

# *Oberlin College Annual Campus Safety Report 2023*

*The information and statistics contained herein in the Annual Campus Safety Report (ACSR) is presented to the Oberlin College community in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Safe Campus Act, and the Violence Against Women Reauthorization Act of 2013 (VAWA), that has amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence, and stalking. The Oberlin College Annual Fire Safety Report (AFSR), providing information about fire safety procedures, statistics, reports, and documentation meeting the fire safety reporting requirements of The Higher Education Opportunity Act (Public Law 110-315) (HEOA), enacted August 14, 2008, These reports contribute to Oberlin's commitment to provide all current and prospective students and employees with access to annual campus safety reports for our campus.*

*These reports are available on the web at <http://oberlin.edu/campus-safety/clery-act> and in the format of paper copies. Paper copies of each are available for individuals to pick up at the Office of Campus Safety, 140 West College Street Suite C, Oberlin, OH 44074. To have a copy mailed to you, send a written request to the Office of Campus Safety at the above address, or by interoffice mail from on campus, or by email to [Dave.Bender@oberlin.edu](mailto:Dave.Bender@oberlin.edu) or [atraska@oberlin.edu](mailto:atraska@oberlin.edu). You may also make the request by phone to our administrative office at (440)775-8444.*

## **Oberlin College Office of Campus Safety**

140 West College Street, Suite C Oberlin, Ohio 44074

**Emergency Line: 440-775-8911**

**College Extension: 58911**

**Emergency (Police, Fire, Ambulance): 911**

(Call goes directly to Lorain County Emergency 9-1-1, but not through the Oberlin College Campus Safety Office dispatching center)

**Non-Emergency Service Number: 440-775-8444**

**College Extension: 58444**

Anthony Traska, Director

[atraska@oberlin.edu](mailto:atraska@oberlin.edu)

## **Criminal Offense Statistics 2022**

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the college community are obtained from the following sources: The Office of Campus Safety, Oberlin Police Department (OPD), Oberlin Fire Department (OFD), Lorain County Sheriff's Office (which has law enforcement jurisdiction for the far north area of campus bordered by Butternut Ridge Road in New Russia Township, and for research areas of Camden Bog and Jones Farm beyond the Oberlin City limits).

Crime statistics reported to any of these sources are recorded in the calendar year the crime was reported for statistical purposes. Arson and Violence Against Women Act Offenses are offenses where the hierarchy rule of reporting does not apply. Statistics would reflect each offense. VAWA offenses are reported in each separate year an offense of any original Criminal Offense, Hate Crime, or arrest for Weapons, Drug, or Liquor Law Violation occurs. Those same statistics are reported in addition to each VAWA Offense of Domestic Violence, Dating Violence, and Stalking.

Statistical and policy information contained within the report is collected from campus departments that have authority and jurisdiction over the policies. Pastoral and Professional Counselors are not required by law to provide statistics for the compliance document. The Assistant to the President and Title IX Coordinator from the Office of Equity, Diversity, and Inclusion, provides The Office of Campus Safety statistical information only about cases where the victim chose not to report the incident to the Office of Campus Safety.

All of the statistics are reported to the campus community via the compliance document "Oberlin College Annual Safety and Security Report," published by the Campus Safety Office, are available by October 1, yearly. This report is sent via email to every enrolled student and current employee on an annual basis. A postcard is printed for contractors and the general public. The information on the postcard includes notice of the report's availability, a brief description of the contents of the report, the opportunity to request a hard copy, the address of the Office of Safety administrative office where they can obtain one, and a phone number to call and an email address to request a copy. The exact URL to the report is included.

The Director of Campus Safety, Anthony Traska, is responsible for collecting and publishing the required information. He is assisted by Campus Safety Supervisor Dave Bender. Rebecca Mosely is the Title IX Coordinator and Assistant to the President for the Office of Equity, Diversity, and Inclusion.

The following reported criminal offenses were made known to the Office of Campus Safety and/or the Oberlin Police Department during the calendar years 2020, 2021, and 2022. The statistics reflect reports made to other departments within the college whose individuals or departments have informed the Campus Safety Office of the incident. Statistics are based on reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by police or by any Campus Security Authority or Responsible Person, nor must there be a finding of responsibility to determine inclusion in the annual crime statistics. During the College's response to the COVID-19 pandemic, which included a de-densification of the residential portions of campus throughout the 2020-2021 calendar year, the college experienced a decline in reporting crimes on campus. The College's COVID -19 response also resulted in the academic calendar being extended to include summer operations. The College recognizes that these changes may have impacted the number of reported Clery crimes.

## Oberlin College Campus Crime Statistics

for the calendar years 2022, 2021 & 2020

Offense  Reported by Hierarchy	Year	On Campus	Public Property	Total	On Campus  Student Housing Facilities
<b>Murder/Non-negligent Manslaughter</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Negligent Manslaughter</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Rape</b>	<b>2022</b>	<b>10</b>	<b>0</b>	<b>10</b>	<b>9</b>
	2021	2	0	2	1
	2020	1	0	1	1
<b>Fondling</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Incest</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0

<b>Statutory Rape</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Robbery</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Aggravated Assault</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	1	0	1	1
	2020	0	0	0	0
<b>Burglary</b>	<b>2022</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>
	2021	9	0	9	5
	2020	3	0	3	3
<b>Motor Vehicle Theft</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	1	0	1	0
	2020	0	0	0	0
<b>Arson</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Liquor Law Arrests</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Drug Law Arrests</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>Drug Law Arrests</b>	2021	0	0	0	0
	2020	1	0	1	0
<b>Weapons Law Arrest</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Drug Law Violations</b> Referred for Disciplinary Action	<b>2022</b>	<b>26</b>	<b>0</b>	<b>26</b>	<b>19</b>
	2021	46	0	46	41
	2020	37	0	37	35
<b>Liquor Law Violations</b> Referred for Disciplinary Action	<b>2022</b>	<b>21</b>	<b>0</b>	<b>21</b>	<b>18</b>
	2021	29	0	29	21
	2020	43	0	43	42
<b>Weapons Law Violations</b> Referred for Disciplinary Action	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Domestic Violence</b> VAWA Offense	<b>2022</b>	<b>3</b>	<b>0</b>	<b>3</b>	<b>3</b>
	2021	3	0	3	1
	2020	1	0	1	1
<b>Dating Violence</b> VAWA Offense	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0
<b>Stalking</b> VAWA Offense	<b>2022</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>1</b>
	2021	1	0	1	0
	2020	0	0	0	0
<b>Total Number of Unfounded</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	1	0	1	0

<b>Crimes</b>	2020	0	0	0	0
<b>Total Number of Hate Crimes</b>	<b>2022</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2021	0	0	0	0
	2020	0	0	0	0

The total number of unfounded crimes would include all criminal offenses, hate crimes, arrests, or disciplinary action referrals for weapons, drugs, or liquor law violations and domestic violence, dating violence, or stalking incidents that have been declared “unfounded.” Only sworn or commissioned law enforcement personnel may find a crime unfounded. Oberlin College Office of Campus Safety is not a law enforcement agency and cannot declare reported incidents unfounded. If a reported crime is investigated by law enforcement authorities and found to be baseless or false, the crime is “unfounded” and can be declared so for these statistical processes. Unfounded crimes are counted in the year they originally were reported. 2014 was the first year for reporting unfounded crimes.

Caveat: These additional offenses were reported but cannot be counted in the statistics because the geographic location is either off-campus or has not been specified in a way that allows for classification:

### **Definitions**

The following terms are defined from 20 U.S.C. § 1092(f) Disclosure of campus security policy and campus crime statistics.

**The term "campus" includes the following:**

*Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and*

*Any building or property that is within or reasonably contiguous to the area, above, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).*

The term "non-campus building or property" means:

*Any building or property owned or controlled by a student organization that is officially recognized by the institution; or*

*Any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.*

**The term "public property" encompasses the following:**

*All public property; including thoroughfares, streets, sidewalks, and parking facilities, which is within the campus, or immediately adjacent to and accessible from the campus.*

### **Crime Definition**

**Under the Clery Act, for the purposes of counting and disclosing Criminal Offenses, Hate Crime, arrest, and disciplinary referral statistics are based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program.**

**The definitions for *Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Law Violations, Drug Abuse Violations, and Liquor Law Violations* are from the *Summary Reporting System (SRS) User Manual* from the FBI's UCR Program. The definitions of *Fondling, Incest, and Statutory Rape* are from the FBI's *National Incident-Based Reporting System (NIBRS) Data Collection Guidelines* edition of the UCR. Hate Crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*. Note that, although the law states that institutions must use the UCR Program definitions, *Clery Act* crime-reporting does not have to meet all of the UCR Program standards.**

The categories of *Domestic Violence, Dating Violence, and Stalking* are defined using the language provided by the *Violence Against Women Act of 1994* and repeated in the *Clery Act* regulations

These definitions are outlined below:

- **Murder & Non-Negligent Manslaughter** - The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter**-The killing of another person through gross negligence.
- **Rape** -Is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** - Sexual intercourse between persons who are related to each other within the degrees where in marriage is prohibited by law.
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** - The taking or attempting at taking anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the

use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from aggravated assault when a gun, knife, or other weapon is used that could possibly result in serious personal injury if the crime were successfully completed).

- **Burglary** - The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; house breaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle. Crimes classified as motor vehicle theft include cases where automobiles are taken by persons not having lawful access and later abandoning the vehicle.
- **Arson** - Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft or personal property of another.
- **Arrest** - A person processed by arrest, citation or summons.
- **Referral for Disciplinary Action** - The referral of any person to any official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.
- **Liquor Law Violations** - The violation of any laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in the definition).
- **Drug Abuse Violations** - Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Weapons Law Violations** - The violation of laws or ordinances dealing with weapons offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
- **Hate Crimes** - A Hate Crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity/national origin or gender identity.
  - **Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
  - **Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
  - **Gender** – A preformed negative opinion or attitude towards a person or group of persons based on their actual or perceived gender, e.g., male or female.



- **Gender Identity** – A preformed negative opinion or attitude towards a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
  - **Ethnicity** – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or an ideology that stresses common ancestry.
  - **National Origin** – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
  - **Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness. Hate Crimes include the primary crimes, noted in the previous section (except negligent manslaughter), in addition to the offenses of Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included if they are Hate Crimes.
- **Larceny-Theft** - The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.
  - **Simple Assault** - An unlawful physical attack by one person upon another where the offender neither displays a weapon nor the victim suffers obvious severe or aggravated bodily injury, such as apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.
  - **Intimidation** - Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
  - **Destruction/Damage/Vandalism of Property** - Willfully or maliciously destroying, damaging, defacing, or otherwise injuring real or personal property without the consent of the owner or the person having custody or control of it.
  - **Domestic Violence** - A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
  - **Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship. In the state of Ohio, the local law enforcement would deem this as a simple assault.
  - **Stalking** - Engaging in a course of conduct directed at a specific person that would cause a

reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

### **Oberlin College Office of Campus Safety**

A professional staff of uniformed Campus Safety officers provides mobile, bicycle, and walking patrols of the campus, including parking lots, residence halls, and administrative and academic buildings. They are responsible for a full range of public safety services, including enforcement of federal, state, and local regulations, the initial response to criminal activity, medical and fire emergencies, and other incidents requiring safety assistance. Campus Safety officers patrol all public property, including thoroughfares, streets, sidewalks, and parking facilities within the campus and those areas immediately adjacent to and accessible from the campus. The Oberlin Police Department monitors the radio frequency used by the Campus Safety office. Campus Safety Communication officers are available at the respective telephone numbers above, 24 hours a day, to answer a call. In response to a call, an officer (either Campus Safety or Oberlin Police, if their number or 911 is called instead) will be dispatched, or the victim asked to file an incident report.

All general incident reports filed with the Oberlin College Campus Safety office are forwarded to the Dean of Students Office for review and potential follow-up by the deans, the judicial coordinator, or another appropriate office on campus. Judicial coordinators also welcome direct reports from campus community members and ask the reporting person to contact the Office of Campus Safety to initiate action or response within the college. Oberlin College employs a system of appropriately trained on-call professional staff to assist students and campus community members who report incidents. Officers are encouraged to build rapport with members of the college community in the belief that students and employees will be more likely to report incidents promptly to officers they know and trust.

If the Oberlin Police Department (OPD) is contacted about criminal activity occurring off-campus involving Oberlin College students, OPD may notify the Campus Safety Office. However, there is no official OPD policy requiring such notification. Students in these cases may be subject to arrest by OPD and, upon coming to the attention of the college, be subject to Oberlin College judicial proceedings.

This publication contains information about on-campus and off-campus resources. This information is made available to provide Oberlin College community members with specific information about the available resources in the event they become a victim of a crime. The information about “resources” is not provided to infer that those resources are “reporting entities” for Oberlin College. Crimes should be reported directly to the Oberlin College Campus Safety office to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

While there is no confidential reporting process for crimes accommodated in Ohio law, there are privacy accommodations within the college. These accommodations limit conveying the reporting person’s identity to ensure the future safety of the reporting person and the college community and to keep an accurate record of the number of incidents affecting the campus community. Reports (with the request to remain confidential) are counted and disclosed in the annual crime statistics for the institution. They may be included in consideration of the issuance of a campus alert to potential danger. All reports of any kind are allowed to be reported confidentially if requested.

In any report or investigation by law enforcement where a subpoena is issued for Campus Safety Office reports, and where specific restrictions are not applied in the instruction of the subpoena, requirements of the Family Educational Rights and Privacy Act (FERPA) may apply when the college is required to submit Campus Safety information, statements, and reports the college has determined may constitute or contain personally identifiable information from a student’s educational record(s). In that case, a student

may seek protective action from the release of information if the student wishes to do so. As a point of explanation, Campus Safety reports, normally considered to be law enforcement records, become educational records at our institution because they are shared on a need-to-know basis with other offices that may or may not contain other kinds of educational records. Oberlin College takes a cautious stance in notifying students who may be affected by requests in sharing the subpoena unless restrictions apply for specific information like witness statements and allows the student to review the records the college will be submitting in advance of the date they are required to be shared.

Another exception to FERPA requirements, on a case-by-case basis, may be observed under the Health and Safety Emergency Exemption clause of FERPA when the institution determines that it needs to protect the health or safety of students or other individuals. At such times, records and information may be released to the appropriate parties such as law enforcement officials, public health officials, and trained medical personnel, limited to the time period of the emergency. FERPA General Guidance for Students may be found at the U.S. Department of Education website: <https://studentprivacy.ed.gov/guidance>

### **Campus Safety Office Authority, Monitoring, and Reporting of Criminal Activity**

The Campus Safety office coordinates a comprehensive public safety program for the Oberlin College community, encouraging all community members active participation partnerships with local law enforcement and other community partners. The office provides general and emergency response services, life and property protection, and educational programming. The office also alerts representatives of other college services if the college community needs them after regular business hours and alerts the broader services such as the Oberlin Police Department, Oberlin Fire Department, and Central Lorain County Joint Ambulance District.

Campus Safety officers are not sworn police officers and have no arrest powers under the laws of the State of Ohio. However, they work closely with the Oberlin Police Department and Oberlin Fire Department, whose jurisdiction the Oberlin College campus lies. This cooperation ensures a safe and secure campus. The staff of the Campus Safety Office and other college -administrators meet regularly with members of the Oberlin Police and Fire Departments and periodically with the Lorain County Sheriff's Office and the Ohio State Patrol. Oberlin College does not have a written formal memorandum of understanding (MOU) with the Oberlin Police Department or the Lorain County Sheriff's Office for the investigation of alleged criminal offenses. When a situation requires it, Campus Safety officers will notify the appropriate law enforcement authorities. Those situations may include, but are not limited to, physical assault, circumstances that may arise to the level of a state felony offense, drug and alcohol violations that rise above the level of a state minor misdemeanor, private property motor vehicle accidents, crimes that appear to constitute a pattern, hate crimes, sexual assault, stalking, domestic and relationship violence, suspicious circumstances which may be a safety concern to the community or the responding Campus Safety officer, and/or persons who may fall within actions where the college might wish to invoke the state's shoplifting or criminal trespass law. The College does not have any officially recognized student organizations with non-campus locations that would require the monitoring and recording of criminal activity by these local law enforcement agencies.

Campus Safety encourages the college community to accurately and promptly report all crimes to the proper authorities at all times. Campus Safety will assist community members in contacting law enforcement officers whenever a victim wishes to do so and recommend to victims who report crimes only to Campus Safety that they also should report the crime to the Oberlin Police Department or governing authority. In cases involving aggravated criminal offenses (felonies, physical assaults, sexual assaults, and hate crimes),

the Office of Campus Safety will notify the Oberlin Police Department. Information on criminal activity both on and off the campus is shared to the fullest extent possible under existing laws governing the privacy of records and reports. The Oberlin Fire Department responds to all on-campus fire alarms and releases its authority over the response site after investigating the circumstances precipitating the response. Meetings are held with officials from both the police and the fire departments on both a formal and informal basis, and reports of criminal activity are routinely exchanged.

The Campus Safety Office also partners with the Oberlin College Office of Environmental Health and Safety (EHS). The Office of Environmental Health and Safety oversees and responds to the safe use of chemicals or hazardous materials on campus; oversees safety regulations, supports college and local emergency response on campus. EHS is the liaison for safety and fire inspections on campus and assists in planning emergency operations response and exercises on campus.

The geographic locations to which buildings and property of Oberlin College belong are shared with the Campus Safety office by the Office of Facilities Planning and Construction, the College Insurance and Risk Manager, Facilities Operations, and Residential Education. A list of college properties is published on the Campus Safety website in connection with the Oberlin College Trespass Policy List of Properties.

### **Procedures for Reporting Criminal Actions or Other Emergencies Occurring on Campus**

Potential criminal actions and other emergencies on campus should be reported directly to the Oberlin Police Department, 85 S. Main St., Phone: (440) 774-1061 in order to obtain police involvement and services.

Emergency assistance is also available by dialing 911 from your cell phone. The countywide emergency 911 service will directly contact fire, law enforcement, or EMS rescue services, who may request assistance from the Office of Campus Safety. This service is not available when using the campus emergency "Blue Light" telephone system, and there is no automatic notification to the Campus Safety office through the county 911 system. Campus Safety is signaled when an emergency 911 call is placed from a college landline. In those cases, an officer is dispatched to the caller ID location to verify the emergency and to assist responding agencies.

Criminal activity, suspicious activity, and emergency situations on college property should also be reported promptly to the Campus Safety Office, 140 W. College St., Suite C, Oberlin, Ohio 44074, in person or by telephone to (440)775-8444 (campus ext. 58444, or alternatively 58911.) The Campus Safety Office can be dialed from most telephones on campus and may be reached from campus emergency "blue light" phones by activating the call button. College Village Housing and 137 Elm Street Housing must dial 775-8444, or alternatively 775-8911. Cellular telephones should include the local area code, (440) 775-8444, or alternatively (440) 775-8911.

## **Procedures for Reporting a Crime of Sexual Assault, Domestic Violence, Dating Violence, or Stalking**

The College strongly encourages the reporting of sexual misconduct to College officials. Accordingly, any employee whose role includes responsibility for the safety and security of any part of the College community must timely forward all reports to the Title IX or Deputy Title IX & Equity Coordinators by email to [edi@oberlin.edu](mailto:edi@oberlin.edu), in person, by mail, or by telephone, using the contact information listed for the Title IX Coordinator or [here](#), in addition to other reporting obligations, such as direct reporting to law enforcement. Once a report is made to the Title IX Coordinator, the harmed party will be notified in writing by the Title IX Coordinator or deputy coordinator, of support options within the college, how to file a formal complaint with the college and/or law enforcement, the procedures available to resolve that complaint through the college, resources on and off campus that can provide confidential counseling and safety measure, and the college policy against retaliation.

Any student, employee, or member of the Oberlin College community who has experienced sexual misconduct or violence including sexual harassment, sexual assault, dating or domestic violence or stalking is encouraged, but not required, to notify law enforcement and/or seek medical assistance immediately. Campus Safety professionals or Office of Equity, Diversity, and Inclusion professionals are available, upon request, to assist the individual in making the report. Collection and preservation of evidence relating to a reported sexual assault is essential for law enforcement investigations so prompt reporting to law enforcement is especially critical.

A crime is considered to have been reported when it is brought to the attention of a Campus Security Authority, the Oberlin College Office of Campus Safety, or to local law enforcement personnel by a victim, witness, or by a third party, or by the offender(s). If a Campus Security Authority receives a crime report, they must report it to the Office of Campus Safety. This is for the purpose of inclusion in the annual statistical disclosure as well as for making Clery Timely Warning Notices to members of the campus community regarding the occurrence of Clery Act crimes.

If an injury or illness is related to the report of a crime, Oberlin College Campus Safety will provide transportation upon request or, when warranted, arrange for transport by medical personnel. College community members are encouraged to promptly report misconduct or violence to the college by notifying any of the on-campus reporting options listed here.

Early reporting supports preserving evidence that can provide proof in a criminal (or campus disciplinary) proceeding and may help in obtaining a protection order. Preserving evidence can help prove an incident of sexual misconduct if you choose to pursue legal action. A Sexual Assault Nurse Examiner may collect evidence, or additional physical evidence may be collected at the scene of an assault by law enforcement. Evidence disappears as time continues, and the sooner an exam is conducted the better as more evidence will be viable. You have up to 96 hours to receive an exam.

### Emergency Assistance:

24-hour Emergency Response while on Campus: Oberlin College Office of Campus Safety:  
(440) 775-8911 or -8444 (located at 140 West College Street, Suite C, Oberlin, OH 44074)

24-hour Emergency Response while on Campus or within the City of Oberlin:  
9-1-1 (Emergency Services) or Oberlin Police Department (440) 774-1061  
(located at 85 South Main Street, Oberlin, OH 44074)

### Health and Safety:

The Nord Center Sexual Assault Care Unit: (800) 888-6161  
Mercy Health - Allen Hospital: (440) 775-1211 (located at 200 West Lorain Street, Oberlin,  
OH 44074)  
Central Lorain County Joint Ambulance District: 911

### Emergency Counseling and Crisis Response:

Lorain County Rape Crisis: (800) 888-6161 (24 hours)  
Lorain County Mental Health Crisis Hotline: (800) 888-6161 (24 hours)

### Reporting Options (Emergency/ On Campus):

Oberlin College Campus Safety (440)775-8911 or x 58444  
(located at 140 West College Street, Suite C, Oberlin, OH)

### Confidential Resources and Reporting Options for Reports of Sexual Assault, Domestic Violence, Dating Violence, or Stalking

In any report, investigation, or resolution of sexual and/or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, every effort will be made to protect the privacy of individuals involved in a manner consistent with the need for a thorough review of an allegation and protection of the individual making the report and the broader campus community. All individuals are encouraged to make a prompt report to law enforcement and the college. An individual may seek confidential support as designated below, but it is recognized that individuals may choose to report sexual misconduct to any college employee. Except for Confidential Resources, all Campus Security Authorities and Responsible Employees, including student employees or volunteers, who are responsible for student welfare, are trained and required to share the report with a central Title IX Team to ensure a prompt and equitable review, investigation and resolution.

### Confidential Resources and Support for Students

Oberlin College Counseling Center  
(440)775-8470  
(located in 140 West College Street, Suite B, Oberlin, OH 44074)

Office of Spirituality and Dialogue (440)775-8103  
(located in Wilder Hall Room 217, 135 West Lorain Street, Oberlin, OH 44074)

Nord Center Confidential Student Advocate, Emily Seng (440)204-4359 or (440)204-9732  
(located in Peters Hall, Room G24, 50 North Professor Street, Oberlin, OH 44074)



### Confidential Resources and Support for Employees

Lorain County Rape Crisis (800) 888-6161 (24-hour hotline)

Lifestyle Employee Assistance Program (EAP) through the Cleveland Clinic (800) 989-3277

### Non-Emergency Reporting Options On Campus

Oberlin College Campus Safety (440)775-8444

(located at 140 West College Street, Suite C, Oberlin, OH 44074)

(Title IX Team members are Anthony Traska, Director, and Tyrone Wicks, Assistant Director)

Dean of Students Karen Goff (440)775-8462.

(located in Wilder Hall Room 105, 135 West Lorain Street, Oberlin, OH 44074.)

Title IX Coordinator Rebecca Mosely (440)775-8555

(located in Carnegie Building, Room 204, 52 West Lorain Street, Oberlin, OH 44074)

Title IX Deputy Coordinator Melanie Hawkens (440)775-8472

(located in Stevenson Hall Room 105, 155 North Professor Street, Oberlin, OH 44074)

Title IX Deputy Coordinator for Athletics Erica Rau (440)775-8505

(located in the Athletics and Physical Education Department, Philips Gym, 200 Woodland Street, Oberlin OH 44074)

Title IX Deputy Coordinator Chris Jenkins (440)775-8200

(located in the Conservatory Dean's Office, Bibbins Hall 113F, 77 West College Street, Oberlin OH 44074)

Title IX Deputy Coordinator Elizabeth Hamilton (440)775-8410

(Located in Cox Room 101, 70 North Professor Street, Oberlin, OH 44074)

Department of Human Resources (440)775-8430)

(located in the Service Building, Room 205, 173 West Lorain Street, Oberlin, OH 44074)

### Non-Emergency Reporting Options - Off Campus

Oberlin Police Department (440)774-1061

(located at 85 South Main Street, Oberlin, OH 44074)

Mercy Health - Allen Hospital (440) 775-1211

(located at 200 West Lorain Street, Oberlin, OH 44074)

Lorain County Prosecutor (440)329-5389

(located at 225 Court Street, Suite 3, Elyria, OH 44035)

Oberlin College policy should be understood to align with any mandatory reporting requirements under Ohio law. Under Ohio law, all residents of Ohio, including medical professionals, must report felonies, including sexual assault. This legal requirement means that the Title IX Coordinator, or the Director of Campus Safety, and each of their officers, will report any potential felony or any crime of violence to the Oberlin Police Department or authoritative jurisdiction for the crime reported. An individual who

experiences potential felony sexual misconduct may choose how to participate in any subsequent criminal investigation.

### Anonymous Reporting Options

Any individual may make an anonymous report concerning an act of sexual and or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence. An individual may make a report without disclosing their name, identifying the responding party, or requesting action. However, depending on the extent of information available about the incident or individuals involved, the college's ability to respond to an anonymous report may be limited. Currently, inquiries about making an anonymous report can be made at [Anonymous Reporting](#) or by contacting: Rebecca Mosely, Title IX Coordinator, Carnegie Building Room 202, (440)775-8555, [rmosely@oberlin.edu](mailto:rmosely@oberlin.edu).

### Timeliness and Location of Incidents

Reporting Parties and third-party witnesses are encouraged to report sexual and or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence, as soon as possible to maximize the college's ability to respond promptly and effectively. Timely reporting enables the college to provide greater options for support, investigation, and adjudication, especially as it relates to crisis counseling, the preservation of evidence, and Campus Safety and law enforcement responses. The college does not, however, limit the time frame for reporting.

The college encourages reporting, regardless of when or where the incident occurred, and regardless of whether the Responding Party is a student or employee of Oberlin College. In every report, the college will support the Reporting Party and provide information and assistance. If the Responding Party is not a member of the college community or is no longer a student or employee, the college will still seek to meet its Title IX obligations by taking steps to end the harassment, prevent its recurrence, and address its effects. While the college's ability to take disciplinary action may be limited given the participants' current standing, the college will assist a Reporting Party in identifying any external reporting options, including law enforcement.

An incident does not have to occur on campus to be reported to the college. Off-campus conduct is subject to this policy if the conduct occurred in the context of an education program or activity of the college or had continuing adverse effects on campus or in an off-campus education program or activity. If an individual experiences sexual and/or gender harassment online, in a public space like a street, or in a private space like a house party and doesn't know who is responsible for the conduct, that person is still encouraged to report their experience to the Title IX Coordinator to ensure they are offered appropriate support. These reports also enable the college to keep track of any patterns related to such events and thus identify effective interventions, such as increased lighting, online bystander training, or other education and prevention campaigns.

### Campus Security Authorities / Responsible Employees Reporting Responsibilities

Federal law requires the college to disclose statistics concerning the occurrence of certain crimes enumerated in the Clery Act and in conjunction with the Violence Against Women Amendments to Clery that occur within the college's Clery geography and that are reported to Campus Security Authorities (CSAs), Responsible Employees, or local law enforcement (where local law enforcement provides that information to the college). Under the law, CSAs include any member of Oberlin College Campus Safety



Office; any individual who has responsibility for campus security, but who is not a member of the Campus Safety Office; any individual identified by the college as someone to whom a crime should be reported; and any college official who has significant responsibility for student and campus activities, or is determined through the function of an individual or office. Individuals serving the college as CSAs vary based on their job functions, and generally include staff from housing and conference services (Campus Safety officers; Dean of Students staff; Dean of Arts and Sciences staff; Multicultural Resource Commons staff;; Deans of Student Academic Services; Human Resources Staff; Title IX Coordinator and staff; Residential Life (ResLife) Area Coordinators, student staff and monitors; CoOp administrators, Housing Loose Ends Coordinator (HLEC) and Sexual Harm Information Liaisons (SHIL); Bonner Center staff; Career Center staff; judicial coordinators; athletics department administrators, coaches, and trainers; Administrators in International Studies and external programs; Student Union administrators and supervisors, Student union student staff, student activity advisors, faculty who take students on trips, supervisors, and employers of student staff in dining and conference services.)

All CSAs should encourage any person who reports a crime or other incident involving campus safety to notify the Oberlin Police Department or the Oberlin College Campus Safety Office as soon as possible if they wish for law enforcement to investigate the matter since law enforcement's ability to investigate a crime effectively is enhanced by timely reporting of a crime. The keyword is "report," as no verification or investigation needs to take place by the person reporting an incident. While CSAs should respect the choice of reporting persons concerning whether the victim wishes for law enforcement to investigate the incident, any CSA who receives a report of an incident involving a crime or campus security matter *must* immediately inform the Office of Campus Safety of the incident consistent with the confidentiality considerations discussed hereafter. Under Clery, professional and pastoral counselors acting in a counseling capacity are exempt from the definition of Campus Security Authority.

Responsible employees (persons who manage or supervise others, whether paid or unpaid, including student employees or student volunteers who have the responsibility for the welfare of other students) have similar requirements in relation to an incident of sexual misconduct. Reporting an incident of sexual misconduct means sharing any information, including partial information, promptly with the Title IX Coordinator. Reports should include the name of the person(s) reported to have violated the sexual misconduct policy, the name of the person(s) who experienced the misconduct, the name of the person(s) who reported the incident, names of others involved or witnessing an incident, and the time, date, and location of the incident. Reports can be sent to the Title IX Coordinator by email, by phone, or through a meeting. It is recommended that responsible employees be aware of their role in providing support and safety, rather than any level of investigation and that a report should be made as soon as it is realized, as the reporting person may have to repeat their story multiple times. If an immediate threat is present to the individual or toward the campus, Campus Safety should be promptly contacted at (440)775-8911 or x 58444. Responsible employees should remain mindful of the protection of the privacy of persons involved in their report, reporting what is known to the Title IX Coordinator and consulting thereafter if questions arise about the protection of privacy.

### Confidential and Privacy Considerations under the Title IX Sexual Harassment Policy

Oberlin College is committed to protecting the privacy of individuals involved in a report or investigation, including those filed under the Title IX Sexual Harassment Policy, to the extent that doing so is permitted by law and consistent with the college's need to protect the safety of the community. All college employees who participate in the college's Title IX response and hearing panels receive specific instructions about respecting and safeguarding private information. College proceedings are conducted in compliance with

the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, and state and federal law. No information shall be released from such proceedings except as required or permitted by law and college policy. To ensure all members of the community understand how the college protects the privacy of individuals, please refer to the distinct meanings:

**Privacy** generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those college employees who need to know in order to assist in the active review, investigation, or resolution of the report, including the issuance of interim measures. Not bound by confidentiality, these individuals, nevertheless, will be discreet and respect the privacy of all individuals in the process.

**Confidentiality** means the information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the individual's express permission or that falls within exceptional circumstances defined in Ohio law. These designated campus or college community professionals include mental health providers, ordained clergy, trained rape crisis counselors, and attorneys who have legally protected confidentiality. All of these professionals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, or the report involves the suspected abuse of a minor.

State and federal law and ethical obligation to provide an educational and occupational environment free of violence and discrimination place some limits on confidentiality from most members of the college community, except those with legally protected confidentiality.

The college requires Responsible Employees who receive information, including partial information, about sexual misconduct to report all information and to take immediate and corrective action if a Responsible Employee knows, or in the exercise of reasonable care, should have known about sexual or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence that creates a hostile environment to allow the college to tend to its many obligations to the individual(s) affected and to the safety of the community.

All members of the Oberlin Community are required to report any reasonable cause to suspect a minor (under 18 years of age) or juvenile is experiencing abuse or neglect based on information shared by the minor, any other individual, or one's own observation or knowledge. An Oberlin community member suspecting abuse or neglect is required to bring all suspicions to the immediate attention of the Title IX Coordinator or the Director of Campus Safety. College policy should be understood to align with any mandatory reporting requirements under Ohio law.

#### Requests to Protect the Confidentiality of Reporting Parties.

If a person reports an incidence of sexual and gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence and that reporting person requests their name or other identifiable information not be shared with the person alleged to have engaged in such conduct (responding party) or requests the college take no formal action in response to a report, the college will honor the reporting person's request to the extent possible, based on a careful balancing of requests with any legal reporting requirements, the risk of harm to any individual and the college's duty to maintain a safe and non-discriminatory environment for all.

The Title IX Coordinator, with the assistance of the Title IX Team, will assess such requests by examining the seriousness of the reported conduct, whether the reported conduct was perpetrated with a weapon, the respective ages of those involved, whether there have been other reports of misconduct or discrimination by the responding party, whether the college possesses other means to obtain relevant evidence of sexual misconduct, whether the report reveals a pattern of misconduct at a given location or by a particular group;

the role of illicit use of drugs or alcohol, and the rights of the responding party to receive a notice and relevant information before disciplinary action is initiated.

Where possible, the Title IX Team will honor requests for confidentiality or that no action be taken as long as the college can meet its obligation to stop, address, and prevent the recurrence of discriminatory conduct. If the college is unable to take action consistent with the wishes of the reporting party, the Title IX Coordinator will inform the reporting party about the chosen course of action. The reporting party will not be compelled to participate in a formal hearing if they choose not to participate. However, the college may choose to move forward with an investigation and potential disciplinary action if there is an individual or public safety concern and sufficient independent information the Title IX Sexual Harassment Policy has been violated. Any action taken by the college will be designed to stop any sexual or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence, address its effects, and prevent its occurrence. In all instances, the college will take immediate action as necessary to protect and assist the reporting party.

If the college honors the request for confidentiality, the reporting party must understand that the college's ability to meaningfully investigate the reported incident and pursue disciplinary action against a responding party may be limited.

### **Campus-wide Notification of Crimes and Incidents/Emergency Procedures**

The Office of Campus Safety informs the campus community about serious crimes and breaches of campus safety in the following manner:

**Oberlin College Emergency Alert System (ObieWarn)** is activated to immediately notify the community only when a critical incident is either imminent or underway (e.g., tornado warning, police or fire response requiring notice to shelter in place or evacuate quickly, etc.) and as soon as sufficient detail to provide constructive information to protect and inform community members is available. The standard for activation of the Emergency Alert System is based upon determination, without delay, and taking into account the safety of the community, confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff on the campus, unless notification will, in the professional judgment of responsible authorities, compromise efforts to contain the emergency, assist victims, respond to, or otherwise mitigate the emergency. The confirmation that there is a significant emergency is based on reliable information, such as the National Weather Report or information from Oberlin Police or Fire Departments as determined by the Campus Safety Supervisor or senior officers on duty, in consultation with the Dean in Charge (unless the threat is imminent), or upon request of the civil authority in charge at the time of the request. Upon determination that a message should be broadcast, the appropriate message is broadcast to the community database along with which parts (or segments) of the campus should receive the message based on the location on campus. Notifications are pre-scripted, with the ability to modify or compose messages to fit ongoing circumstances. The script for the message is the responsibility of the Director of Campus Safety, along with the assistance of the Dean of Students. Campus Safety administrators, shift supervisors, and communication officers are provided training and access to the system to broadcast messages. The delivery of system messages is tested each year approximately mid-semester of fall semester and again, mid-semester of spring semester, in conjunction with publicizing the opportunity to check and update personal information. An announcement is placed in the Campus Digest prior to the actual test. These tests are documented.

The college entered into the ObieWarn database the emails and phone numbers of students on file by mid-August with the College Registrar. Faculty and staff emails were entered in the database when hired by Human Resources. Students, faculty members, and staff members have the option to register preferred

telephone numbers and additional email addresses into the database serving the system. It is each person's responsibility to verify or update their personal contact numbers and email addresses stored in the database as changes occur. Students' information is removed from the database after the end of spring semester, and it must be re-entered when checking in for the summer or for fall semester. Additional information may be found on the Emergency Alert System website, <https://www.oberlin.edu/campus-safety/warn>.

Emergency Procedures are published in the form of a quick reference guide as additional resources in *Student Regulations, Policies, and Procedures online* at, [Emergency Procedures](#).

Emergency Procedures Guide is intended to give advice and to help community members during a developing situation. The guide cannot cover every possible emergency but is a tool to help reduce injuries or death if put into action as soon as a situation develops. The guide asks community members to immediately notify Emergency 911 and the Campus Safety Office for assistance. The guide provides advice for fires, building evacuation procedures, severe weather, flooding, gas leaks, fumes, and vapors, hazardous material spills, being stuck in an elevator, suspicious packages/biological or chemical agent threats, suspicious persons, bomb threats, disruptive persons/persons of concern, armed intruder/sheltering in, medical emergencies, and crimes. The Emergency Procedures guide can also be found on the Campus Safety website.

Emergency evacuation practices for residence halls are tested four times a year. Evacuation may be ordered depending upon the nature of the emergency or signaled by the fire safety system in the building affected. Occupants exit via the nearest emergency exit, closing doors behind them as they leave, and are instructed not to use elevators. Depending on the nature and length of evacuation, personnel are moved to a safe area away from the building and responding emergency personnel. They may be relocated to a nearby building lobby if the weather is inclement. In case of a medium or long-term evacuation need, the Dean of Students' on-call system is activated and a response team would form to assess needs and reassign or arrange for temporary accommodations (and transportation if necessary). ObieWarn, the community information system, recorded emergency phone (2-WARN) information line (1-888-432-9276), and web information as well as communication through area coordinators would be utilized to communicate plans to students and to inform parents of the college response.

During the calendar year, the campus practices residential hall fire evacuations, numbering approximately 124 residential housing fire alarms. The College Emergency Response Team and invited college departments and supervisors to practice active shooter response techniques related to the Response Options A.L.i.C.E. Training Program, and consequently the college has eight instructors in the Campus Safety Office, and six additional instructors within the college administration. Active shooter response of Run, Hide, Fight was offered and practiced with office staff, faculty and students, as well as follow-up visits to specific areas are requested to provide input into individual building emergency plans. There was a coordinated effort of administrators of the Oberlin Police Department, the Oberlin Fire Department, the Campus Safety Office, the Central Lorain County Joint Ambulance District, and invited college administrators to demonstrate their planned response to Active Shooter Incident in a table-top meeting at Oberlin Fire Department Incident Command Center.

**Clery Timely Warning Notices: Campus Crime / Safety Alerts** In an effort to provide timely notice to the community, and in the event of a serious incident that may pose a threat to members of the college community, the office of Campus Safety, in conjunction with the offices of the Dean of Students and Communications, issues Timely Warnings in a timely manner to notify the college community members about certain crimes in and around our college community. Members of the community who know of a crime or other serious incident should report that incident as soon as possible to the Campus Safety Office so that a Safety Alert **timely warning** can be issued if warranted. All report claims will be recorded and

evaluated by the on-duty personnel with assistance by the Assistant Director or Director if needed to determine if it is timely warning material. At this time it will also be determined what segment, or segments of the college community will receive the timely notice. It is the responsibility of the Officer in Charge (OIC) after conferring with their supervisor to send it out to the college community

When a report of sexual misconduct discloses a serious or continuing threat to the campus community, a campus-wide timely warning notice may be issued to protect the health or safety of the community when the Title IX Office shares a report with the Campus Safety Office. The timely warning will not include any identifying information about the reporting party. Even when there is no imminent threat, the college may provide campus-wide notifications on reported sexual misconduct. At no time will the college release the reporting party's name to the general public without the express written consent of the reporting party, as guided by the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

Timely warnings may be issued in any number of ways, including but not limited to, email, telephone, or posting of paper notices. Depending on the circumstances, any one or a combination of these or other methods to make necessary notifications may be used. Additional examples of postings may include conveyances of Oberlin Police Department community notices, warnings about dangerous drugs with the city or county, and warnings of a series of property crimes or bicycle thefts. These campus-wide notices contain available pertinent facts about an incident and relevant times on crime prevention and personal safety. A warning is generally distributed within a few hours after the incident has occurred, except in cases where the notice might interfere with an ongoing police investigation. Timely warnings also are posted in electronic form as a bulletin for the campus community on the Oberlin College *Campus Digest* web portal [Internal Communications | Oberlin College and Conservatory](#) or as an email through the community notice function of ObieWarn.

**A weekly media report**, prepared by the Campus Safety Office, summarizes criminal activity and incidents of a suspicious nature reported during the previous week. The report is shared with *The Oberlin Review* (the student newspaper.) It is published in whole or in part at the discretion of the editors of *The Oberlin Review* during the academic year when classes are in session.

**A daily crime log** is available for review at the Campus Safety Office, 140 West College Street, Suite C, from 8:00 am - 4:00 pm, Monday through Friday, excluding holidays. The information in the crime log covers the most recent sixty days of crime reports and typically includes the nature, date, time, general location, and disposition of each crime. It fulfills the public crime log requirement of the Clery Act.

### **Missing Student Notification Policy**

The following information and requirements regarding missing students is provided according to the federal Higher Education Opportunity Act of 2008, section 485(j):

1. Each Oberlin College student, 18 years of age or older, has the option to identify an individual to be contacted by the Office of the Dean of Students not later than 24 hours after the time circumstances indicate that the student may be determined missing. For each student who is under age 18 and not emancipated, the institution is required to notify the custodial parent not later than 24 hours after the time that the student, may be determined missing.
2. A confidential contact is a person designated by the student in addition to the emergency contact listed with the Office of the Registrar. The contact information will be registered confidentially, and this information will be accessible only to authorized campus officials. It may not be disclosed, except to law enforcement personnel in furtherance of a missing person



investigation.

3. Each student, 18 years of age or older, may register a person as a confidential contact during the first two weeks of each semester by completing and filing a form in the Office of the Dean of Students, Wilder Hall 105, weekdays between 8:30 a.m. and 5:00 p.m. The student wishing to register a confidential contact is solely responsible for the accuracy of the information, and any update of information regarding the confidential contact. Update of information provided may be filed with the Office of the Dean of Students during business hours at any time during the semester.
4. At the end of the fourth week of each semester, a new list is finalized and distributed to appropriate officials at the college for the purpose of reporting a missing person.
5. In cases where a confidential contact is not designated, or the confidential contact cannot be reached at the number provided by a student, the emergency contact provided to the Office of the Registrar will be used. The emergency contact may be notified in addition to any confidential contact provided.
6. There is no waiting period to report someone missing. Oberlin College students, faculty, and staff should report a missing student directly to the Oberlin College Campus Safety Office as soon as it is determined they are missing. Campus Safety will initiate action concerning the well-being of a campus community member. The Campus Safety Office, which is open 24 hours, is located at Dascomb Hall, 140 West College Street, Suite C, or can be reached by phone at (440) 775-8444 or (440) 775-8911 for emergencies.

### **Safety of and Access to Campus Facilities, Including Residence Halls**

Except for residence halls, most college facilities (academic, administrative, and recreational) are open to all students, faculty, and staff during the day and evening hours when classes are in session. The general public may enter a limited number of facilities during certain hours and are subject to certain conditions, to attend cultural and athletic events with access limited to the facility in which the event is being held. During the times the college is officially closed, college buildings (except those housing administrative offices) are generally locked to all except faculty, staff, and designated students, with proper identification.

All residence halls are secured 24-hours a day. Access is controlled through an electronic card-access system, which affords access to students who reside within the hall. Some faculty and staff members have access on an "as needed" basis. Each student's card is uniquely coded, allowing lost/stolen cards to be programmed out of the system for security purposes once their loss is reported. Students are encouraged to maintain a secure residence hall by not propping exterior access doors, reporting persons with whom they are not acquainted in their residence hall, and by locking individual room doors while away or asleep. Some individual residential room doors are secured with key locks. Apartment-style housing units are secured with key locks. Keys are prohibited from being duplicated and are stamped "Do Not Duplicate" upon the key itself. Residents are responsible for securing their individual rooms and houses and reporting lost keys. Most academic spaces are accessible by keyless entry. Additionally, in 2016, an upgrade of academic buildings frequently used exterior entries and exits included forensic camera coverage of entryways outfitted with card access. A pilot project of utilizing emergency Blue Light phone standards to provide forensic camera coverage of the activation area of the blue light phone and nearby campus community walkways is being utilized. In additional forensic camera upgrades, approximately three-fourths of academic buildings on campus have entryways outfitted with cameras and card access and were brought online.

A sophisticated computer-based life-safety system located in the office of Campus Safety constantly monitors a network of intrusion-detection and fire-safety alarms in buildings on the campus. Other systems, including mechanical, heating, ventilation, and environmental conditions in sensitive environments, and mechanical spaces also report alarms to the Campus Safety Office. Additionally, the emergency telephones report to the Campus Safety Office.

Any discrepancies or malfunctions are given priority for repair. The college employs a full-time locksmith who maintains and repairs all security locking hardware.

Consideration is given to the public safety and security of the community when lighting, landscaping, and grounds maintenance is planned. The Campus Safety Office participates in the planning stages of design, and construction of new and renovated college facilities with respect to physical security, locking hardware, and electronic life-safety systems.

### **Campus Safety Programs**

The following programs are designed to inform students and employees and encourage responsibility for individual security and the security of others.

- **CAMPS**, an acronym for Community Action Makes Public Safety, set a series of contacts by Campus Safety officers designed to encourage members of the college community to take responsibility for and contribute to their own security and that of others. The types of programs and frequency of presentation are tailored to meet specific groups of community members' needs and are available upon request. The programs inform students and employees about campus security procedures and practices and encourage them to be responsible for their own security and the security of the community. Officers proactively educate students and employees about their responsibility for their own security and that of others by increasing awareness and by helping them to develop strategies for the reduction of risk.
- **A.L.i.C.E.** (Alert, Lockdown, Inform, Counter, Evacuate) Violent Intruder Defense Program is a training presentation technique of response methods for surviving gun violence in a classroom or office setting. The course gives participants insight and response options when encountering an active shooter attack in an academic setting. The training is offered to faculty, staff, and students of the community.
- **Community Police Liaison Program**, coordinated by Oberlin Police Department Officers Bashshar Wiley and Jake Crossan (440)774-1061), provides the opportunity for students to interface in positive ways with the local police officers and allows introducing issues affecting the larger community in a timely manner. The officers are present at the arrival of first-year students, Parent/Student Resource Fair, and other events featuring information on the campus community's safety (Off-Campus Housing Fair, Annual Safety Fair). They are available to speak or interact with faculty and staff for their selected topic of discussion.
- **Community Educational Programs** are presented on campus through Residential Education staff in the form of website information specific to ongoing issues and sponsorship of programming and by Residential Education staff throughout the year to promote awareness and good safety and security practices. Alcohol and Drug education and assessment programming is available through participation in Choices, Echeckup-to-go Alcohol, Echeckup-to-go Marijuana programming. Residential Education provides programming in the responsible use of alcohol and

responsible party-planning and timely issues in apartment-style residential living. Some Residential Education Deans and Area Coordinators, acting as judicial officers, hear residential education housing violations and assign education programming and research papers as sanctions relating to specific campus safety regulation violations. Members of the Campus Safety Office also participate in crime prevention in their individual contacts with the public.

- **Education on Title IX, Discrimination and Harassment**

All new and transfer students and all new employees will receive education on non-discrimination and anti-harassment, including Title IX Sexual Harassment training, within three months of their enrollment or appointment. All continuing employees are expected to complete non-discrimination and anti-harassment training, including Title IX Sexual Harassment training, on a biennial basis. The Office of Equity, Diversity, and Inclusion will provide all continuing students and employees with opportunities for education on new policies and best practices for creating diverse, equitable, inclusive communities of excellence.

PRSM—Preventing and Responding to Sexual Misconduct—is a student organization whose members are employed by the Office of Equity, Diversity, and Inclusion to conduct the college's consent education and awareness efforts on campus. Workshop trainers receive administrative support, workshop content guidance, education, resources, and advising from the equity, diversity, and inclusion staff. All new students are required to complete PRSM's first year workshops—Consent Essentials and Bystander Intervention. Topics covered in these workshops—include:

- A statement that the institution prohibits sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence
- The definition of prohibited conduct under college policy, state, and federal law as follows:
  - **Sexual Misconduct:** an umbrella term used to encompass unwanted or unwelcome conduct of a sexual nature that is committed without valid consent, including sexual assault, sexual harassment and other forms of gender-based discrimination. People of any gender can engage in sexual misconduct and sexual misconduct can occur between people of the same or different sexes. Sexual misconduct can include both intentional conduct and conduct that result in negative effects, even if the negative effects were unintended. Sexual misconduct can occur in various modes including in person or in electronic or online communication. Sexual misconduct can also include retaliation in connection with a Reporting Party's allegations under this policy.
  - **Quid Pro Quo Sex-Based Harassment:** unwelcome sexual advances, requests for sexual favors, or other unwelcome sexual conduct by an employee of the College if the submission to or rejection of such conduct is used as a basis for or a factor in decisions to provide aid, benefit, or service in College programs or activities.
  - **Hostile Environment Sex-Based Harassment:** unwelcome sex based conduct that is determined by a reasonable person standard to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to College benefits, services, programs, or activities. Sexual harassment may occur via various communication devices, via social media, or via the Internet. Conduct reported as sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Although repeated incidents generally create a stronger claim of sexual harassment, a serious incident, even if isolated, may violate this policy.
  - **Sexual Assault:** any sexual act directed against another person without actual consent



including instances where the victim is incapable of giving consent because of the victim's age or the victim's temporary or permanent mental incapacity

- Non-consensual sexual intercourse: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.
- Non-consensual sexual contact: the intentional touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim.
- Statutory Rape: sexual intercourse with a person who is under the statutory age of consent where the assault took place. The statutory age of consent in Ohio is sixteen (16).
- **Dating Violence:** physical or sexual violence committed by a person who is or has been in a romantic or intimate relationship with the victim that may include sexual or physical abuse or threats of such abuse. The existence of such a relationship is determined based on the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Dating violence can be a single act or a pattern of behavior in a relationship.
- Domestic Violence: physical or sexual violence committed by (a) a person against a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic family or family violence laws of the jurisdiction where the violence occurred; or (e) by a person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction where the violence occurred. Domestic violence can be a single act or a pattern of behavior in a relationship.
- Stalking on the basis of sex, gender identity or gender expression: any unwanted course of conduct directed at a specific person that would cause a reasonable person to either fear for their safety or the safety of others; or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
- **The definition of consent:**
  - Consent must be actively and freely given, informed and mutually understandable to engage in a particular activity. Consent is also specific to a given situation and may be withdrawn at any time. Consent cannot be procured by the use of physical force, compelling threats, intimidating behavior or coercion. A person who is incapacitated or unable to give consent due to age or an intellectual and/ or other disability cannot validly give consent. For the purposes of this policy, the issue is whether the accused student knew or should have known that the activity in question was not consensual based on a reasonable person standard.
    - Coercion: unreasonable pressure for sexual activity. Continued pressure beyond the point when someone has made it clear that they do not want to engage in sexual behavior.
    - Force: use of physical violence on someone to gain sexual access.
    - Incapacitation: lacking the physical and/or mental ability to make informed,

rational judgments.

- A description of safe and positive options for bystander intervention including how to recognize when a situation may require intervention, how to know when it is and isn't safe to intervene directly, others who can be called on to intervene on campus, and steps to take when intervening.
  - Information on risk reduction
  - Information on how to recognize warning signs of abusive behavior
  - Options and resources for reporting sexual violence or discrimination/harassment
- **The Student Shuttle**, a student-staffed operation, provides a stop-to-stop vehicle escort service to members of the college community daily from 9 p.m.-2 a.m. during each week of scheduled classes. It serves a route around the campus perimeter, with limited off-campus stops. Information on the service and stops is available in brochures distributed on campus and by calling x 57433 from on campus, or (440)775-RIDE (7433) from College Village Housing and 137 Elm St.
  - **Walking safety escorts** are provided by the Campus Safety Office upon request from dusk to dawn for anyone walking alone on campus. An escort can be summoned to any college building, residence hall, or parking lot by calling the Office of Campus Safety or using any of the distinctively marked (blue) campus emergency phones.
  - **Operation Identification** is a crime prevention program that discourages burglary and theft by permanently identifying valuables. Engraving personal identification on valuable items makes stolen items difficult to sell or pawn. Operation Identification also helps the Campus Safety office and police identify lost or stolen property. The office has an electric engraver that may be borrowed free of charge by members of the college community. Forms are also provided to record personal property and serial numbers.
  - **A periodic lighting walk** has resulted in the assessment and enhancement of exterior lighting on campus and an overall lighting plan that is being implemented in stages on campus. In lieu of walks, Campus Safety Officers file reports of campus lighting that need attention or repair daily while on patrol. The public is invited to also report lighting issues via the college work order system, "TOPdesk," or by making a phone report to Campus Safety during nighttime hours.
  - **The Emergency Telephone System** maintained by the college consists of Eighty-Nine (89) emergency telephones throughout the campus. Forty-four (44) of these are highly visible "Blue Light" phones located in parking lots, high-traffic pedestrian areas, and campus open-space locations. They can be easily found and identified by the bright blue light atop a black pedestal. The remaining emergency telephones are located at each residence hall's primary entrance(s) and within some academic buildings. The automatic dialing capability provides direct contact with the Campus Safety Communication Officer, coded location of the call origin, and immediate dispatch of a Campus Safety Officer.
  - **Fire safety information** is provided to assist in reporting fire safety concerns for repair or improvement. Regular fire drills, four times each year, are provided for student's safety in residential halls. The Oberlin Fire Department is invited to participate in dispensing information

during the drills and is invited to meet with incoming first-year students and parents during the Orientation Resource Fair. The Oberlin Fire Department meets with RA's and other student staff during their August training sessions before providing services in their respective areas. Area Coordinators and Assistant Deans in the Residential Education offices provide proactive information about cooking and fire safety specific to living in residential housing and College Village apartments.

- **Campus Safety Officers** provide American Heart Association First Aid, CPR, AED assistance in cases of injury or illness. Contact is made with the Lorain County Joint Ambulance District, the local hospital-based ambulance services in cases where their assistance is needed. Limited medical transports are available for illness or impaired mobility from injury for the first 72 hours following an injury.
- **A Campus Safety Office web page** within Oberlin Online allows the Oberlin campus community and those outside the college to acquire information regarding safety and security at the college. The web page can be accessed at <http://oberlin.edu/campus-safety>
- **The Campus Safety Office** strictly enforces the college's parking regulations to allow those who are registered, the benefits of the parking and security patrol programs. Students, faculty, staff, and visitors using campus lots are required to register motor vehicles and display parking permits for assigned parking areas. Cooperation with current parking regulations assists the office in ensuring the availability of appropriate parking for those who need it. There is a zero-tolerance policy for parking violations related to progressive fines, towing, and revocation of parking privileges for repeated violations.

**The Office of Residence Life Department (ResLife)** has performed several programs aimed at the safety and education of our students. Below is a list of processes and events ResLife did in relation to safety last year.

- Student Staff members perform rounds each night in the residence halls.
- They complete life and safety inspections once a semester in residence halls and three times a year in Village housing.
- The Village Assistants put together a safety program on safe cooking tips called #CookSafe2018.
- The Union/Goldsmith Village Assistant put together a lock your door campaign.
- The First Year Residential Experience RAs offered two programs called Microwaving 101: How to not set fires while cooking and kitchen accountability programs focusing on kitchen safety.
- The First Year Residential Experience RAs offered a Cookies and Consent program focusing on informed consent.
- The ZEBRA RAs offered a consent workshop for men.

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

The Oberlin College *Student Regulations, Policies and Procedures* Policy on Alcohol, Drugs, and Tobacco prohibit the unlawful possession, use, or distribution of alcohol and other drugs. It is the policy of Oberlin College to enforce all federal and state laws governing underage drinking and illegal drug use.

The college's policy is to provide a learning, living, and work environment that is free of illicit drugs,

tobacco smoke, and the unlawful use or abuse of alcohol. Believing that the acceptance by students of full responsibility for their conduct is an essential component of the educational process, the college seeks to prevent the destructive use of tobacco, drugs, and alcohol through counseling and the education of students with regard to the risks involved. The Policy on Alcohol, Drugs, and Tobacco was revised in 2015 to reflect a revision in sanctions and provide a revised approach to contraband found during ResLife Housing inspections.

While the college emphasizes preventive and educational approaches to substance use and abuse, the college will not protect students from local, state, or federal laws. College judicial procedures will be initiated if a complaint of misconduct related to drug, alcohol, or tobacco use is filed by a member of the Oberlin College community. Judicial sanctions may include suspension or dismissal, depending on the seriousness of the offense.

The following statement was issued to the Oberlin College community by the General Faculty Council on May 9, 1991: “Oberlin College cannot condone the illegal possession, consumption, provision or sale of alcohol or drugs, and Oberlin College cannot protect members of the community from prosecution for crimes under federal, state, or local laws. Ohio state law (Section 4301.69) provides that no person shall sell intoxicating liquor or beer to a person under the age of 21 years unless given by a physician in the regular line of practice or by a parent or legal guardian. Drugs are defined as including marijuana as well as the following, all of which are illegal except when taken under a doctor’s prescription: barbiturates, amphetamines, prescription tranquilizers, LSD compounds, mescaline, psilocybin, DMT, cocaine, and other narcotics or opiates.”

Oberlin College subscribes to the tenets of the Drug-Free Workplace Act and states so in the personnel-related documents given to faculty and staff members. The illegal use of alcohol or drugs by members of the faculty or staff may result in severe penalties up to and including termination.

Although the application of sanctions in Oberlin College’s judicial process is handled on a case-by-case basis and never applied automatically, violations of the college’s revised policy on alcohol, drugs, and tobacco will customarily result in a judicial response as published at [www.oberlin.edu/dean-of-students/student-conduct/sanctioning](http://www.oberlin.edu/dean-of-students/student-conduct/sanctioning). Sanctions will customarily be imposed except in cases where a judicial coordinator or authorized hearing officer in Residential Education determines that the medical amnesty policy applies. This policy ensures that the concern for judicial consequences does not become an impediment for students seeking assistance for themselves or others when the abuse of alcohol and/or drugs presents a significant health risk. In such cases and in cases where there are no additional infractions of the Code of Conduct, students will generally be asked to take advantage of educational or counseling opportunities; however, no formal judicial action will be taken. In any of the instances outlined below, written or service-oriented educational sanctions may be required in addition to the other options outlined.

Interventions and sanctions are intended to promote substantive opportunities for students to engage in self-reflection with the potential for assessing current personal well-being and planning for future sustenance; reflection about community standards in relationship to personal rights and responsibilities with the objective of students understanding their potential to impact others in the campus community and beyond; and to foster a level of concern within students that is fit to the circumstances and is likely to deter repeat violations of these or other college policies.

The Oberlin College Student Regulations, Policies, and Procedures is published online, yearly at the commencement of the fall semester, and may be accessed via the web in a searchable PDF version online at [www.oberlin.edu/dean-of-students/student-conduct](http://www.oberlin.edu/dean-of-students/student-conduct) and available to download, as a series of highlighted sections. It is intended to be a guide to the principles and policies that shape and regulate our community. Each student is responsible for being familiar with the *Student Regulations, Policies, and Procedures* content.

## **Student Conduct Resources and Campus Policies**

At times referred to as the “Student Handbook” or “Rules and Regs,” below is a list of important policies that apply to students at Oberlin College. These policies are important to maintaining the integrity and safety of the educational environment. Should you have any questions about an individual policy or are looking for a policy not included below, please email Associate Dean of Students, Thom Julian, at [tjulian@oberlin.edu](mailto:tjulian@oberlin.edu).

### **Academic Integrity and Student Honor Code**

- [Information for Students](#)
- [Information for Faculty](#)
- [Honor Code Charter](#)

### **Dean Certification and Records Checks**

- [Dean Certification Application](#)
- [Detailed Dean Certification Instructions](#)

### **Student Conduct and Community Standards Policies and Forms**

- [Student Conduct Policy](#)
- [Alcohol, Tobacco, and Other Drugs Policy](#)
- [Community Board Application](#)
- [FERPA Waiver](#)
- [Fines and Fees](#)
- [Hazing Statement](#)
- [Policy on Hazing](#)
- [Hearing Officer and Staff Contact Information](#)
- [Probation Adjustment Application](#)
- [Title IX Sexual Harassment Policy](#)
- [Student Bill of Rights](#)

### **Student Conduct Resources**

- [Student Conduct Sanctioning](#)
- [Student Rights During Conduct Process](#)
- [Student Conduct Incident Reporting Form](#)
- [2022-2023 Summary of Policy Updates](#)

### **Campus Policies**

- [Academic and Enrollment Policies](#)
- [Bicycle Policy](#)
- [Campus Postings Policy](#)

- [Coordinated Protest Policy for the Hotel at Oberlin](#)
- [Conservatory Facilities Policy](#)
- [ID Card Policy](#)
- [Information Technology and Acceptable Use Policies](#)
- [Grievance Procedures](#)
- [Guidance for Meetings Involving Speakers and Dissent Policy](#)
- [Library Policy](#)
- [Mailroom Policy](#)
- [Missing Student Policy](#)
- [Residential Education Policy](#)

## **Alcohol and Drug Abuse Policies**

Oberlin College prohibits the unlawful possession, use, or distribution of alcohol or drugs. It is the college's policy to provide a learning, living, and work environment that is free of illicit drugs, tobacco smoke, and the unlawful use or abuse of alcohol. Believing that the acceptance by students of full responsibility for their conduct is an essential component of the educational process, the college seeks to prevent the destructive use of tobacco, drugs, and alcohol by means of counseling and the education of students with regard to the risks involved.

While the college's emphasis is on preventative and educational approaches to substance use and abuse, the college will not protect students from local, state, or federal laws. College conduct procedures will be initiated if a complaint of misconduct related to drug, alcohol, or tobacco use is filed by a member of the Oberlin College community. Conduct sanctions may include suspension or dismissal, depending on the seriousness of the offense.

The following statement was issued to the Oberlin College community by the General Faculty Council on May 9, 1991: "Oberlin College cannot condone the illegal possession, consumption, provision or sale of alcohol or drugs, and Oberlin College cannot protect members of the community from prosecution for crimes under federal, state, or local laws. Ohio state law (Section 4301.69) provides that no person shall sell intoxicating liquor or beer to a person under the age of 21 years, unless given by a physician in the regular line of practice, or by a parent or legal guardian. Drugs are defined as including marijuana as well as the following, all of which are illegal except when taken under a doctor's prescription: barbiturates, amphetamines, prescription tranquilizers, LSD compounds, mescaline, psilocybin, DMT, cocaine, and other narcotics or opiates."

## **Summary Of State Laws**

### ***Ohio Revised Code Governing Alcoholic Beverages***

Section 4301.22 division (A)(1) and (3)

No intoxicating liquor or beer shall be sold to or handled by any person under twenty-one years of age. The penalty for violating Section 4301.22 provides for a fine between the range of \$500 and \$1000 plus court costs or imprisonment of not more than 60 days, or both (Third degree misdemeanor).

Section 4301.69 (A) and (I). No person shall sell\* intoxicating liquor to an underage person, or buy intoxicating liquor or beer for an underage person, or furnish it to an underage person, unless given by a physician in the regular line of the physician's practice or given for established religious purposes or unless the underage person is supervised by a parent, spouse who is not an underage person, or legal guardian. The penalty for violation of this section provides for a fine of not more than \$1,000 or imprisonment of not more



than 180 days, or both (First-degree misdemeanor).

*\* The law is quoted as it reads. Selling alcoholic beverages, however, requires a license and thus is not legal anywhere on campus except when the vendor maintains an appropriate liquor license.*

### ***Ohio Revised Code Governing Drugs***

The current Ohio law regarding drug abuse, including marijuana, may be found in Chapter 2925 of the Ohio Revised Code and related sections in Chapter 3719. Activities covered in these sections include drug abuse, trafficking in drugs, possession of drug abuse instruments, corrupting another with drugs, permitting drug abuse, selling paraphernalia for consumption of marijuana to minors, drug theft, deception to obtain drugs, illegal processing of drug documents, abusing harmful intoxicants, illegal dispensing of drug samples and counterfeit controlled substances. Traffic laws relating to driving while intoxicated or under the influence of drugs are to be found in Chapter 4511 of the Ohio Revised Code. The federal law with respect to drug abuse prevention and control may be found in Title 21, Chapter 13 of the United States Code.

### ***Ohio Revised Code Governing the Reporting of a Felony***

Section 2921.22.

No person, knowing that a felony has been or is being committed, shall knowingly fail to report such information to law enforcement authorities. These laws may be referenced in their complete context in the Office of Campus Safety or online at [codes.ohio.gov](http://codes.ohio.gov). If a student is apprehended on or off campus by the state, local or federal authorities for violation of drug laws:

- The student will remain enrolled in the college.
- Students released on bail will normally be free to continue their courses of study while awaiting legal proceedings.
- Withdrawal without prejudice will be granted to those who find it impossible to continue for legal or personal reasons.
- Conviction for a drug or alcohol-related offense will not automatically result in separation from the college, but college conduct procedures will be initiated if a complaint of misconduct is filed by a member of the Oberlin College community.

### **Risks Associated With The Abuse Of Alcohol, Drugs, And Tobacco**

The college is concerned about the risks and potential dangers involved in the abuse of alcohol, drugs, and tobacco. There is the risk that the abuse of alcohol, drugs, and tobacco may cause profound changes to an individual's physical or psychological health. Also, the abuse of alcohol, drugs, or tobacco may interfere with the process of free and open intellectual inquiry, the interaction and the trust that are crucial to the educational community. Finally, there is the risk of being subject to college conduct procedures as well as the risk of being arrested and being subject to state or federal penalties including imprisonment.

### **Support And Counsel**

For counseling and psychological support, students are advised to consult with the Counseling Center, (440) 775-8470, [Counseling Services](#). To consult with a therapist after business hours and on weekends call (440-775-8470) and press the number two (2). Consultations with psychologists are confidential and subject to Ohio law governing the practice of psychology. Others also stand ready to help.

If individuals need support or seek advice, they may also contact:

- AA (Alcoholics Anonymous) (440) 246-1800
- Dean of Students Office (440) 775-8462
- Lorain County Alcohol and Drug Abuse Services (LCADA) (440) 989-4900
- Mercy Allen Hospital Emergency Room (440) 775-1211
- Office of Religious and Spiritual Life (440) 775-8103
- Office of Campus Safety (440) 775-8444
- Oberlin Counseling Center and Student Health (440) 775-8180

A copy of the college policy on alcohol, drugs, and tobacco can be found here [Policy on Alcohol, Drugs, and Tobacco](#)

## **Title IX Sexual Harassment Policy—Summary and Policy Statements**

Oberlin College and Conservatory (“Oberlin” or “the College”) values civility, dignity, diversity, equality, freedom, integrity, and safety and is firmly committed to maintaining a campus environment free from discrimination based on sex, gender identity, gender expression, gender-based harassment, or gender-based violence. Sexual misconduct violates our institutional values and its presence in the community presents a barrier to fulfilling the College’s scholarly, research, educational, artistic, and service missions. Sexual misconduct including, sexual harassment, sexual assault, dating and domestic violence, and stalking, therefore, will not be tolerated at Oberlin College and is expressly prohibited. This Title IX Sexual Harassment Policy (“Sexual Harassment Policy”) specifically addresses the College’s prohibition against sexual harassment as defined by federal regulations issued by the United States Department of Education.

For more information, please see the complete Title IX [Sexual Harassment Policy](#)

### **Prohibited Conduct and Effective Consent**

**Sexual Misconduct** – an umbrella term used to encompass unwanted or unwelcome conduct of a sexual nature that is committed without valid consent, including sexual assault, sexual harassment and other forms of gender-based discrimination. People of any gender can engage in sexual misconduct and sexual misconduct can occur between people of the same or different sexes. Sexual misconduct can include both intentional conduct and conduct that result in negative effects, even if the negative effects were unintended. Sexual misconduct can occur in various modes including in person or in electronic or online communication. Sexual misconduct can also include retaliation in connection with a Reporting Party’s allegations under this policy.

**Sexual Harassment** – Sexual harassment prohibited by this policy includes conduct on the basis of sex or gender that satisfies one or more of the following: (1) quid pro quo conduct by an employee of the College; or (2) sex-based harassment that creates a hostile environment; or (3) sex-based violence as defined by the Clery Act.

**Quid Pro Quo Sex-Based Harassment** - unwelcome sexual advances, requests for sexual favors, or other unwelcome sexual conduct by an employee of the College if the submission to or rejection of such conduct is used as a basis for or a factor in decisions to provide aid, benefit, or service in College programs or activities.

**Hostile Environment Sex-Based Harassment** - unwelcome sex based conduct that is determined by a reasonable person standard to be so severe, pervasive, and objectively offensive that it effectively denies a



person equal access to College benefits, services, programs, or activities. Sexual harassment may occur via various communication devices, via social media, or via the Internet. Conduct reported as sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Although repeated incidents generally create a stronger claim of sexual harassment, a serious incident, even if isolated, may violate this policy.

**Sexual Assault** – any sexual act directed against another person without actual consent including instances where the victim is incapable of giving consent because of the victim’s age or the victim’s temporary or permanent mental incapacity. For example:

- Non-consensual sexual intercourse: the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim.
- Non-consensual sexual contact: the intentional touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim.
- Statutory Rape – sexual intercourse with a person who is under the statutory age of consent where the assault took place. The statutory age of consent in Ohio is sixteen (16).

**Dating Violence** – physical or sexual violence committed by a person who is or has been in a romantic or intimate relationship with the victim that may include sexual or physical abuse or threats of such abuse. The existence of such a relationship is determined based on the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. Dating violence can be a single act or a pattern of behavior in a relationship.

**Domestic Violence**– physical or sexual violence committed by (a) a person against a current or former spouse or intimate partner of the victim; (b) a person with whom the victim shares a child in common; (c) a person who is cohabitating with, or has cohabitated with the victim as a spouse or intimate partner; (d) a person similarly situated to a spouse of the victim under the domestic family or family violence laws of the jurisdiction where the violence occurred; or (e) by a person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction where the violence occurred. Domestic violence can be a single act or a pattern of behavior in a relationship.

**Stalking on the basis of sex, gender identity or gender expression**– any unwanted course of conduct directed at a specific person that would cause a reasonable person to either fear for their safety or the safety of others; or suffer substantial emotional distress. A course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person’s property.

**Retaliation** - any attempt to intimidate, threaten, coerce, or take adverse action against a Reporting Party, Responding Party, witness, or any other person participating in or conducting an investigation or resolution of a complaint that negatively alters the terms, conditions or benefits of that individual’s equitable access to College programs or activities.

**Effective Consent, Coercion, Incapacitation.** Consent must be actively and freely given, informed and mutually understandable to engage in a particular activity. Consent is also specific to a given situation and may be withdrawn at any time. Consent cannot be procured by the use of physical force, compelling threats,

intimidating behavior or coercion. A person who is incapacitated or unable to give consent due to age or an intellectual and/or other disability cannot validly give consent. For the purposes of this policy, the issue is whether the accused student *knew* or *should have known* that the activity in question was not consensual based on a reasonable person standard.

**Coercion** - unreasonable pressure for sexual activity. Continued pressure beyond the point when someone has made it clear that they do not want to engage in sexual behavior.

**Force** – use of physical violence on someone to gain sexual access.

**Incapacitation** - lacking the physical and/or mental ability to make informed, rational judgments.

**Purpose of the Policy.** Oberlin College will not tolerate any type of sexual and/or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence, which are referred to in this policy as sexual misconduct. The college is committed to taking all appropriate steps to eliminate these forms of sexual misconduct, prevent their recurrence, and address their effects. The Sexual Misconduct Policy outlines the college’s institutional values, prohibited conduct, resources, reporting options, and processes for the review, investigation, and resolution of reports of sexual misconduct.

**Scope of the Policy.** This policy applies only to sexual misconduct that is committed by a participant (student, employee, visitor) in connection with a College Program or Activity; or on property or premises owned or controlled by a College recognized student organization.

This policy does not cover:

- Sexual misconduct committed by a third party that is not a participant in a College Program or Activity; or
- Sexual misconduct occurring outside of the United States.

If the conduct giving rise to an allegation of a violation of this policy also violates the Nondiscrimination and Anti-Harassment Policy, the Investigator will conduct one investigation following the procedures outlined in the respective policies. One Hearing Panel/Officer will resolve the entire matter.

**Notice of Non-Discrimination.** Oberlin College supports equal opportunity for all persons and prohibits discrimination or harassment on the basis of race, color, sex, religion, national origin, disability, age, genetic information, military or veteran status, ancestry, marital status, sexual orientation, gender identity, or gender expression.

**Title IX Coordinator** Rebecca Mosely, the Title IX Coordinator, oversees the college’s central review, investigation and resolution of reports of sexual harassment, misconduct, stalking and intimate partner violence under the college’s report process and coordinates the college’s compliance with Title IX. Rebecca Mosely, Title IX Coordinator (440) 775-8555 or [rmoseley@oberlin.edu](mailto:rmoseley@oberlin.edu)

**Title IX Review Team.** The Title IX Team consists of the Title IX Coordinator, Title IX Deputy & Equity Coordinators, and the Director of Campus Safety. The appropriate divisional dean (i.e., Dean of

Students, Dean of the College or Dean of the Conservatory) or Department of Human Resources representative may join the team to ensure effective and prompt response to reports as well as reviewing and implementing plans for education, prevention, and training for their respective areas.

2022 Title IX Central Team Members (additional administrators by invitation as needed):

- Melanie Hawkins, Director Residential Education for Training and Curriculum, Deputy Title IX and Equity Coordinator, Residential Education Office (440)775-8472 or [Melanie.Hawkins@oberlin.edu](mailto:Melanie.Hawkins@oberlin.edu)
- Chris Jenkins, Associate Dean for Academic Support Liaison to Office of Equity, Diversity, and Inclusion Conservatory Office (440)775-8200 or [Chris.Jenkins@oberlin.edu](mailto:Chris.Jenkins@oberlin.edu)
- Erica Rau, Head Athletics Volleyball Coach, Athletics and Physical Education Department (440) 775-8505, or [erica.rau@oberlin.edu](mailto:erica.rau@oberlin.edu)
- Elizabeth Hamilton, Associate Dean of Arts and Sciences, Cox Building Room 101, (440) 775-8410 or [Elizabeth.Hamilton@oberlin.edu](mailto:Elizabeth.Hamilton@oberlin.edu)
- Anthony Traska, Director of Campus Safety, Campus Safety Office (440) 775-5782 or [Anthony.Traska@oberlin.edu](mailto:Anthony.Traska@oberlin.edu)
- Suzanne Denneen, Program Coordinator, Office of Equity, Diversity, and Inclusion (440) 775-8555 or [Suzanne.Denneen@oberlin.edu](mailto:Suzanne.Denneen@oberlin.edu)

### **Reports of sexual misconduct must be reported to the appropriate College officials.**

The College strongly encourages the reporting of sexual misconduct to College officials. Accordingly, any employee whose role includes responsibility for the safety and security of any part of the College community must timely forward all reports to the Title IX or Deputy Title IX & Equity Coordinators by email to [edi@oberlin.edu](mailto:edi@oberlin.edu), in person, by mail, or by telephone, using the contact information listed for the Title IX Coordinator or [here](#), in addition to other reporting obligations, such as direct reporting to law enforcement.

**Anonymous Reports.** Anonymous reports of violations of this Policy may be made to the **Campus Conduct Hotline 866-943-5787**. The hotline is staffed by a third-party service and is available 24 hours/day and seven days a week. Please note that the College may not be able to resolve complaints received from anonymous sources unless sufficient information is furnished to enable the College to conduct a meaningful and fair investigation. The College will, however, take whatever steps it deems appropriate in the best interests of the overall College community, consistent with the information that is available.

**Confidentiality Concerns.** The Office of Equity, Diversity and Inclusion is mandated to investigate all reports of policy violations and implement prompt and effective remedial action in response to violations and, therefore, cannot promise confidentiality. The Title IX team handles all matters professionally and discreetly by sharing information only with those who need to know and by informing participants of those disclosures. The Title IX team maintains the privacy of student records in compliance with the federal Family Educational Rights and Privacy Act (“FERPA”).

**Confidential Reporting.** The College recognizes that deciding whether to report sexual misconduct, either to the College or law enforcement, can be difficult. All individuals are encouraged to seek the support of trained

professionals on campus and in the local community, regardless of when or where the incident occurred. These professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to any party in the event that a report and/or resolution under this policy is pursued. As detailed online at <https://www.oberlin.edu/equity-diversity-inclusion/support/support-resources>, there are Confidential and Privileged Resources which under Ohio law cannot share information without the consent of the individual seeking assistance. Short-term and free counseling provided by licensed psychologists and counselors is available to registered students.

**Reports to local law enforcement.** The College encourages those who believe they experienced a sexual assault or any other crime to file a report with local law enforcement. Campus Safety professionals or Office of Equity, Diversity, and Inclusion professionals are available, upon request, to assist the individual in making the report. Collection and preservation of evidence relating to a reported sexual assault is essential for law enforcement investigations so prompt reporting to law enforcement is especially critical.

Supportive measures are non-disciplinary and non-punitive *individualized* appropriate services offered to both reporting and responding parties that are designed to restore or preserve equitable access to the College's programs and activities. Supportive measures ensure the safety of the reporting and responding parties or the campus community; or deter sexual misconduct. Supportive measures are not appropriate if they create an unreasonable burden on the College or other community members. Supportive measures are provided by the College without charge, and reporting parties are not required to report to law enforcement in order to receive these measures. The Title IX Coordinator or Deputy Title IX Coordinators will communicate with parties about the availability of supportive measures in writing. If a party wishes to request a supportive measure, they may do so in writing or by meeting with the Title IX Coordinator or Deputy Title IX Coordinator. The provision of supportive measures or accommodations to a party involved in a process will be confidential to the extent that they can be while still allowing the provision of said measure. Possible supportive measures include but are not limited to:

- Facilitating access to counseling or medical services including transportation services
- No contact orders
- No trespass orders
- Security escorts
- Academic accommodations (e.g., rescheduling exams or assignments)
- Academic support services (e.g., tutoring)
- Housing reassignment or accommodations
- On-campus employment accommodations
- Voluntary leave of absence

### **Options for Resolving a report of Sexual Misconduct including, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, Stalking, and/or Retaliation**

#### **Formal Complaint**

If a Reporting Party wishes to engage in a resolution process through the college, they must submit a formal complaint. A formal complaint is a document signed and dated by the Reporting Party or the Title IX Coordinator alleging a violation of this policy and requesting an investigation. When necessary, the Title IX Coordinator may sign a report on behalf of the College when a Reporting Party is unable or unwilling to do so. A formal complaint may be filed with the Title IX Coordinator in person, by mail, using the online report form found here or by electronic mail. The complaint must include the signature of the party filing the document either in writing or electronically. Upon receipt of a formal complaint, the Title IX Coordinator will provide information to the Reporting Party about their options for resolving the complaint, as well as supportive

measures available to them on and off campus.

All formal complaints will also be reviewed by the Title IX Team to determine any necessary immediate actions. The College will dismiss the complaint from investigation under this Policy if the alleged conduct:

- does not constitute sexual harassment as defined in this policy;
- did not occur in a College's education program or activity; or
- did not occur in the United States.

Such a dismissal does not preclude the College from taking action under another policy.

### **Adaptive Resolution Process Procedures**

The Adaptive Resolution Process (ARP) is a series of inclusive conflict resolution practices that yield participant-authored, effective, and just outcomes through examination of attitudes and behaviors that contributed to the conflict or harm; and that result in clear accountability measures that repair harm and discourage future harm. Adaptive dispute resolution practices - including conflict coaching, facilitated dialogue, mediation, and restorative practices - are available to participants on a voluntary basis. ARP is an alternative to the formal resolution process and does not result in College-mandated disciplinary action against the responding party. The College, however, will enforce any signed resolution agreement.

The College will not mandate that ARP is used for any complaint as the parties must be willing to engage in this process for it to achieve the goal of stopping the alleged misconduct, addressing its effects, and preventing its recurrence. The ARP may not be an appropriate form of resolution in all cases and will only be used when both the College and the parties mutually agree that this process is an appropriate way to resolve the report.

ARP is not available to resolve complaints under the Title IX Sexual Harassment Policy when the reporting party is a student, and the responding party is an employee. ARP may be used in cases when both parties are employees.

### **Requesting The Adaptive Resolution Process**

Once a formal complaint has been filed with the OEDI Director or Deputy Title IX & Equity Coordinator, a reporting party may have the option to request an adaptive resolution process to resolve the complaint.

The reporting party must meet with the OEDI Director or a Deputy Title IX & Equity Coordinator to discuss the options available for resolving their complaint within the ARP. The reporting party may suggest desired outcomes and a particular resolution process.

The OEDI Director and Deputy Title IX & Coordinator will also meet separately with the responding party. The responding party will be provided with the written complaint that was filed before the meeting. At this initial meeting, the responding party may choose to share further information with the Deputy Title IX & Coordinator regarding those complaints but is not required to do so. The Deputy Title IX & Equity Coordinator will discuss reporting party's desired outcomes and preferred resolution process. If both parties agree to ARP, a written agreement outlining the process for dispute resolution will be entered into and the matter will be referred to the ARP Facilitator to assist those parties in reaching a final resolution.

## **THE ADAPTIVE RESOLUTION PROCESS PROCEDURES**

1. Advisors or support persons are not permitted in the ARP process unless both parties agree to allow observers.
2. Meetings are not recorded and the participants are not permitted to record any meetings. Any notes taken by the ARP Facilitator may not be used in a formal proceeding.
3. Either party or the College can request to end the ARP at any time if one of the following occurs:
  - a. One of the parties fails to participate in the ARP.
  - b. One of the parties is reported to have additional new violations of College policy towards the other party.
  - c. Both parties agree in writing that the matter discussed in the formal complaint has been resolved to their satisfaction.
4. The ARP Facilitator will work with the parties to reach a written resolution agreement and, if requested, supervise compliance with the terms of the agreement.
5. The ARP Facilitator may not be called as a witness in a Formal Resolution Process.
6. Once the parties have completed terms of the resolution agreement, the ARP Facilitator will provide a final report indicating that matter has been resolved. The OEDI Director or Deputy Title IX & Equity Coordinator will confirm in writing to both parties that the ARP process has concluded and that the formal complaint has been resolved.

Ordinarily the ARP will be completed within thirty (30) business days of the request for the ARP.

## **FORMAL RESOLUTION PROCESS**

Disciplinary action by the College against a Responding Party may only be taken through Formal Resolution Process (FRP) which is designed to provide fundamental fairness and respect for all parties by ensuring adequate notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this policy.

The FRP applies to complaints of violations of the Title IX Sexual Misconduct Policy, the Nondiscrimination and Harassment Policy, and the Prohibited Relationships Policy and consists of three phases – the investigation, the hearing and the appeals. Participants with documented disabilities have the right to request accommodations necessary to be able to fully participate in the FRP.

In general, the College will attempt to complete the entire FRP within ninety (90) business days. Throughout the FRP, participants will receive timely notice of any meeting at which their attendance may be requested or required. The time frames outlined in the FRP may be extended for good cause by the Title IX/Equity Coordinator to ensure the integrity and completeness of the investigation, to accommodate the availability of witnesses, to address College breaks or vacations, or other legitimate reasons. Any extension of the timeframes, and the reason for the extension, will be shared with the parties in writing. Participants in this process will receive written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time to prepare to participate. The College will attempt to accommodate the schedules of parties and witnesses, however, grievance resolution must be completed in a reasonably prompt timeframe and must



proceed to conclusion even in the absence of a party or witness.

These procedures are entirely administrative in nature and are not considered legal proceedings. No participant may audio or video record the proceedings. All advisors must comply with the expectations for advisors or risk being excused from participation or attendance.

The Hearing Coordinator will record the Hearing only. If parties request a record of the Hearing, a transcript of the Hearing will be provided with appropriate redactions to protect the FERPA rights of other students involved. A transcription fee or copying fee may be assessed. Either party is permitted to access to all records and recordings maintained by the Office of Equity, Diversity and Inclusion in the office.

Any individual designated by the College as a Title IX Coordinator, investigator, decision-maker, or any person designated by a College to facilitate an informal resolution process, must not have a conflict of interest or bias for or against Reporting Parties or Responding Parties generally or an individual Reporting Party or Responding Party.

The following will not be considered evidence of bias:

- The Title IX Coordinator's initiation of a formal complaint, or; an individual's decision that allegations warrant an investigation.
- An individual's current job title, professional qualifications, past experience, gender identity, or sex will not alone indicate bias.
- Use of trauma-informed or practices will not be considered evidence of bias when such practices do not: rely on sex stereotypes; apply generalizations to allegations in specific cases; cause loss of impartiality or prejudice of the facts at issue.

## **Investigation**

The OEDI Director/Title IX Coordinator in consultation with the Title IX/Equity Team, will oversee a prompt, thorough, and impartial investigation. Investigations are ordinarily conducted by an independent law firm specializing in higher education and Title IX/Equity compliance. Investigators are assigned after it is confirmed that they do not have a conflict of interest with any of the parties that would prevent them from being impartial.

Upon receipt of a formal complaint, the OEDI Director/Title IX Coordinator will provide to all known parties written notice of:

- a. the appropriate grievance process;
- b. the reported misconduct, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- c. the College's position that the Responding Party is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- d. the parties right to have an advisor of their choice, who may be an attorney;
- e. the parties right to inspect and review evidence; and

- f. the College's prohibition on knowingly making false statements or knowingly submitting false information during the grievance process.

The Investigator will conduct a fact-finding investigation that includes meeting separately with the Reporting Party, Responding Party, and pertinent witnesses; and reviewing and analyzing other relevant information. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege. Information gathered during the investigation will be used to evaluate whether a policy violation has occurred. All individuals involved in the investigation, including the Reporting Party, the Responding Party, and any third-party witnesses, will be treated with respect. The investigator will manage the investigation professionally by complying with best practices for managing sensitive information privately.

If, in the course of an investigation, the College decides to investigate allegations about the Reporting Party or Responding Party that are not included in the initial notice, the College will provide notice of the additional allegations to the parties whose identities are known.

The College will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's 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, unless the College obtains that party's voluntary, written consent. Additionally, the College will not consider or provide for inspection and review evidence which the College knows was illegally or unlawfully created or obtained.

Upon receipt of a complaint, the Investigator will strive to complete the investigation and submit to the parties a draft investigation report within 30 business days. Upon receipt of the draft report, the parties will have ten (10) business days to review and respond to the investigator with any comments. The investigator will submit a final investigation report to the Title IX/Equity Coordinator within five (5) business days of receiving the parties' comments unless further investigation is required. The final investigation report will be made available to the parties at least ten (10) days before the date of the hearing.

## **Hearing**

All hearings are managed by a Hearing Coordinator who will be appointed by the OEDI Director/Title IX Coordinator. The Hearing Coordinator organizes the process, in collaboration with the OEDI Director/Title IX Coordinator, in compliance with the applicable policies and procedures. The Hearing Coordinator is also responsible for all communication with the parties related to the hearing after the investigation is completed. The Hearing Coordinator does not make determinations of responsibility or sanctions.

The specific decision makers will vary based upon the role of the Responding Party and the Policy Violations being considered:

- For a *report against a student or staff member*, the report will be heard by a hearing panel comprised of three trained staff members.
- For a *report against a faculty member*, the report will be heard by a panel composed of three trained members of the General Faculty Professional Conduct Review Committee.



## **Pre-Hearing Procedures**

### **1. Notice of Charges**

Following receipt of the final investigation report, the Hearing Coordinator will send a Notice of Charge Letter to both the Reporting Party and the Responding Party. The Notice of Charge Letter provides each party with a brief summary of the conduct at issue, the specific policy violation(s) that are alleged to have taken place, and the expected schedule for resolving the complaint.

### **Acceptance of Responsibility**

If a Responding Party wishes to accept responsibility for the charges, the Responding Party will provide a written acceptance of the facts of the allegation. In this instance, The Hearing Coordinator will then convene a Hearing Panel whose role will be solely to determine appropriate corrective action(s). The investigative report and the impact statements submitted by the parties will serve as the primary evidence in determining the appropriate corrective action(s).

### **Pre-Hearing Meeting with Reporting Party and Responding Party**

Following the Notice of Charge Letter, the Hearing Coordinator will contact the Reporting Party and Responding Party to schedule separate meetings with each party. These meetings should occur no more than five days after the Notice of Charges Letter is sent.

At this pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. The Hearing Coordinator will also explain any information that the Parties may wish to prepare before the hearing including their opening statement, questions for the other party, witnesses, and investigator, and an impact statement. The impact statement is reviewed by the Hearing Panel only if the Responding Party is found to have violated policy and allows the Parties to share the impact the reported behavior has had on them and request specific Corrective Action(s). The Advisor is encouraged to accompany the Reporting Party or Responding Party to this initial meeting.<sup>[1]</sup> This meeting can be scheduled concurrently with the timeframe during which the Responding Party may be deciding whether or not they wish to accept responsibility for the charges.

### **Pre-Hearing Review of Documents**

Both parties will be afforded similar and timely access to any documents and information used at a hearing. The Reporting Party and the Responding Party will each have the opportunity to review all investigative documents, subject to the privacy limitations imposed by state and federal law, at least ten (10) business before the hearing. The investigative documents will include the investigation report, any witness statements or interviews, statements from or interviews with both parties, and any other documentary information that will be presented to the Hearing Panel.

The Hearing Panel must review all pertinent information regarding the incident in question prior to the date of the Hearing Panel.

New evidence and/or witnesses not provided as part of the investigation may not be introduced at the Hearing without permission of the Hearing Coordinator.

### **Relevance**

The Hearing Coordinator will review the investigative report, any witness statements and any other documentary evidence to determine whether the proffered information contained therein is relevant and material to the

determination of responsibility given the nature of the allegations pertaining to the specific matter before the Hearing Panel.

In general, the prior sexual history of the parties is not considered relevant to the case in accordance with Rape Shield laws unless such questions or evidence are offered to prove that someone other than the Responding Party committed the alleged conduct, or if it concerns specific incidents of sexual behavior between the Reporting Party and Responding Party and is offered to prove consent.

### **Witnesses**

The Reporting Party, Responding Party, and the Hearing Panel may request witness testimony. Witnesses must have relevant information to the conduct in question. In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the College's investigation. If either party wishes to call witnesses, whether or not they were previously interviewed as part of the College's investigation, the following must be submitted to the Hearing Coordinator via e-mail:

- The names and contact information for each witness
  - A brief written statement of the expected topics for testimony of that witness;
  - A summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and,
  - The reason why the witness was not interviewed by the investigator, if applicable.

The Hearing Coordinator will determine if any proffered witness has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator. The Hearing Coordinator may also require the investigator to interview a newly proffered witness.

The Hearing Coordinator will provide the parties and the Hearing Panelists with a list of witnesses who will be present at the hearing in advance of the hearing date, with the understanding that the Reporting Party and Responding Party will have the opportunity to questions the witnesses through the process outlined by the appropriate policy.

### **Notice of Hearing**

Once each party has met with the Hearing Coordinator and a responding party has not accepted responsibility for the charges, a Notice of Hearing is sent to the Reporting Party and the Responding Party. The Notice of Hearing provides the parties with the date, time, and place of the hearing, as well as the names of the individual panelists on the Hearing Panel.<sup>[1][1][1]</sup><sub>[SEP][SEP]</sub>In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. The Hearing Coordinator will ensure that the hearing does not occur during scheduled classes for the parties. Outside of scheduled courses, the parties are expected to make themselves available for the hearing at the set time.

### **Composition of the Hearing Panel**

All Hearing Panelists have received training to ensure that they understand the policy, definitions of prohibited conduct, scope of the policies, how to avoid prejudgment of the facts at issue, and how to recognize and avoid conflicts of interest and bias. The OEDI Director/Title IX Coordinator and the Investigator assigned to the case will not serve as a hearing panelist and will not have a role in the determination. The Reporting Party and the Responding Party may each submit a written request to the Hearing Coordinator that a member of the Hearing

Panel be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest or an inability to be fair and impartial. This challenge must be raised within two business days of receipt of the Notice of Hearing. Hearing Panels comprised of members of the Professional Conduct Review Committee will be selected semi-randomly. In general, the OEDI Director/Title IX Coordinator will attempt to comprise a faculty panel that includes at least one faculty member from the Conservatory and one from the College of Arts and Sciences. If there are insufficient eligible members of the General Faculty Professional Conduct Review Committee available, the OEDI Director/ Title IX Coordinator will identify appropriately trained faculty alternates to serve on the hearing panel.

### **Consolidation of Hearings**

At the discretion of the Hearing Coordinator, in consultation with the OEDI Director/Title IX Coordinator, multiple reports may be consolidated against more than one Responding Party, or by more than one Reporting Party against one or more Responding Parties, or by one party against the other party, where the reports of sexual harassment arise out of the same facts or circumstances. This means the reports are so intertwined that they directly relate to all parties. Matters may be consolidated where they involve multiple Reporting Parties, multiple Responding Parties, or related conduct that would regularly have been heard under other College Policies. If one or more of the charges falls within the scope of the Title IX Sexual Harassment Policy, those hearing procedures will be used to adjudicate all potential policy violations. If the reported conduct falls within the scope of the Nondiscrimination and Harassment Policy but not within the scope of the Title IX Sexual Harassment Policy, the procedures related to the Nondiscrimination and Harassment Policy will be used to adjudicate all potential policy violations.

### **Pre-Hearing Meeting with Hearing Panel**

Once the Hearing Panel has been selected and cleared of conflict of interest, the Panelists will receive all investigative materials for the hearing. The Hearing Coordinator will schedule a meeting with the Panelists and Title IX/Equity Coordinator to review the policy sections that are implicated by the Notice of Charges, and review the hearing procedures.

### **Hearing**

#### Attendance at Hearing

If a party does not attend a hearing for any non-emergency or non-compelling reason, the hearing may be held in their absence at the discretion of the Hearing Coordinator. The College will not require a Reporting Party to participate in or attend a hearing, although the College's ability to present evidence may be limited in the instance that a Reporting Party chooses not to participate in the hearing. If a party does not attend a hearing under the Title IX Sexual Harassment Policy, an Advisor will be appointed to cross examine the other party and witnesses on their behalf.

If a Responding Party who is a student withdraws from the College before the conclusion of an investigation or formal resolution under this policy, they may still participate in the remainder of the process, and an enrollment hold will be placed on their record to prevent reenrollment at the College until such time that the case is resolved and all assigned corrective action(s) are completed. If a Responding Party chooses not to participate, the College will move forward with the resolution of the report and imposition of sanction, if any, in absentia. If the report is finally resolved while the Responding Party is absent, the Responding Party's will be informed of the final outcome in accordance with regular practice under this policy.

A Reporting Party or Responding Party may also request alternative testimony options that would not require physical proximity to the other party such as conducting the hearing by video conference. The Hearing Coordinator and Panel will be trained on any technology being used to conduct a hearing prior to the hearing.

Under the Title IX Sexual Harassment Policy, a party or witness may decide not to attend a hearing or to respond to cross-examination by an advisor or questions from the decision-maker(s). A party or witness's absence or refusal to submit to questioning at the hearing may impact the decision-maker's assessment regarding credibility or weight of a party's or witness's information and statements. The decision-maker(s) can consider other objective information besides statements that were provided by the party or witnesses. The decision-maker will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Under the Nondiscrimination and Anti-Harassment Policy, a party may choose not to participate in a hearing or to respond to questions. It is important to note that doing so may limit the hearing panel's ability to assess the credibility of the party and the evidence provided.

### **Participants in Hearing Procedures**

The Hearing Panel is a closed hearing and is not open to the public. The individuals who may appear before the Hearing Panel are: the Reporting Party; the Responding Party; any individuals serving as an approved advisor; any individuals appearing as witnesses; and any relevant administrators necessary to facilitate the hearing.

### **Safeguarding of Privacy**

All participants involved in a hearing are expected to respect the seriousness of the matter and the privacy of the individuals involved. The College expectation of privacy during the hearing process should not be understood to limit any legal rights of the parties during or after resolution. The College may not, by federal law, prohibit the Reporting Party from disclosing the final outcome of a formal process (after any appeals are concluded). All other conditions for disclosure of hearing records and outcomes are governed by FERPA, any other applicable privacy laws, and professional ethical standards.

### **Hearing Panel Protocol**

The hearing is intended to provide a fair and ample opportunity for each party to present relevant information and witnesses. The Hearing Panel will make factual findings, determine whether College policy was violated, and recommend appropriate corrective action(s) and remedies, if appropriate. The hearing is not a civil or criminal proceeding and is not designed to be adversarial in nature. At the Hearing Coordinator's discretion, anyone disrupting the hearing may be removed.

It is the responsibility of the Hearing Panel to assure that the information necessary to make an informed decision is presented. The Panel members may play an active role in questioning both parties and witnesses involved in the case. At times, the Panel members may need to ask difficult or sensitive questions in order to understand areas of factual dispute or gain a full understanding of the context. All evidence subject to the parties' inspection and review will be available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Parties and other individuals who offer information at a hearing are expected to respond honestly, and to the best of their knowledge.

The hearing will be called to order by the Hearing Coordinator. The Hearing Coordinator will explain the hearing process and will provide an opportunity to all parties to ask procedural questions before initial statements and the presentation of information. All individuals present at the hearing will introduce themselves and their role in the hearing.

The investigator will provide a brief statement summarizing the investigation. The statement should focus on the areas of agreement and disagreement in order to assist the Hearing Panel in prioritizing areas of inquiry.

After this initial statement and introductions, the process of hearing from the parties and witnesses will begin. During this portion of the hearing, the panel and the parties may pose questions for the parties and witnesses as follows:

- If the hearing is conducted under the Title IX Sexual Harassment policy, those questions will be posed by the party's advisor.
- If the hearing is conducted under the Nondiscrimination and Anti-Harassment Policy, the hearing panel will ask questions submitted in writing to the Hearing Panel by the Parties.

In all cases, the Hearing Panel has the responsibility for determining the relevance and appropriateness of the questions to be asked and sharing the rationale for not asking any questions. In general, questions that will not be asked are those that are not relevant to the question at hand, those that are repetitive to questions already asked, and any questions protected by Rape Shield Laws. Questions should be framed in a manner to seek information. Abusive, bullying or unprofessional conduct is not permitted. The Hearing Coordinator will explain any decision to exclude a question as not relevant.

The Reporting Party has the option to supplement the information provided to the Panel with a brief opening statement (no more than 10 minutes in length). The Hearing Panel may pose questions to the Reporting Party after which questions from the responding party will be asked per the appropriate policy. The Responding Party will not be permitted to question the Reporting Party directly.

After the Reporting Party has finished, the Responding Party has the option to make a brief opening statement (no more than 10 minutes in length). The Hearing Panel may pose questions to the Responding Party after which questions from the Reporting Party will be asked per the appropriate policy. The Reporting Party will not be permitted to question the Responding Party directly.

The Panel may hear from witnesses on behalf of the Reporting Party and the Responding Party. Each witness will be questioned by the Hearing Panel, after which questions from the Parties will be asked per the appropriate policy.

The Hearing Panel, the Reporting Party, and Responding Party may then question the investigator per the process outlined in the appropriate policy. The investigator is not permitted to offer an opinion on the credibility of any individual or as to the ultimate issue.

At the conclusion of the presentation of all witnesses, the Reporting Party and Responding Party will have the option to address briefly any outstanding issues of fact with a brief closing statement (no more than 10 minutes in length).

### **Deliberation**

After all of the information has been presented, all parties will be dismissed, and the hearing will be formally concluded. The Hearing Panel reserves the right to recall any party or witness for further questions and to seek additional information necessary to make a decision.

The Hearing Panel will conduct their deliberations in private. The Panel must complete their deliberations within two business days. The Hearing Coordinator will remain for deliberations but will not make any determination related to responsibility.

### **Preponderance of the Evidence Standard**

The Hearing Panel will determine a Responding Party's responsibility by a preponderance of the evidence. Under

this standard, individuals are presumed not to have engaged in the conduct reported *unless* a preponderance of the evidence supports a finding that sexual misconduct occurred. This means that the Hearing Panel will decide whether it is “more likely than not,” based upon all of the relevant information, that the Responding Party is responsible for the alleged violation(s). The Hearing Panel must reach a decision on responsibility by majority vote. The votes of individual Panel members will not be shared with the parties.

If the Panel finds the Responding Party responsible, the Panel will then recommend appropriate corrective action(s), taking into consideration any prior findings of responsibility and any submitted impact statements. The OEDI Director/Title IX Coordinator, will review the recommendations for fairness and consistency and the designated administrator will impose an appropriate sanction.

The findings of the Hearing Panel will be documented in writing by the Hearing Panel chair. The findings will detail the findings of fact and the basis/rationale for the decision of the Hearing Panel, making reference to the evidence that led to the finding. This report will be submitted by the Hearing Panel chair to the Hearing Coordinator in writing.

### **Outcome Letter**

The outcome of the Hearing Panel will be communicated to the Reporting Party and Responding Party simultaneously and in writing, usually within five (5) business days from the date the hearing is concluded. The notification of each party should occur at or near the same time.

The letter to each party will include:

- Identification of the allegations potentially constituting sexual harassment
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the Responding Party, and whether remedies will be provided by the College to the Reporting Party, and;
- The College’s procedures and permissible bases for the Reporting Party and Responding Party to appeal.

For reports involving sexual violence, the Reporting Party will be fully informed of any corrective action(s). For all other reports under this policy, the Reporting Party will be informed of only those corrective action(s) that directly relate to the Reporting Party, consistent with FERPA and other applicable law.

Corrective action(s) imposed will be implemented at the end of the appeals process or once the deadline for submitting an appeal has passed.

The College also reserves the right to designate which College officials have a need to know about individual conduct reports pursuant to FERPA requirements.

### **Corrective Action for Faculty**

If a faculty hearing panel recommends termination of employment as a sanction for a faculty in a tenured or tenure-track position, additional procedures approved by the General Faculty will be followed to authorize implementation of that sanction.



## Appeals Process

Either party may appeal the outcome or sanctions imposed. The appeal must be submitted within five (5) business days of receiving the Hearing Panel's or Hearing Officer's decision letter. To request an appeal, the party must submit a written appeal to the OEDI Director/Title IX Coordinator who will appoint a trained appeals officer. The decision-maker for the appeal will not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator. When the Responding Party is a faculty member, the Appeals Officer will be appointed by the appropriate Dean, and will be a trained person who holds a tenured faculty appointment. The appeal shall consist of a plain, concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal. Appeals are limited to 3000 words. Dissatisfaction with the outcome of the hearing is not grounds for appeal.

## Grounds for Appeal

A party may only seek appeal on the findings under the following grounds:

- a. A material deviation from the procedures affected the outcome of the case;
- b. There is new and relevant evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome;
- c. There is a conflict of interest or bias on the part of the Title IX/Equity Coordinator, investigator or decision-maker. An individual's past education or professional experience alone is insufficient to establish a conflict of interest or bias; or
- d. The sanctions are not appropriate or disproportionate to the determined violation(s).

Both parties will be notified if either party submits an appeal and will be informed of the grounds of the appeal. A party may submit a short written response (no longer than 3000 words) to the other party's appeal within five (5) business days of this notification.

**Appeal Procedure.** In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. If the Appeals Officer determines that the appeal does not properly fit within one of the four grounds, the appeal will be denied. If the appeal does fit within the grounds, the Appeals Officer will review the record and the information submitted on appeal and issue a written report that may result in the following outcomes:

1. If there was a material deviation from procedure that affected the outcome, the Appeals Officer may remand the matter to the Hearing Panel/Officer to rectify the error, or in rare cases where the error cannot be resolved, a new hearing may occur.
2. If a conflict of interest or bias on the part of the Title IX Coordinator, investigator, or decision-maker is deemed to have affected the outcome, the Appeals Officer may remand the case to an appropriate place in the process to rectify this effect.
3. If newly discovered information appears relevant, the Appeals Officer may recommend that the case be returned to the Decision Maker/Hearing panel to assess the weight and effect of the new information and render a determination after considering the new facts.

4. If the sanctions appear inappropriate or disproportionate, alter the sanctions, accordingly.

5. Affirm the findings and sanctions.

The Appeals Officer will issue a written decision on the appeal simultaneously to the Reporting Party, Responding Party and Title IX Coordinator within ten (10) business days from the date of the submission of all appeal documents by both parties. The decisions of the Appeals Officer are final.

At the completion of the appeal, Corrective action(s) imposed are implemented immediately.

#### Dismissal Sanction for Tenured Faculty Member

If the Appeals Officer affirms dismissal of a tenured faculty member, the President will review the record (including, as a minimum, the Investigator's Report, the Hearing Panel's report, the Appeals Officer's report, and any statement that the complainant may submit) and, after consultation with the Dean of the division where the Responding Party holds their appointment, will issue a final written decision.

The President will formulate their own recommendation and supporting rationale in a written report submitted to the Office of Equity, Diversity, and Inclusion and the Chair of the Board of Trustees for final action within thirty (30) business days. In keeping with the principle of faculty self-governance, the President and the Board will give considerable deference to the recommendations of the PCRC regarding faculty dismissals. The action of the Board of Trustees is final and will be shared with parties, the administration, and the PCRC.

#### **Support for Parties after the FRP**

The Title IX/Equity Coordinator is available to provide support and to identify campus and external resources to assist all parties and witnesses once a resolution has been reached. The goal of such support is to address any personal needs and to facilitate the participation of all individuals in the campus community in whatever ways are appropriate given the outcome of the hearing and any corrective action(s) that may have been imposed.

#### **Corrective Action**

A Hearing Body that finds a Responding Party responsible for a violation of this policy will recommend appropriate corrective action that may include, but is not limited to, those set forth below. Corrective action may be issued individually, or a combination of corrective actions may be imposed. The Reporting Party and Responding Party will each have the opportunity to present a written statement about impact and/or request corrective action to the Hearing Coordinator in advance of the hearing. The Hearing Body will review these statements only if the Responding Party has been found responsible for one or more violation.

In general:

- Any person who is determined to have committed non-consensual sexual intercourse may receive a sanction ranging from suspension to expulsion/termination. As a general expectation, suspensions should last at least until the Reporting Party has graduated (or otherwise separated) from the College.
- Any person who is determined to have committed non-consensual sexual contact or any other prohibited form of conduct may receive a sanction ranging from a warning to expulsion/termination.

The Hearing Body may deviate from the range of recommended corrective action, based upon a full consideration of the following factors:

- the impact of the conduct on the Reporting Party;

- the impact of the conduct on the community, its members, or College property;
- the nature and violence of the conduct at issue;
- prior misconduct by the Responding Party, including the Responding Party's prior discipline or criminal history, both at the College or elsewhere, if known;
- whether the Responding Party has accepted responsibility for their actions;
- how the College has sanctioned similar incidents in the past, based upon information about such similar incidents that the Hearing Coordinator will provide upon request;
- maintenance of a safe and respectful environment conducive to learning;
- protection of the College community; and
- any other mitigating, aggravating or compelling circumstances in order to reach a just and appropriate resolution in each case.

The Hearing Body may also consider educational strategies that, taking into account the impact on the Reporting Party and the safety of the community as a whole, allows a Responding Party to learn about the origins of their behavior, their responsibility for this behavior, and how they can change this behavior. Such strategies may be suggested in addition to, but not in place of, the recommended corrective action.

The Hearing Body will make a recommendation about the appropriate sanction. The Hearing Coordinator and Title IX Coordinator will review the Body's recommendations and take reasonable steps to foster consistency for similar violations and circumstances.

- Corrective action that may be imposed under this policy include, but is not limited to, the following:
- **Warning:** Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- **Disciplinary Probation:** A written reprimand for violating College policy and specifies a period of time during which the Responding is not in good standing with the College resulting in limited participation in College programs, activities, or awards. The party is officially warned that continuation or repetition of prohibited conduct during this period may be cause for additional conduct action including probation, suspension, or expulsion from the College.
- **Training:** A requirement that the Responding Party receive specific training within a designated time period and at their own expense to prevent further misconduct. Failure to submit documentation of completion of the training within the specified time period may lead to further disciplinary action.
- **Limits on Participation:** Exclusion from participation in programs or activities for a specified period of time. For students such limitations may preclude participation in, elected or appointed student positions, student research, athletics, student employment, study abroad, as examples. Additional restrictions or conditions may also be imposed. Violations of the terms of disciplinary probation or any other College policy violations may result in further disciplinary action.
- **Restitution:** Repayment to an affected party, including the College, for damages resulting from a violation of this policy. To enforce this sanction, the College reserves the right to withhold its transcripts

and degrees or to deny a student participation in graduation ceremonies or other programs or activities.

- **Removal from Campus Housing:** Students may be removed from College housing and/or barred from applying for campus housing due to disciplinary violations of this policy without refund and at the students' own expense.
- **Suspension:** Temporary removal from student or employment status for a stated period of time. Notice of this action will remain in the student conduct file or employee file.
- **Expulsion:** Permanent termination of student status and exclusion from College premises, privileges, and activities. This action will remain in the student conduct file and will be permanently recorded on the student's academic transcript.
- **Termination:** Permanent employment separation of the faculty or staff member from the College.
- **Withholding Degree:** The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this policy, including the completion of all corrective action imposed, if any.
- **Revocation of Admission and/or Degree:** Admission to, or a degree awarded by, the College may be revoked for fraud, misrepresentation in obtaining the degree or violation of College policies, the Student Code of Conduct or for other serious violations committed by a student prior to enrollment or graduation.

Other corrective action may be imposed instead of, or in addition to, those specified here. Service, education or research projects may also be assigned. More than one of the corrective actions listed above may be imposed for any single violation.

The Hearing Body may also recommend remedies for the Reporting Party and remedies for the Oberlin community. On the conclusion of the hearing, the Title IX Coordinator is responsible for reviewing, adjusting, and implementing these remedies in order to promptly eliminate discrimination and harassment and prevent its reoccurrence.

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

The Federal Campus Sex Crimes Prevention Act (CSCPA), enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vacation, volunteers services, or is a student.

Law enforcement information provided by the State of Ohio under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (U.S.C. 14071(j)), concerning registered sex offenders, may be obtained from the Lorain County Sheriff's Office, 9896 Murray Ridge Road, Elyria, Ohio 44035, Phone: (440) 329-3709, or on their web site at: <http://www.loraincountysheriff.com/>

An additional statewide database, ESORN or Electronic Sex Offender Registration and Notification of Ohio can be found at the website of Ohio Attorney General Dave Yost. The website is located at: <http://www.ohioattorneygeneral.gov/>

## **Preventing Crime at Oberlin College**

The statistics presented here suggest that Oberlin College is a relatively safe environment. The vast majority of crimes committed on campus consist of theft, most commonly the theft of bicycles and personal property. Nevertheless, every member of the college community needs to develop habits and instincts that minimize risk for themselves and others.

Be aware of what you should do if there is a campus emergency. Read the Quick Reference Guide and know when and how to evacuate your building, shelter in place, or how to take other actions in an emergency. Update your information for emergency notifications given out by the college using ObieWarn. Visit the website <https://www.oberlin.edu/campus-safety/warn> for more information.

Program the phone number of the Campus Safety Office into your cell phone: (440) 775-8444

Remember to call the Campus Safety Office or the Oberlin Police Department at the first sign of trouble.

Individual residence hall rooms should be locked at all times; outer doors must never be propped open. Students should beware of unknown individuals who attempt to “tailgate” or enter behind them as they open an exterior door. Suspicious persons and/or activity should be reported to residential hall staff or the office of Campus Safety. Students should never lend access cards or keys to anyone and report any doors, locks, or windows needing repair to residential hall staff or the Campus Safety Office.

Students should never leave notes on their door dry erase boards announcing no one is home. Room doors should be locked when leaving, even if only leaving for a short time. Loss or theft of room keys should be reported immediately to residential life staff. Students who live in College Village housing or other apartment-style housing should secure their exterior doors, including basement access, when leaving, and not leave valuables unattended on porches, in yards or garages.

Valuable property can be engraved, and inventory lists kept in a safe location to help in reporting and/or recovering losses. Valuables housed in backpacks, book bags, and purses (including laptop computers and other electronic equipment) should not be left unattended in academic buildings, dining facilities, libraries, residential lounges, or classrooms.

Bicycles should be registered with the Campus Safety office or local police and locked with a sturdy lock to a bike rack when not in use. Bikes not used during winter months and while their owner is away from campus should be properly stored in residential life provided storage areas or taken home.

Vehicles parked on campus should be registered with the Campus Safety Office and secured when parked. Valuables should not be stored in plain sight in the interior of vehicles. Operators parking their cars or leaving buildings to travel to a vehicle may request safety escorts during nighttime hours by calling Campus Safety or using any of the emergency “Blue Light” phones found in or near parking lots and at the entrances of adjacent residential halls on campus.

It is incumbent upon all community members to be aware of personal safety practices by avoiding walking alone at night, particularly avoiding less traveled, darkened streets and walkways. Walking in groups and taking advantage of existing safety escort and shuttle services can contribute to one's own safety and the safety of the community.

It is also recommended that community members limit alcohol consumption and leave social functions that become too loud, too crowded, or that have too many people drinking excessively. Students should make agreements with trusted friends to attend and leave social functions together and then keep that pact.

Learn from the Oberlin College Sexual Misconduct Policy that unwelcome touching, administering intoxicants to cloud judgment, and non-consensual sexual conduct are violations of our policy and the law. You have a responsibility to respect others.

As a bystander, be ready to intervene by determining the safest form of assistance—report behavior, seek help from friends, support others in your community by encouraging responsible behavior.

The critical factor in any successful safety and security program is the individual's contribution to their personal safety and the safety of others, and the security of property in observing safe practices.