact Person

Residential students are strongly encouraged to exercise their option to register an emergency contact person to be notified by the College if a residential student is reported missing. The emergency contact person can be any person and will remain in effect until changed or revoked by the residential student. The residential student can update the emergency contact information as applicable at any time. The emergency contact information will be registered confidentially, and only authorized campus officials and law enforcement officers in furtherance of a missing person investigation will have access to this information. RIC residential students are encouraged to register this information with the myRIC alerts program on the Rhode Island College website to ensure an emergency contact is on file. Access to the myRIC Alerts system is available for the entire campus community and can be found here: www.ric.edu/Emergency-Management/Pages/default.aspx

Residential students may register an emergency contact by filling out a separate form during the move-in process or at any point throughout the academic year by visiting the Residential Life and Housing office. The student will provide the following information: student's name, RIC ID number, student cell phone, name and relationship of the person to be contacted, a home and cell phone number for that person(s), and an email address for that person(s). The information will be stored separately in the main Residential Life and Housing Office at Penfield Hall. This information will remain confidential and kept in a secure space.

FIRE SAFETY REPORT

Rhode Island College recognizes the importance of fire safety and the communication to students, employees, and visitors about fire safety guidelines for the College. Proper fire prevention measures and the knowledge of life safety procedures within residential communities save lives. Rhode Island College established fire safety policies and procedures as dictated by fire safety codes codified in Rhode Island General Law and studying guidance from the United States Fire Administration (USFA), Center for Campus Fire Safety, and the National Association for Fire Protection (NFA).

The above resources can be found here:

United States Fire Administration
www.usfa.fema.gov/about/index.html

Rhode Island Fire Safety Codes
fsc.ri.gov/statutes/

Center for Campus Fire Safety
www.mycfcs.org/

National Association for Fire Protection (NFA)
www.nfpa.org/

CONTACT INFORMATION

This information represents the most current fire safety guidelines for the College, Residence Halls, and works in conjunction with all other College-generated documentation pertaining to fire safety. With so many people living in such proximity within our Residence halls, every resident plays an important role in preventing fires and responding appropriately to life safety emergencies. Every resident assumes the responsibility of complying with fire safety policies, procedures, and guidelines as put forth in the College Student Handbook and the Residential Life and Housing Rental Agreement. Violations of College fire safety related policies and procedures – including the defacement of hallway exit signs, falsely activating fire alarms, discharging fire extinguishers, and activating fire suppression/sprinkler systems – are treated with the highest priority and may result in removal from Residence Halls and other disciplinary action.

CAMPUS FIRE LOG

Campus Police maintains a Fire Log of any fires that occur in on-campus student housing facilities. The Fire Log contains the following details for each fire:

1. Date and time the fire was reported.
2. Date and time of the fire occurred.
3. The nature of the fire.
4. The general location of the fire.

Campus Police makes an entry or an addition to an entry to the log within two (2) business days of receiving the information. A business day is classified as Monday through Friday, except for days when the institution is closed. The Fire Log for the most recent 60-day period is open to public inspection, upon request, during normal business hours. Any portion of the log older than sixty (60) days will be available within two (2) business days of a request for public inspection. Anyone may have access to the log, including anyone not necessarily associated with the College.

For detailed look at the Campus Fire Safety polices, please view here:

www.ric.edu/facilitiesoperations/Pages/Fire-Safety.aspx



ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEMS

Rhode Island College has six (6) residence halls, Browne, Penfield, Sweet, Thorp, Weber, and Willard. All six (6) residence halls contain the following and are subject to same fire safety procedures:

RHODE ISLAND COLLEGE RESIDENCE HALLS	
Brown Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code. 	Thorp Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code.
Penfield Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code. 	Weber Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code.
Sweet Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code. 	Willard Hall <ul style="list-style-type: none"> ○ Outfitted with a sprinkler system and addressable fire alarm system. ○ Fire extinguishers are placed in the hallways and in the suite areas. ○ Fire alarms and sprinkler systems are tested each quarter. ○ Fire extinguishers are inspected once a year. ○ Testing and inspection of fire safety equipment is conducted per the NFPA and Rhode Island Fire Code.



FIRE SAFETY EQUIPMENT & INSPECTION

Rhode Island College maintains state of the art fire safety and fire suppression equipment as prescribed under Rhode Island Fire Codes and as recommended by the National Association of Fire Protection. The responsibility for the day-to-day operations for the fire safety protections for all forty-three (43) Rhode Island College buildings falls under the Facilities and Operations Department.

Rhode Island College ensures the following equipment is visible and present in every building on campus:

- Fire alarm systems, the most important component of the fire safety program, along with all other fire safety equipment, are properly tested and maintained in compliance with all governing codes.
- Fire suppression systems, or sprinklers, have been installed in all Residence Halls. Sprinkler heads protrude from the walls and ceilings of common areas and student bedrooms in all Residence Halls. A sprinkler head is designed to discharge a large volume of water in a short period of time and can cause extensive damage to residential units.
- Fire extinguishers and exit signs are strategically placed throughout Residence Halls to be activated during an emergency.

Residence Hall staff are responsible to notify the Facilities and Operations Department if they discover any fire safety equipment in need of repair. Students are instructed to report to Residence Hall staff any discovery of fire safety equipment that requires repair.

Residential Life and Housing and Department of Public Safety Fire/Life Safety Division personnel randomly inspect student rooms each semester. Students are given no less than a twenty-four (24) hour notice of these random inspections. Residents who are found in violation of fire safety guidelines are given one (1) day to make corrections without penalty. Inspectors look for any violations of the Rhode Island Fire Codes and Rhode Island College Policies detailed in the Student Handbook. Some of the following violations include but are not limited to will be rectified immediately by inspectors:

- Candles will be confiscated and discarded immediately.
- Any items hanging from sprinkler heads will be removed immediately.
- Immediate removal of any portable electronic devices that are deemed prohibited by Rhode Island State Fire Codes and the Rhode Island College Fire Safety Guidelines in Residence Halls.

- Any decorations will be removed that do not comply with approved decorations as prescribed in Rhode Island State Fire Codes and Rhode Island College Fire Safety Guidelines in Residence Halls.
- Stairways, corridors, and doors are emergency exits, and objects of any type cannot be kept in these areas at any time. Objects of any type (including bicycles) left in these areas will be confiscated at the owner's risk and expense.
- Signs or postings not specifically approved by the Residence Hall staff will be removed.

Guidelines surrounding what is and is not permitted in Residence Halls will be detailed further in this report.

The College takes seriously any deliberate defacement, tampering, or theft of any fire safety equipment in Residence Halls or any building on campus. An investigation by Campus Police, a student conduct review body, and the Rhode Island State Fire Marshalls Office will be conducted for the following violations to include but are not limited to:

- The accidental or intentional discharge of a fire suppression system including fire alarms and fire extinguishers.
- The covering of or tampering with any fire detector in any Residence Hall location that may render this equipment inoperable.

- Safety equipment such as exit lights, fire alarms, sprinkler systems, smoke alarms, or other safety or fire-fighting equipment used inappropriately or rendered inoperable.
- Tampering with fire safety equipment (including but not limited to fire extinguishers, exit signs, automatic sprinkler heads, local smoke and heat detectors, and emergency lights).
- Disabling self-closing mechanisms on interior doors or propping opening any interior doors.
- Signs posted for the benefit of all residents (Fire Safety Regulations, Evacuation Procedures, RA posters, Hall banners, Policy Signs, etc.) should not be tampered with.

If an investigation yields a finding that any of the above violations occurred, students may face removal from Residence Halls and/or be ordered to provide financial restitution to the College for any equipment damaged. Residents will receive warnings if it is discovered that they violated the restrictions around propping open fire doors and/or suite doors. Further violations or intentional violations of this policy by any guest or students will be subject to a fine of \$50.00 and Judicial actions.



FINES FOR ABUSING OR TAMPERING WITH FIRE DETECTION, FIRE SAFETY AND ALARM DEVICES

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

- A. Illegal Exit Through Fire Door/Emergency Exit - \$50.00.
- B. Failure to Leave Building During a Fire Alarm - \$100.00 and potential further judicial action.
- C. Misuse of Fire Extinguisher - \$100.00 and other sanctioning as deemed appropriate by the Director of Residential Life & Housing.
- D. Abuse or Tampering of Detection, Suppression and Alarm Devices - \$100.00, additional educational sanctions and possible dismissal from the Residence Halls.
- E. Misuse or Activation of Fire Alarm Pull Box - \$200.00 and immediate dismissal from the Residence Halls.
- F. Disruption or Misuse of Residential Life On-call Phones, Including Prank Calls - \$100, additional educational sanctions and possible dismissal from the Residence Halls.
- G. Unauthorized or Misuse of the Intercom System - \$100, additional educational sanctions and possible dismissal from the Residence Halls.
- H. False Fire Alarm as a Result of Microwave Use:

1st Offense - written warning unless the situation is determined by the Professional Hall staff member to be a purposeful violation, in which case greater sanctions would be immediately applied.

2nd Offense - \$100.00 fine, loss of microwave for one semester and housing probation for one month. Department of Facilities and Operations/Fire Safety the Department of Facilities and Operations/Fire Safety oversees all campus fire safety and code requirements at the College. This department performs regular fire inspections and random room inspection in all campus facilities; provides training programs and presentations to faculty, staff, and students; and provides direct liaison activities with local Fire Departments.



POLICIES AND RULES ON PORTABLE ELECTRICAL APPLIANCES, SMOKING, AND OPEN FLAMES IN RESIDENCE HALLS

Portable Electrical Appliances: The following appliances are prohibited in the Residence Halls: ANY heating or cooking appliances, including hot pot, coffee pot, toaster, toaster oven, George Foreman Cooker (or other similar type of grill), hot plate, oil popcorn popper (hot air poppers ARE allowed), etc.; electric heaters of any kind (only UL [United Laboratories] listed electric blankets are allowed), including space heaters, immersion heaters; halogen desk or floor lamps, sun lamps. For your protection, any electrical items brought into the Residence Halls must be UL approved. This means that the item has been checked and is considered electrically safe. Any items without this sticker or tag will not be allowed in the Residence Halls. Residents are encouraged to take precautions when using high wattage lamps (anything above 60 watts) or using flammable items or solutions. In case of electrical power failure, only flashlights or battery powered lanterns may be used.

Microwaves: A maximum of one (1) microwave is permitted only in each suite area in Browne, Thorp, Weber, and Willard Halls. Microwaves are not permitted in individual rooms in these buildings. Due to the structure of the building, a maximum of one microwave is permitted in each room in Sweet Hall. Microwaves are not permitted in the bathroom of any building. Microwaves must be 0.7 cu. ft. or smaller and cannot exceed 700 watts. Microwaves can be banned if used inappropriately or if usage results in false fire alarms. Repeat offenses in a suite or the building may result in the banishment of microwaves for up to one (1) semester. If more than the maximum number of microwaves is found in an area it can be confiscated and will not be returned until semester break.

Extension cords: Extension cords of any kind are not allowed in the Residence Halls. As an alternative, students can continue to use (UL Listed) surge

protectors and power strips in their rooms. Surge protectors and power strips need to be directly plugged into the outlet. Plugging in multiple surge protectors and power strips into each other (daisy chaining) is prohibited.

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

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

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

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

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

FIRE SAFETY EDUCATION AND TRAINING PROGRAMS PROVIDED TO THE STUDENTS AND EMPLOYEES

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



NUMBER OF FIRE DRILLS HELD DURING THE PREVIOUS CALENDAR YEAR

In accordance with the Rhode Island Fire Safety Code, fire drills are run in each Residence Hall. During the previous calendar year, the College ran two (2) fire drills in the spring, two (2) drills in the fall, and one (1) drill in the summer semester in each Residence Hall. During the fall and spring semesters, the first drill is always completed within the first three weeks and the second drill is always completed by the end of the fifth week. The College also runs fire drills in academic buildings. Each fire drill is documented by the Buildings and Facilities office.

PROCEDURES FOR STUDENT HOUSING EVACUATION IN CASE OF A FIRE

All Residence Halls and campus buildings have documented evacuation procedures. Posters are displayed throughout the Residence Halls and campus buildings in common areas and classrooms. In Residence Halls, they are mounted on the suite doors. These posters indicate two (2) different ways to get out of the building during a fire. Students must learn the evacuation plan and not remove or cover the plan. If the evacuation plan is missing from a room, students must notify their Resident Hall Director, Resident Assistant, or Area Coordinator immediately.



While procedures are detailed and displayed throughout all building, students must assume responsibility to ensure they are knowledgeable of at least two (2) designated escape paths from their room if one is blocked. Students should practice fire safety on the first day they arrive in the Residence Halls by doing the following:

1. Find the exits that are closest to your room and ensure they are not locked or obstructed.
2. Count the number of doors between your room and the exits to ensure you can find them in the dark or in smoke.
3. Be sure you can find and unlock your room in the dark.
4. Keep your room key close to your bed.
5. Locate the fire alarm on your floor or near your suite.

Again, students are strongly encouraged to learn all fire safety policies and evacuation procedures in the Residence Halls and any building on campus as soon as they come to campus.

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

- Grab your key and/or ID card, if you can.
- Feel your room door before opening it. Feel the doorknob and the space between the door and its frame with the back of your hand. If your door is cool, open it slowly and go to the nearest safe exit. If your door is hot, DO NOT open it. If it is hot, stay in your room, call for help. Wait for a fire fighter.
- If your room has another exit, check to see if it is cool. Please use if cool.
- If the fire is outside your room, your room may be the safest place for you. Call Campus Police at (401) 456-8888 to report the fire and

let them know where you are trapped. Try to seal all cracks with towels/clothing and/or tape to prevent any smoke from coming into your room. If there is smoke in the room, open a window to let it out. Signal at your window for assistance by hanging a large article of cloth out of a corner of the window.

- If your door is not hot and smoke has not filled the hallway, proceed to the nearest exit, and immediately leave the building. Do not attempt to fight the fire!
- If you encounter smoke or fire as you are moving, turn around and find another exit. If no exit is clear, return to your room and follow the steps above. Crawl low under the smoke because the air is cooler and less toxic nearer the floor.
- NEVER IGNORE a fire alarm. Failure to evacuate a building during a fire alarm is a violation of the College's student conduct code. Anyone who fails to leave the Residence Hall when the fire alarm sounds will face judicial action that may result in sanctioning, including fines.
- DO NOT use the building elevator. An elevator might stop or malfunction due to the fire. Use the stairs.
- Once outside, move away from the building and wait for further instructions. Check around for your roommates to make sure they are safe. Stay out of the way of the firefighters.
- In the case of a catastrophic event or disaster on or near the campus, students are instructed to immediately contact and advise family members of their status and wellbeing. Students are also encouraged to check their student email accounts or website for further instructions during such events.

REPORTING BY STUDENTS AND EMPLOYEES OF FIRES FOR STATISTICS IN THE ANNUAL FIRE SAFETY REPORT

Fire statistics for fires occurring in or outside Residence Halls must be reported in the Annual Security and Fire Safety Report under the Clery Act. Fires occurring in Residence Halls should be reported to Campus Police as soon as possible. In cases of a fire emergency, students and employees should immediately call 911 and then call Campus Police at (401) 456-8888.

FUTURE IMPROVEMENTS IN FIRE SAFETY

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



RESIDENT PRIVACY

Authorized college representatives may enter the housing spaces of campus residents in limited circumstances. Authorized college representatives shall have the right to enter housing spaces for the purposes of the following:

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

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



CRIME STATISTICS FOR YEARS 2017, 2018 AND 2019

TABLE 1 | TOTAL CRIMES

CRIME CATEGORIES	REPORTED CRIMES		
	2017	2018	2019
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	1	1
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	2	0	0
Aggravated Assault	0	0	0
Burglary	0	4	0
Motor Vehicle Theft	2	1	0
Arson	0	0	0
VAWA OFFENSES			
Domestic Violence	0	1	2
Dating Violence	0	1	2
Stalking	0	3	0
ARRESTS			
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0
DISCIPLINARY ACTIONS (NO ARRESTS)			
Liquor Law Violations	20	35	36
Drug Law Violations	22	26	22
Illegal Weapons Possession	0	0	0



TABLE 2 | CRIME CATEGORY BY LOCATION (ON-CAMPUS)

CRIME CATEGORIES	DORM/RESIDENCE*			OTHER ON COLLEGE PROPERTY		
	2017	2018	2019	2017	2018	2019
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	1	1	1	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	4	0	0	0	0
Motor Vehicle Theft	0	0	0	2	1	0
Arson	0	0	0	0	0	0
VAWA OFFENSES						
Domestic Violence	0	0	1	0	0	1
Dating Violence	0	0	2	0	0	0
Stalking	0	0	0	0	3	0
ARRESTS						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
DISCIPLINARY ACTIONS (NO ARRESTS)						
Liquor Law Violations	20	35	36	0	0	0
Drug Law Violations	22	26	22	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0

TABLE 3 | CRIME CATEGORY BY LOCATION (OFF-CAMPUS)

CRIME CATEGORIES	NON-CAMPUS PUBLIC PROPERTY*			NON-CAMPUS COLLEGE PROPERTY		
	2017	2018	2019	2017	2018	2019
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	1	0	0	1	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
VAWA OFFENSES						
Domestic Violence	0	1	0	0	0	0
Dating Violence	0	0	0	0	1	0
Stalking	0	0	0	0	0	0
ARRESTS						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0
DISCIPLINARY ACTIONS (NO ARRESTS)						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0

TABLE 4 | HATE CRIMES

CRIME CATEGORY	NUMBER OF CRIME-CATEGORIES OF BIAS		
	2017	2018	2019
Murder and Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses – Forcible	0	0	0
Rape	0	0	0
Fondling	0	0	0
Sex Offenses – Non-Forcible	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0



TABLE 5 | FIRE REPORT SUMMARY OF FIRES

FACILITY NAME	2017			2018			2019		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Browne	0	0	0	0	0	0	0	0	0
Penfield	0	0	0	0	0	0	0	0	0
Sweet	0	0	0	0	0	0	1	0	0
Thorp	0	0	0	0	0	0	0	0	0
Weber	0	0	0	0	0	0	0	0	0
Willard	0	0	0	0	0	0	0	0	0



RHODE ISLAND COLLEGE

Campus Police

Rhode Island College

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