# *Oberlin College*

# *Annual Safety and Security Report*

# *2017*

*The information and statistics contained herein in the Annual Safety and Security Report (ASR) is being presented to the Oberlin College community in accordance with the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Campus SaVE 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 security reports for our campus.*

*These reports are available on the web at <*[*http://new.oberlin.edu/office/safety-and-security/*](http://new.oberlin.edu/office/safety-and-security/)*> and in the format of paper copies. Paper copies of each are available for individuals to pick up at the Office of Safety and Security, 159 West Lorain Street, Oberlin, OH 44074. To have a copy mailed to you, send a written request to the Office of Safety and Security 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* [*Clifton.Barnes@oberlin.edu*](mailto:Clifton.Barnes@oberlin.edu) *You may also make the request by phone to our administrative office at: (440) 775-8877.*

**Oberlin College Safety and Security Office**

**159 West Lorain Street**

**Oberlin, Ohio 44074**

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

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

(Call goes directly to County Emergency Services, but not through the Oberlin College

Safety and Security Offices dispatching center)

College Extension: 58911

**Service Number (Non Emergency) 440-775-8444**

College Extension: 58444

Administrative Offices: 440-775-8877

College Extension: 58877

**Student Shuttle Service: 775-RIDE (7433)**

College Extension: 57433

**Mike Martinsen, Director**

[Mike.Martinsen@oberlin.edu](mailto:Mike.Martinsen@oberlin.edu)

### Criminal Offense Statistics 2017

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the College community obtained from the following sources:  The Office of Safety and Security, the Oberlin Police Department (OPD), the Oberlin Fire Department (OFD), the 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,) are sources of information for

The non-campus location of Oberlin-in-London (OiL) is located in the Bloomsbury neighborhood of London. The facility that houses classrooms is the Florida State University London Study Centre at 99-103 Great Russell Street, London, WC1B3LA England. For statistical information, Oberlin College holds classes within this location for Spring semester, only, and statistics are included for the classroom(s), public hallways, entrances and adjacent public sidewalk, and public restrooms within the building. It does not have on-site Oberlin College Safety and Security presence, rather is under the law enforcement jurisdiction of the London Metropolitan Police, who are responsible for enforcing laws and making arrests. Oberlin College does not have a MOU with this agency regarding the investigation of alleged or reported crimes or criminal incidents. Donna Vinter is the Resident Director of the Oberlin in London Program, 103 Great Russell Street, London, WC 1B 3LA, phone: 020-7813-3265 for our non-campus facility.

For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. Arson and VAWA 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.

A written request for statistical information is made on an annual basis to College Deans, Directors, and Department Heads, and those officials with significant responsibility for student and campus activities.  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, does provide statistical information only about cases where the victim chose not to report the incident to the office of Safety and Security.

All of the statistics are reported to the Community via the compliance document “Oberlin College Annual Safety and Security Report” which is published by the Safety and Security Office and available by October 1, yearly. A postcard is sent to every enrolled students and current employees on an annual basis.  The postcard includes notice of the report's availability, a brief description of the contents of the report, opportunity to request a hard copy and the address of the Safety and Security administrative office where they can obtain one, and a phone number to call or email addresses to request a copy. The exact URL to the report is included.

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

The following reported criminal offenses were made known to the Office of Safety and Security and/or the Oberlin Police Department during the calendar years 2014, 2015, and 2016. The statistics reflect reports made to other departments within the College whose individuals or departments have informed the Safety and Security 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.

**Oberlin College Campus Crime Statistics**

for the calendar years **2016**, 2015, 2014

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Offense**  **(Reported By Hierarchy)** | **Year** | **On Campus** | **Non-Campus** | **Public Property** | **Total** | **On-Campus**  **Student**  **Housing**  **Facilities** |
| Murder/Non Negligent Manslaughter | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | **0** | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Sexual Offense, Rape  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Sexual Offense, Fondling  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Sex Offenses, Forcible  (Rape, Sodomy, Sexual Assault with an object, Fondling) | **2016** | **16** | **0** | **0** | **16** | **7** |
| 2015 | 9 | 0 | 0 | 9 | 0 |
| 2014 | 11 | 0 | 0 | 11 | 10 |
| **2016** | **2** | **0** | **0** | **2** | **2** |
| 2015 | 1 | 0 | 0 | 1 | 0 |
| 2014 | 11 | 0 | 0 | 11 | 10 |
| **2016** | **18** | **0** | **0** | **18** | **9** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Sexual Offense, Incest  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | **2016** | 0 | 0 | 0 | 0 | 0 |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| Sexual Offense, Statutory Rape  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Non-Forcible Sexual Offenses  (Incest and Statutory Rape) | 2014 | 0 | 0 | 0 | 0 | 0 |
| **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Robbery | **2016** | **0** | **0** | **0** | **1** | **0** |
| 2015 | 1 | 0 | 0 | 1 | 0 |
| 2014 | 1 | 0 | 0 | 1 | 1 |
| Aggravated Assault | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 1 | 0 | 0 | 1 | 0 |
| 2014 | 1 | 0 | 0 | 1 | 0 |
| Burglary | **2016** | **27** |  | **0** | **27** | **19** |
| 2015 | 25 | 0 | 0 | 25 | 15 |
| 2014 | 47 | 14 | 0 | 47 | 33 |
| Motor Vehicle Theft | **2016** | **1** | **0** | **0** | **1** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Arrests | **2016** | **0** | **1** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 2 | 0 | 0 | 2 | 1 |
| Drug Law Arrests | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 4 | 1 | 0 | 4 | 3 |
| Weapons Law Arrests | **2016** | **1** | **0** | **0** | **1** | **1** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Violations Referred for Disciplinary  Action | **2016** | **172** | **39** | **1** | **172** | **132** |
| 2015 | 153 | 1 | 0 | 154 | 137 |
| 2014 | 172 | 0 | 0 | 172 | 160 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Drug Law Violations Referred for  Disciplinary Action | **2016** | **162** | **33** | **0** | **162** | **129** |
| 2015 | 101 | 0 | 0 | 101 | 94 |
| 2014 | 92 | 0 | 0 | 92 | 92 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Arson | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 2 | 0 | 0 | 2 | 0 |
| 2014 | 2 | 0 | 0 | 2 | 0 |
| VAWA Offense,  Domestic Violence | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 | 0 | 0 | 0 | 0 | 0 |
| VAWA Offense,  Dating Violence | **2016** | **10** | **3** | **0** | **10** | **7** |
| 2015 | 14 | 0 | 0 | 14 | 12 |
| 2014 | 9 | 0 | 0 | 9 | 8 |
| VAWA Offense,  Stalking | **2016** | **10** | **3** | **0** | **10** | **7** |
| 2015 | 16 | 0 | 0 | 16 | 13 |
| 2014 | 5 | 0 | 0 | 5 | 3 |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Total Number  Unfounded Crimes | **2016** | **0** | **0** | **0** | **0** | **0** |
| 2015 | 0 | 0 | 0 | 0 | 0 |
| 2014 |  |  |  |  |  |

The total number of unfounded crimes would include all criminal offenses, hate crimes, arrests or disciplinary action referrals for weapons, drug, 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 unfound a crime. Oberlin College Safety and Security is not a law enforcement agency, and will not 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 geographic location is either off campus, or has not been specified in a way that allows for classification:

* **In 2015,** (3) incidents of rape were reported to have occurred, where the location of the offense was not reported. (3) incidents of rape were reported, but the locations where the offense was reported to have occurred was off campus. (1) incident of stalking was reported to have occurred out of state in the reporting person’s hometown. (1) incident of a domestic violence protection order, issued in another county was reported to be in place, but no incident occurred geographically in relation to the campus.
* In 2014, (4) forcible sex offenses were reported to have occurred, where the location of the offense was not reported. (4) forcible sex offenses of rape and one forcible sex offense of fondling were reported, but the locations where the offense was reported to have occurred was off campus. (1) incident of relationship violence was reported where the location where it was to have occurred was not reported.

**Occurrences of Hate Crimes:**

**In the calendar year 2015 the following Hate Crimes were reported:**

* One incident of Destruction/Damage/Vandalism of Property involving the destruction of a display board On Campus in a Residential Hall involving the bias of Race was reported.
* One incident of Intimidation (menacing) involving the bias of Race was reported On Campus in a Residential Hall.

In the calendar year 2014 the following Hate Crimes were reported:

* One incident of Destruction/Damage/Vandalism of Property involving the bias of Ethnicity was reported On Campus.
* One incident of Intimidation (menacing) involving the biases of race and ethnicity was reported On Campus
* One incident of Intimidation (menacing) involving the biases of race and gender was reported On Campus

**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, that is within the campus, or immediately adjacent to and accessible from the campus.*

**Crime Definitions**

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 Investigations’ (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 usually is 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.(Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including guarding).

**Arson**- Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or air craft 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 Crimes 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 person 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 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 relationships hall 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.

**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’s Safety and Security Office**

A professional staff of uniformed Safety and Security 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; initial response to criminal activity; medical and fire emergencies; and other incidents requiring safety and security assistance. Safety and Security officers patrol all public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus as well as those areas immediately adjacent to and accessible from the campus. The radio frequency used by the Safety and Security office is monitored by the Oberlin Police Department. 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 and Security, 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 Safety and Security office are forwarded to the Dean of Students office for review and potential follow-up by the class deans, the judicial coordinator, or other appropriate office on campus.  Judicial coordinators also welcome direct reports from community members, and ask the reporting person to make a contact with the Office of Safety and Security in order to initiate action or a response within the College. To assist those students and community members who report incidents, Oberlin College employs a system of appropriately trained on-call deans. Officers are encouraged to build rapport with members of the College community in the belief 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 Safety and Security 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 resources that are available 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 Safety and Security 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 not a confidential reporting process for crimes accommodated in Ohio law, there are privacy accommodations within the College to limit conveying the identity of the reporting person to ensure the future safety of the reporting person and the community, and to keep an accurate record of the number of incidents affecting the campus community.  Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution and may be included in consideration of issuance of a campus alert to potential danger.

In any report or investigation by law enforcement where a subpoena is issued for Safety and Security 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 Safety and Security 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 release of information if the student wishes to do so. As a point of explanation, Safety and Security 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 to 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 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 < <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>>.

**Safety and Security Office Authority, Monitoring, and Reporting of Criminal Activity**

The Safety and Security office coordinates a comprehensive public safety and security program for the Oberlin College community encouraging the active participation of all community members, and 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 they are needed by the College community after regular business hours, and alerts the broader services such as the Oberlin Police Department, Oberlin Fire Department, and Central Lorain County Ambulance District.

Safety and Security officers are not sworn police officers and have arrest powers limited to those of the ordinary citizen under the laws of the State of Ohio. However, they work closely with the Oberlin Police Department and Oberlin Fire Department, within whose jurisdiction the Oberlin College campus lies, to ensure a safe and secure campus. Staff of the Safety and Security Office and other college administrators meets regularly with members of the Oberlin Police and Fire Departments, and periodically with the Lorain County Sheriff’s Office. 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, Safety and Security 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 to the responding Safety and Security officer, and / or persons who may fall within actions where the College might wish to invoke the State 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.

Safety and Security will assist community members contact law enforcement officers whenever a victim wishes to do so, and recommend to victims who report crimes only to Safety and Security 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 Safety and Security will notify the Oberlin Police Department. Existing protocols specify procedures to be followed by the College and the City in the investigation and final disposition of incidents of criminal activity occurring on College property. Information on criminal activity both on and off the campus is shared to the fullest extent possible under existing laws governing privacy of records and reports. Oberlin Fire Department responds to all on-campus fire alarms and releases its authority over the site of response 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 Safety and Security Office also partners with the Oberlin College Manager of Environmental Health and Safety who oversees and responds for the safe use of chemicals or hazardous materials on campus; oversees safety regulations, supports College and local emergency response on campus; 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 belongs are shared with the Safety and Security 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 Safety and Security web site in connection with the Oberlin College Trespass Policy List of Properties. A map of Oberlin College properties is housed in the Safety and Security Director’s office.

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

Potential criminal action 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 campus telephone. The countywide emergency 911 service will directly contact fire, law enforcement, or EMS rescue services, who may request assistance from the office of Safety and Security. This service is not available when using the campus emergency "Blue Light" telephone system, and there is no automatic notification to the Safety and Security office through the county 911 system. Safety and Security is signaled when an emergency 911 call is placed from a land line that goes through the College switchboard. 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 in a timely manner to the Safety and Security Office, 159 W. Lorain St., Oberlin, Ohio 44074 in person or by telephone to (440) 775-8444 (campus ext. 58444, or alternatively 58911.) The Safety and Security 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. Cell phones with other than local area codes 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

Any student, employee, or member of the Oberlin College community who has experienced sexual misconduct or violence is encouraged to immediately notify law enforcement and / or seek medical assistance. 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 Safety and Security or to local law enforcement personnel by a victim, witness, or other third party, or by the offender(s). If a Campus Security Authority receives a crime report, they must report it to the Office of Safety and Security 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 Safety and Security will provide transportation upon request, or, when warranted, arrange for transport by medical personnel. College Community members are encouraged to report the misconduct or violence promptly to the College by notifying any of the on-campus reporting options listed here.

Early reporting is supportive of preserving evidence that can provide proof in a criminal (or campus disciplinary) proceeding, and may be helpful in obtaining a protection order. Evidence may be collected by a Sexual Assault Nurse Examiner, or additional physical evidence may be collected at the scene of an assault by law enforcement.

Emergency Assistance:

24-hour Emergency Response while on Campus: Oberlin College Safety and Security:

(440) 775-8911 or -8444 (located at 159 West Lorain Street, 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 185 South Main Street, Oberlin, OH 44074)

Health and Safety:

The Nord Center Sexual Assault Care Unit: (800) 888-6161

Mercy Allen Hospital: (440) 775-1211 (located at 200 West Lorain Street, Oberlin, OH 44074)

Central Lorain County 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 Safety and Security (440) 775-8911 or -8444 (located at 159 West Lorain Street, 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 privacy of individuals involved in a manner consistent with the need for 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 to the College. An individual may seek confidential support as designated below, but it is recognized that individuals may choose to make a report of sexual misconduct to any College employee. With the exception of Confidential Resources, all Campus Security Authorities and Responsible Employees, including student employees or volunteers, who have a responsibility 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 247 West Lorain Street, Suite D, Oberlin, OH 44074)

Office of Spiritual and Religious Life (440) 775-5191

(located in Wilder Hall Room 217, 135 West Lorain Street, Oberlin, OH 44074)

Nord Center Confidential Student Advocate, Melissa Counts (440) 204-4359

(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)

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

Non-Emergency Reporting Options On Campus

Oberlin College Safety and Security (440) 775-8444 (located at 159 West Lorain Street, Oberlin, OH 44074) (Title IX Team members are Mike Martinsen, Director and Clifton Barnes, Assistant Director)

Dean of Students Meredith Raimondo (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 202, 52 West Lorain Street, Oberlin, OH 44074)

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

(located in the Conservatory Dean’s Office, Bibbins Hall 113C, 77 West College 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)

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 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 Safety and Security, and each of their offices, 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. Depending on the extent of information available about the incident or individuals involved, however, the College’s ability to respond to an anonymous report may be limited. Currently, inquiries about making an anonymous report can be made 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 in order 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 relates to crisis counseling, the preservation of evidence, and security 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 Oberlin 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 Safety and Security Office; any individual who has responsibility for campus security, but who is not a member of the Safety and Security 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 (Safety and Security officers, Dean of Students staff, Dean of Studies staff, Multicultural Resource Center staff, Ombudsperson, Deans of Student Academic Services, Class Deans, Vice President of Human Resources, Title IX Coordinator and staff, ResEd Area Coordinators, student staff and monitors, CoOp administrators, HLEC’s and SOPAS, 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 security to notify the Oberlin Police Department or the Oberlin College Safety and Security 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 key word is “report,” as no verification or investigation needs 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 Safety and Security 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, Safety and Security should be promptly contacted (440) 775-8911 or-8444. Responsible employees should remain mindful of protection of 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 Sexual Misconduct Policy**

Oberlin College is committed to protecting the privacy of individuals involved in a report or investigation, including those filed under the Sexual Misconduct 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 instruction 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 limed 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 express permission of the individual, or that falls within exceptional circumstances defined in Ohio law. These designated campus or community professionals include mental health providers, ordained clergy, trained rape crisis counselors and attorneys, all of whom 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.

By policy, the College has designated a Title IX Student Advocate who is Private on Campus, with whom students may consult or seek support. The Advocate provides advice in connecting to support services, while sharing information necessary to assess the needs of maintaining safety for the individual and the community, not triggering a College investigation into an incident against the person’s wishes.

State and federal law, as well as ethical obligation to provide an educational and occupational environment free of violence and discrimination place some limits on confidentiality form most members of the 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 Safety and Security. 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 who 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 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 the 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 Sexual Misconduct 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 Safety and Security informs the campus community about serious crimes and breaches of Safety and Security in the following manner:

**Oberlin College Emergency Alert System** 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, as determined by the Safety and Security 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. Notifications are prescripted, with the ability to modify or compose messages to fit ongoing circumstances. Safety and Security administrators, shift supervisors and communication officers are provided training in, 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.

The College has entered into the database of the emergency alert system the phone numbers and e-mail addresses of faculty, staff, and students that are on file by mid-August of each year in the offices of Human Resources and the College Registrar. Each student, faculty member, and staff member has the option to register preferred telephone numbers and email addresses into the database serving the system, and is responsible for verifying or updating 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, <http://www.oberlin.edu/warn> or

Emergency Procedures are published in the form of a quick reference guide as additional resources in *Student Regulations Policies and Procedures* on line at < <http://new.oberlin.edu/students/policies/emergency-procedures> > The 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 notify Emergency 911 and the Safety and Security Office immediately for assistance and 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 may also be found on the Safety and Security web site.

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 exiting, 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, and may be relocated to a nearby building lobby if weather is inclement. In case of a medium or long term evacuation need, the Dean of Students’ on-call systems are activated to and a response team would form to assess needs and reassign or arrange for temporary accommodations (and transportation if necessary.) The emergency alert system, community information system, recorded emergency phone (2-WARN) information line (1-888-432-9276), and web information as well as communication through resident directors and class deans would be utilized to communicate plans to students and to inform parents of the College response.

During the calendar year 2015, the campus practiced residential hall fire evacuations; numbering approximately 124 residential housing fire alarms. The College Emergency Response Team and invited College departments and supervisors practiced 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 Safety and Security Office, and six additional instructors within the College administration. Active shooter response of Run, Hide, Fight were offered and practiced with office staff, faculty and students, as well as follow-up visits to specific areas are quested 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 Safety and Security Office, the Central Lorain County Ambulance District serving Mercy Allen Hospital, 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 which may pose a threat to members of the community the office of Safety and Security, in conjunction with the offices of the Dean of Students and Communications, issues Campus Safety Alerts in a timely manner to notify community members about certain crimes in and around our community. Members of the community who know of a crime or other serious incident should report that incident as soon as possible to the Safety and Security Office so that a Campus Safety Alert can be issued, if warranted.

When a report of sexual misconduct discloses a serious or continuing threat to the Oberlin community, a campus-wide timely warning notice may be issued to protect the health or safety of the community when a report is shared by the Title IX Officer with the Safety and Security 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 name of the reporting party 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.

Yellow “Clery Timely Warning Notices” and “Special Alert” notices are posted at approximately 90 locations on campus.  Timely warnings are usually posted for a time period of five days for the following classifications:  aggravated assault, criminal homicide, robbery, and sex offenses, but special alerts may also be posted for other classifications as deemed necessary when circumstances warrant. Additional examples of postings for the 2015 calendar year included conveyances of Oberlin Police Department community notices, warnings about dangerous drugs within the county or the city, and warnings of series of property crimes or bicycle thefts. These campus-wide notices contain available pertinent facts about the incident, as well as relevant tips on crime prevention and personal safety. An alert 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 OnCampus web portal, <https://oncampus.oberlin.edu/faculty-staff> and <https://oncampus.oberlin.edu/students> available to the Oberlin Community, or as an email through the community notice function of the College Emergency Alert System.

**A weekly media report**, prepared by the Safety and Security 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*.

**A daily crime log** is available for review at the Safety and Security office, 159 West Lorain from 8:00am - 4:30 p.m. 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 in accord with the federal Higher Education Opportunity Act of 2008, Section 485(j):

1. Each Oberlin student, eighteen (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 twenty-four (24) hours after the time circumstances indicate that the student may be determined missing. For each student who is under age eighteen (18) and not emancipated, the institution is required to notify the custodial parent not later than twenty-four (24) hours after the time that the student may be determined missing.
2. The confidential contact is a person designated by the student in addition to the emergency contact listed with the College Registrar. The contact information is registered confidentially and accessible only to authorized campus officials. It may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. 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 the College Registrar will be used. The emergency contact may be notified in addition to any confidential contact provided.
3. Each student, eighteen (18) years of age or older, may register a person whom he or she designates 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, 105 Wilder Hall, 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, as well as 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. Oberlin College will notify the Oberlin Police Department or other appropriate law enforcement agencies not later than twenty-four (24) hours after the time a student is determined to be missing. A student is determined to be missing when a report comes to the attention of the College and the College determines the report to be credible. College officials receiving a missing persons report relating to a student are required to notify the Office of Safety and Security immediately to investigate and make a determination that a student who is the subject of a missing report has been missing for more than twenty-four (24) hours and has not returned to campus. Safety and Security will notify the Oberlin Police Department of the circumstances presented with the report of a missing student as soon as it is established that avenues to contact the student have been exhausted (even when less than twenty-four (24) hours of time has elapsed), or immediately if circumstances of criminality or safety are determined to be involved. The Dean of Students office, through the Dean on Call system, will initiate the notification to the confidential contact, as provided above, and to the emergency contact person provided to the College upon enrollment for investigative and / or notification purposes.

### 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 subject to certain conditions, in order 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 all students. 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. 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. As residential halls are remodeled, the individual room doors of residential halls upgraded are being converted to card access, which leaves the room door in a normally locked status, with emergency key override. As of fall of 2015, the rooms affected with this upgrade are residential rooms contained in Asia House, Bailey House, Burton, Noah, Harvey, Kade, Kahn, Price, Lord, Saunders, and Zechiel Halls/Houses. Keyless Academic spaces include Rice Faculty offices (all floors), the Kohl Building, the Geology Department within Carnegie, King Computer Science, the Apollo Theater, and the second and third floors of Bibbins, Conservatory. Additionally, in 2016, an upgrade of academic building frequently used exterior entries and exits included forensic camera coverage of entry ways 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 has been utilized. In Phase 3 of forensic camera upgrades, approximately half of academic buildings on campus have entry ways outfitted with card camera and card access and are being brought on line at the end of September 2017

A sophisticated computer-based life-safety system located in the office of Safety and Security 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 Safety and Security office. Additionally, the emergency telephones report to the Safety and Security office.

The College’s security systems, including the fire alarm, electronic card access, intrusion detection, and emergency telephone systems, are inspected and tested by the staffs of the Safety and Security office, Facilities Operations office, and Tyco/ Simplex-Grinnell Fire and Security Services contractors. 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 Safety and Security 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.

### Safety and Security 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, sets a series of contacts by Safety and Security 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 the needs of specific groups of community members, and are available on 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 (a program presented by ResponseOptions,) is a training presenting techniques of response methods for surviving gun violence in a classroom or office setting. A short (90-minute to two-hour) course gives participants insight and response options to only sheltering in 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 affords an opportunity to introduce issues affecting the larger community in a timely manner. The officers are present at the arrival of first year students, Parent/Student Resource Fair, as well as other events featuring information on safety of the community (Off-Campus Housing Fair, Annual Safety Fair) and are available to speak or interact with staff for their selected topic of discussion.
* **Posters** displayed in campus buildings raise awareness of specific crimes and remind occupants of the need for good safety and security practices.
* **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. The presentation entitled “The OC,” is an Orientation program presented to all incoming first-year students addressing timely issues of sexual assault and sexual consent, drugs, and alcohol, and additional timely issues including stalking prevention, and drug and alcohol self-assessment and education followed by discussions with Residential Education Resident Assistants. Alcohol and Drug education and assessment programming is available through participation in Choices, e-Chug and e-Toke programming. Residential Education provides programming in the responsible use of alcohol, as well as responsible party-planning and timely issues in apartment-style residential living. Some Residential Education Deans and Resident Directors, acting as judicial officers, hear residential education housing violations and assign education programming and research papers as sanctions relating to specific safety and security regulation violations. The Office of Equity Concerns, Diversity and Inclusion works with the community in areas of consent, sexual harassment, and sexual assault and with Title IX requirements. Through this office, approximately sixty peer-instructors have been trained to conduct courses in consent, policy, and intervention strategies for campus community members. Members of the Safety and Security office also participate in crime prevention in their individual contacts with the public.
* **The Campus Safety Whistle Program supplies** a visual reminder of a commitment to personal safety (and safety of others in the community,) and to encourage community members to pay attention to their surroundings and the crime prevention information received with the whistle. It is presented to approximately 400 student and staff members each year in conjunction with an interaction of talking points raising awareness of basic personal and property safety practices and a pledge to participate in the safety of the community.
* **Walking safety escorts** are provided by the Safety and Security 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 Safety and Security or using any of the distinctively marked (blue) campus emergency phones.
* **The Student Shuttle System** a student staffed service provides a stop-to-stop vehicle escort service to members of the College community from 9:00 p.m. to 2:00 a.m. daily during each week of scheduled classes. It serves a designated route on the College campus, with limited off-campus stops. Information on the service is available in brochures distributed on campus and by calling Ext. 57433 from on campus, or 7-775-RIDE (7433) from College Village Housing and 137 Elm Street.
* **Operation Identification** is a crime prevention program which 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 Safety and Security office and police identify lost or stolen property. The office has a number of electric engravers 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** have 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 officers file reports of campus lighting which needs attention / repair daily while on patrol and the public is invited to also report lighting issues via the College work order system, “SchoolDude” or by making a phone report to Safety and Security during night time hours.
* **Emergency Telephone System** maintained by the College consists of 86 emergency telephones throughout the campus. Thirty-nine 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 located and identified by the bright blue light atop a black pedestal. The remaining emergency telephones are located at the primary entrance(s) of each residence hall; and within some academic buildings. The automatic dialing capability provides direct contact with the Safety and Security communications officer, coded location of the call origin, and immediate dispatch of a Safety and Security officer.
* **Fire safety information** is provided to assist in reporting fire safety concerns for repair or improvement, and regular fire drills, four times each year, are provided for the safety of students living 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. Oberlin Fire Department meets with RA’s and 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.
* **Safety and Security officers** provide American Heart Association First Aid, CPR, AED assistance in cases of injury or illness. Contact is made with 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 Safety and Security office web page** within Oberlin On-line allows the Oberlin community and those outside the College to acquire information regarding safety and security at the College. The web page can be accessed at *<*[*http://new.oberlin.edu/office/safety-and-security/*](http://new.oberlin.edu/office/safety-and-security/)*>*
* **The Safety and Security office** strictly enforces the **Parking Regulations** of the College 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.

### 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 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. The Policy on Alcohol, Drugs and Tobacco has been revised in 2015 to reflect a revision in sanctions, and to provide a revised approach to contraband found during ResEd Housing inspections.

While the college’s emphasis is on 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 members of the faculty and staff. 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 are 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 < http://new.oberlin.edu/students/policies/educational-intervention-for-infractions-of-the-policy-on-alcohol-drugs-and-tobacco>. Sanctions will customarily be imposed except in cases in which 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 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 circumstance and is likely to deter repeat violations of these or other college policies.

The Biennial Review of the Alcohol and Other Drug Prevention Program of Oberlin College, as required by the Drug-Free Schools and Campuses Act, is complete for the period of 2012 through 2014. It is compiled by an Ad Hoc Committee for Compliance Review of Drug-Free Schools and Campuses Act, and is housed in the Dean of Students Office, Wilder 105, 135 West Lorain Street, Oberlin Ohio, 44074. (440) 775-8462. Assistant Dean of Students Amy Salim coordinated the review for the current time period.

The Oberlin College *Student Regulations, Policies, and Procedures* is published on line, yearly at the commencement of fall semester, and may be accessed via the web in a searchable PDF version online at <http://oberlin.edu/studentpolicies/social/> 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 content of the *Student Regulations, Policies, and Procedures*.

### Sexual Misconduct Policy—Summary and Policy Statements

Oberlin College seeks to ensure an equitable and inclusive campus free of violence, harassment, and discrimination. The following summary describes Oberlin College policy and procedures for resolving reports of sexual and/or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence. Such conduct is prohibited by College policy as well as by state and federal law. For more information, please see the complete Sexual Misconduct Policy at <http://new.oberlin.edu/office/equity-concerns/sexual-misconduct-policy/>.

While many specific policy statements relating to the elements of the Violence Against Women Act Amendments to the Clery Act, are included in the 2016 Annual Safety and Security Report in previous sections, below is additional information pertaining to elements of the policy:

Prohibited Conduct and Effective Consent. Oberlin College prohibits all forms of sexual- and or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence. Each of these terms encompasses a broad range of behaviors. In general, sexual violence refers to physical sexual acts perpetrated without a person’s consent or where a person is incapable of giving consent for any reason, including incapacitation.

Intimate partner violence refers to any act of violence or threatened act of violence (sexual, physical, verbal, emotional, economic, or otherwise) against a person who is or has been involved in a sexual, dating, domestic, or other intimate relationship with that person. Conduct which prevents or impairs an individual’s access to educational or occupational benefits or opportunities based on sex, gender identity, and or expression, or sexual orientation, constitutes harassment and also is prohibited.

Sexual- and or gender-based harassment, discrimination, and violence, including sexual violence, stalking, and intimate partner violence, may vary in their severity. The following descriptions represent behaviors that violate community standards and a person's rights, dignity and integrity (please note that this is not an exhaustive list, and detailed conditions are further presented in the full policy on line):

Sexual Harassment or Gender-Based Harassment. Sexual harassment is any unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and or other verbal, nonverbal, or physical conduct of a sexual nature. (See policy page for defined/detailed conditions including physical, verbal, visual, and quid pro quo conduct)

Sexual Assault. Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated and thus incapable of consent. Sexual assault includes the following acts:

Related to Non-consensual Sexual Intercourse: Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

Related to Non-consensual Sexual Contact: Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner.

Sexual Exploitation. Occurs when an individual takes non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to:

* surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
* non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
* exposing one's genitals or inducing another to expose their own genitals in non-consensual circumstances (such behavior may also constitute Public Nudity);
* knowingly exposing another individual to a sexually transmitted infection without their knowledge;
* hazing and or bullying related to sex or gender; and
* inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Intimate Partner Violence. Intimate partner violence is often referred to as dating violence, domestic violence or relationship violence. Intimate partner violence includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic or other intimate relationship with the Responding Party. Intimate partner violence can encompass a broad range of behavior including all of the above categories of sexual misconduct. It may involve one act or an ongoing pattern of behavior. Intimate partner violence may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner, or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and all racial, social, and economic backgrounds.

Stalking. A course of conduct directed at another individual that could be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party. A course of conduct consists of at least two acts. The feared harm or injury may be physical, emotional, or psychological, or related to the personal safety, property, education, or employment of that individual. Stalking includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Retaliation. Any adverse action or attempt to retaliate or seek retribution against a Reporting Party, Responding Party, or any individual or group of individuals involved in a report, investigation and or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others, and in varying modes, including in person and in electronic and online communication. Retaliation can also include adverse employment or educational actions made or taken against an individual because of their good faith participation in the reporting, investigation, and or resolution of an alleged violation of this policy and or any conduct that would discourage a reasonable person from engaging in further protected activity.

Public Nudity. Public nudity occurs when a person exposes one's private parts or engages in sexual conduct or masturbation in any public place or in any place where the person's conduct is likely to be viewed by and affront others who are in the person's physical proximity. This prohibition aligns with Ohio law on public indecency (Ohio Revised Code 2907.90). This policy's prohibition against public nudity should be understood as a strategy to prevent the development of hostile environments. It is not intended to place constraints on academic freedom, which protects intellectual and expressive representations of the body and classroom materials which may include nudity.

Evaluation of spouses, intimate partners, or family members. Because of the concern with power dynamics as well as the importance of addressing conflicts of interest, Oberlin College prohibits employees from participating in evaluative personnel decisions (including those related to hiring, performance review, compensation, and termination) about other employees with whom they are in a sexual, intimate, and or familial relationship.

Prohibited Relationships by Persons in Authority. Because of the potential negative impact on individuals as well as the college learning and working community, faculty and staff members are prohibited from engaging in sexual relationships with students to whom they are not married or in formal domestic partnerships, even when both parties believe the conduct is consensual. This prohibition reflects an understanding that power inequalities due to role differences between faculty/staff and students affect the possibilities of effective consent. This prohibition also reflects the college's commitment to respecting the integrity and character of the unique teaching relationship that exists between faculty and students. Sexual relations between persons occupying asymmetrical positions of power, even when both consent, raise suspicions that the person in authority has violated standards of professional conduct and potentially subject the person in authority to charges of sexual harassment based on changes in the perspective of the individuals as to the consensual nature of the relationship. Similarly, these relationships may impact third parties based on perceived or actual favoritism or special treatment based on the relationship. Retaliation against persons who report concerns about consensual relationships is prohibited and constitutes a violation of this policy.

Effective Consent, Coercion, Incapacitation. Obtaining effective consent of all sexual partners is crucial in order to prevent sexual violence and is required by the Sexual Misconduct Policy. Effective consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. It is the responsibility of both parties who engage in sexual activity to ensure that effective consent is obtained for each sexual act and over the entire course of each sexual encounter. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts. Consent may be withdrawn at any time, and at that time, all sexual activity must cease unless and until additional unambiguous consent is given.

The following are essential elements of effective consent:

* Informed: all parties demonstrate a clear and mutual understanding of exactly to what they are consenting.
* Freely and actively given: there is no coercion, force, threats, intimidation, or pressure.
* Mutually understandable: expressed in words or actions that indicate a clear willingness to participate in each sexual act. Silence does not equal consent.
* Specific to a given situation: consent is not indefinite. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time.
* Because consent should be positively communicated through words or actions in an ongoing fashion, consent cannot be inferred or assumed based on silence, lack of verbal objection, lack of physical resistance, previous sexual relationships, and or a current sexual relationship.

Barriers to Effective Consent. Effective consent cannot be obtained through the use of fraud or force (actual or implied), threats, intimidation, or coercion. A lack of perceptible resistance (verbal or physical attempts to communicate a lack of consent) does not constitute evidence that consent was given. Under the following conditions, effective consent is not possible:

**Age**: In the state of Ohio, consent to sexual activity cannot be given by minors under the age of 16.

**Force**: Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Reporting Party resists the sexual advance or request. However, resistance by the Reporting Party will be viewed as a clear demonstration of non-consent.

**Coercion**: Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. Examples of coercion include threatening to disclose private information about someone's sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

**Incapacitation**: Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act (e.g., to understand the who, what, when, where, why or how of the sexual interaction) and or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if they are asleep, unconscious, or otherwise unaware that sexual activity is occurring. The use of alcohol or other drugs does not, in and of itself, negate a person's ability to give consent, but a level of intoxication can be reached, short of losing consciousness, in which a person's judgment is so impaired that they become incapacitated and thus are not capable of giving consent. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and or drugs impact an individual's decision-making ability, awareness of consequences, ability to make informed judgments, or capacity to appreciate the nature and the quality of the act.

Because the use of alcohol and other drugs can have a cumulative effect over time, a person who may not have been incapacitated at the beginning of sexual activity may become incapacitated and therefore unable to give effective consent as the sexual activity continues. Evaluating incapacitation also requires an assessment of whether a responding party, or a sober, reasonable person in the responding party's position, knew or should have known, that the reporting party was incapacitated. If the person who wants to engage in sexual activity is too intoxicated to judge another's communications about consent, that person has an obligation to cease the activity. A person's responsibility for obtaining consent is not diminished by use of alcohol and or other drugs. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual violence, stalking or intimate partner violence and does not diminish one's responsibility to obtain consent.

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. The Sexual Misconduct Policy applies to all members of the Oberlin College community, including students, employees, and visitors. The policy applies to both on campus and off campus conduct. In particular, off-campus conduct is subject to the 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.

Notice of Non-Discrimination. Oberlin College does not discriminate on the bias of race, color, sex, marital status, religion, creed, national origin, disability, age, genetic information, military or veteran status, sexual orientation, family relationships to an employee of Oberlin College and gender identity and expression, or any other protected class.

Title IX Coordinator Rebecca Mosely, the Interim 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 [rmosely@oberlin.edu](mailto:rmosely@oberlin.edu)

Title IX Review Team. Oberlin College’s Title IX review consists of an inter-departmental structure which includes, as appropriate, the Title IX Coordinator, a designee from the Dean of Students, a designee from the Dean of the College or the Dean of the Conservatory, the Manager of the Employee and Labor Relations, and the Director of Safety and Security, two Deputy Title IX Coordinators, a Special Advisor, and the Title IX Prevention Educator. This team, which is overseen by the Title IX Coordinator, is responsible for the prompt and equitable review and resolution of any reports under the Student, Staff, or Faculty Report Process. The Members of the team will vary based upon the roles of the parties involved. In all cases, the Title IX Team will be limited to a small number of individuals who need to be informed in order to provide effective and equitable review and timely resolution of reports while protecting the privacy of parties as fully as possible.

2017 Title IX Central Team Members (additional administrators by invitation as needed):

Christopher Jenkins, Assistant Dean of Academic Support, Conservatory Dean’s 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](mailto:erica.rau@oberlin)

Michael Martinsen Burton, Director of Safety and Security, Safety and Security Office

(440) 775-5782 or [mike.martinsen@oberlin.edu](mailto:mike.martinsen@oberlin.edu)

Clifton Barnes, Assistant Director of Safety and Security, Safety and Security Office

(440) 775-5776 or [Clifton.Barnes@oberlin.edu](mailto:Clifton.Barnes@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)

## Reporting. Oberlin College will take immediate action in all allegations of sexual and/or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, to protect the safety of the community and individuals involved. The College encourages anyone who has experienced, witnessed, or has information pertaining to a potential violation of Sexual Misconduct Policy to take an active role in reporting this behavior.

Students and employees are encouraged to report information regarding an incident of sexual misconduct to designated employees of the College. These reporting options are: Safety and Security, the Title IX Coordinator, the Dean of Students Office, or the Manager of Employee and Labor Relations. The College recognizes, however, that an individual may choose to report to any College employee, even those not specifically designated as a reporting option. Consistent with this policy, any Responsible Employee who receives such a report is required to share the report with a central team to ensure consistent application of College policy for all individuals.

Oberlin College encourages all community members to make reasonable and prudent actions to prevent or stop an act of sexual misconduct. Community members who exercise this obligation will be supported by the College and protected from retaliation.

Statement Against Retaliation.It is a violation of Oberlin College policy to retaliate in any way against a student or employee because they raised allegations of sexual and/or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, or participated in the College’s resolution of the report. The College will take immediate and responsive action to any report of retaliation.

Privacy Statement. In any report, investigation, or resolution or an allegation 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 and confidentiality interests of the individuals involved in a manner consistent with the need for a thorough review of the allegation and the protection of the Reporting Party and broader campus community.

## Confidential Resources. Oberlin College realizes that not every individual is prepared to make a formal report for resolution. There are several confidential resources available for both students and employees who are seeking assistance, but do not wish to make a report to the College or law enforcement.

Confidential Resources and Support for Students:

Oberlin College Counseling Center (440) 775-8470 247 West Lorain Street, Suite D

Office of Spiritual and Religious Life (440) 775-5191 Wilder Hall Room 217, 135 West Lorain Street

Nord Center Confidential Student Advocate, Melissa Counts (440) 204-4359, Peters Hall, Room G24, 50 North Professor Street

Confidential Resources and Support for Employees:

Employee Assistance Program (800) 989-3277

Private Resources and Support for Students or Employees:

Contact Rebecca Mosely, Title IX Coordinator, Cox Administration Building Room 202, (440) 775-8555, [rmosely@oberlin.edu](mailto:rmosely@oberlin.edu) for current information.

Confidential Resources and Support for Students and Employees:

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

Cleveland Rape Crisis Center (216) 619-6192 (24-hour hotline)

Limited Confidential Medical Resources (medical professionals who have mandated reporting responsibilities):

Student Health Services (440) 775-8180

The Nord Center (800) 888-6161 (24-hour line)

## Campus Resources In addition to the confidential resources listed above, Oberlin community members have access to a variety of resources provided by the College. The staff members are trained in supporting individuals, have reporting responsibilities as Responsible Employees, are not bound by confidentiality, but will maintain the privacy of an individual’s information within the limited circle of those involved in the Title IX resolution process.

Class Deans:

Amy Salim Second and Third Year Students, Toni Myers First Year Students and Multicultural Resources, Anna Brandt Second Year Students, Dana Hamden Second Year Students and International Students, (440) 775-8462

Chris Donaldson, Third Year Students (440) 775-8464`

Shozo Kawaguchi, Fourth Year Students (440)775-8462

Monique Burgdorf, Transfer and Fifth Year Students (440) 775-8464

Matthew Hayden, First Year Students (for assignment to a class dean) (440) 775-8462

The Edmonia Lewis Center for Women and Transgender People [elc@oberlin.edu](mailto:elc@oberlin.edu)

HIV Peer Testers [HIV@oberlin.edu](mailto:HIV@oberlin.edu)

The Multicultural Resource Center (440) 775-8802

Office of Ombudsperson (440) 775-6728

Oberlin Student Cooperative Association Sexual Offense Police Advocates (440) 775-8108

Sexual Information Center (440) 775-8135

Community Resources:

Oberlin Police Department Victim Advocate (440) 774-1061

Genesis House Victim Advocacy (866) 213-1188

Buckeye Region Ani-Violence Organization (BRAVO) 866-862-7286

Family Planning Services of Lorain County (440) 322-7526

Lorain Planned Parenthood (440) 242-2087

The PreTerm Clinic (216) 991-4400

Interim Measures. Upon receipt of a report, the College will take interim measures to protect the parties involved. These may include no contact directives, changes in class or work schedules, change in living arrangements, interim suspension, College-imposed leave, or any other measures that the College deems appropriate in consultation with the parties. In imposing these measures, the college will make reasonable efforts to communicate with the parties to ensure that all safety, emotional and physical well-being concerns are being addressed. Interim measures are available, as appropriate, regardless of whether a reporting partyseeks an investigation or formal resolution. Interim measures, alone, are not a resolution to a report. They are temporary actions taken by the college to foster a more stable and safe environment during a period of ongoing exploration of options, investigation and or adjudication. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the reporting party or the college. Interim measures may be requested by the parties or imposed by the college on its own initiative to ensure the safety of all parties, the broader college community and or the integrity of the process.

Interim measures are reviewed by the Title IX Coordinator upon contact or upon meeting with the Title IX Coordinator, and are followed by a written communication placing the reporting person in contact with the policy containing full description of services, reporting options, within the College and Community for counseling, health, mental health, victim advocacy, and other support services which are applicable within the institution, or through the larger community.

All individuals are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by an interim measure. The college will take immediate and responsive action to enforce a previously implemented measure. Failure of the parties to comply with interim measures may result in disciplinary action, even if the initial report of sexual misconduct is later not proven.

The college supports the right of students and employees to seek a protection order from a civil or criminal court. The college honors any existing protection orders provided to the Office of Safety and Security by members of the college community.

Range of Measures Potential measures, which may be applied to the Reporting Party and or the Responding Party, include:

* Access to counseling services and assistance in setting up an initial appointment, both on and off campus
* Providing medical services
* Imposition of a campus no contact order
* Imposition of a no trespass order
* Security assistance (examples might include security escorts, increased patrol; accompanying a student during an interview with OPD; transports to hospital or Nord, etc.)
* Transportation assistance
* Academic accommodations (with agreement of the appropriate faculty, who will not be informed of the specific reason for the request with permission of the student): o Rescheduling of exams and assignments o Providing alternative course completion options o Change in class schedule or other academic accommodations, without penalty to the party
* Providing academic support services, such as tutoring
* Change in work schedule or job assignment
* Residence modifications: o Change in on-campus housing o Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies o Receive requests for assistance from college support staff in completing housing relocation
* Limit an individual or organization's access to certain college facilities or activities pending resolution of the matter
* Voluntary leave of absence
* Interim suspension or college-imposed leave
* Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Interim Suspension or Leave. Where the report of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, poses a substantial and immediate threat of harm to the safety or well-being of an individual, members of the campus community, or the performance of normal college functions, the college may place a student or student organization on interim suspension. Employees may be placed on administrative leave or suspended depending on their employment classification. Pending resolution of the report, the individual or organization may be denied access to campus, campus facilities and or all other college activities or privileges for which the student or employee might otherwise be eligible, as the college determines appropriate. When interim suspension or leave is imposed, the college will make reasonable efforts to complete the investigation and resolution within an expedited time frame.

Title IX Review, Investigation, and Resolution. (Overview) Upon receipt of a report, the college's Title IX Team will conduct an initial Title IX assessment to provide an integrated and coordinated response to reports of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence. The assessment will consider the nature of the report, the safety of the individual and of the campus community, and the reporting party's expressed preference for resolution in determining the appropriate course of action to eliminate the conduct at issue, prevent its recurrence and address its effects.

At the conclusion of the assessment, the Title IX Team may refer the report for informal resolution, which includes the identification of remedies to stop the sexual misconduct, address its effects, and prevent its recurrence. Informal resolution does not involve disciplinary action against a responding party. Alternatively, the Title IX Team may refer the matter for formal resolution. Formal resolution begins with an investigation. The goal of the investigation is to gather all relevant facts and determine if there is sufficient information to refer the report to an adjudication or grievance process in order to determine responsibility and impose disciplinary action if appropriate.

The initial steps for any resolution of a report of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, against a student, staff member, or faculty member will involve the same stages: an initial assessment, investigation, and the determination to pursue either informal or formal resolution. Informal resolution options are the same for reports against a student, staff or faculty member. Similarly, the investigative process is the same for all three. For formal resolution, however, there are three distinct procedures to address student misconduct, staff misconduct and employee misconduct. The nature of these procedures reflect the differing nature of each constituent's relationship to the college, but all contain similar hallmarks of prompt and equitable process.

The Title IX Coordinator will document each report or request for assistance in resolving a case involving charges of sexual misconduct, whether formal or informal, and will review and retain copies of all reports generated as a result of any investigation. These records will be kept confidential to the extent permitted by law.

The Role of the Title IX Team. The Title IX Team, led by the Title IX Coordinator, assists in the review, investigation and resolution of reports. Regular members of the Title IX Team receive annual training in strategies to protect parties who experience sexual misconduct or other forms of sex- and or gender-related harassment and discrimination and to promote individual and institutional accountability.

Although a report may be made to any Responsible Employee, all reports received by Responsible Employees will be referred to the Title IX Coordinator to ensure consistent application of the policy to all individuals and to allow the college to respond promptly and equitably to eliminate the sexual misconduct, prevent its recurrence, and address its effects. The Title IX Team helps to meet these goals by overseeing the resolution of all reports under this policy. The Title IX Team will also ensure that all students and employees, whether reporting parties or responding parties, have appropriate guidance throughout the investigation and resolution of the report. The Title IX Team also reviews and implements interim remedies to provide protection and security while a resolution is being reached.

Advisors, Support Persons, and Attorneys All parties are entitled to advice and support during the process. In addition, the parties may consult the Title IX Coordinator, who does not participate directly in formal resolution. Attorneys may not participate in the proceedings outside of the role of advisor as described below.

**1. Advisor:** In any hearing, the reporting party and responding party may choose to be assisted by an advisor of their choice. The parties may select their own advisor, or may select and advisor from a list of campus community members who have undergone Title IX training to guide a party through the pre-hearing and hearing process. An outside advisor will be required to meet with the Hearing Coordinator or the Title IX Coordinator in advance of any participation in the proceedings to be informed about college expectations regarding confidentiality of the process. The advisor may accompany the party to any college investigative, administrative meeting, or hearing. The advisor may not address the panel during the hearing, or otherwise delay, disrupt, or interfere with any meeting or proceeding. Attorneys serving as advisors must adhere to the expectations of the role as described in this policy.

**2. Support Person:** A reporting party and responding party may also choose to be assisted by an emotional support person of their choice. To serve as a support person, the individual will be required to meet with the Hearing Coordinator or the Title IX Coordinator in advance of any participation in the proceedings to be informed about college expectations regarding confidentiality of the process.

The support person cannot be a witness in the proceedings. The support person is a silent and non-participating presence who is there solely to observe and provide moral support during the hearing itself. This person is not to address the Hearing Panel, except to ask for a short recess if one of the parties requires some time to compose themselves and collect their thoughts. The support person may not delay, disrupt, or interfere with any meeting or proceeding. The Hearing Coordinator has the right at all times to determine what constitutes appropriate behavior on the part of a support person and whether the person may remain at the proceedings. While the support person may be present to hear testimony, no written materials are to be shared with support persons.

Absent extenuating circumstances, witnesses and others involved in an investigation or hearing are not entitled to have a support person present.

**3. Role of the Attorney/Outside Agreements:** The College prohibits outside attorneys, or family members acting as attorneys, from participating in proceedings under this policy in any manner other than the role of advisor outlined above. As noted, parties have a right to an advisor of their choice, and may choose an attorney to fill this role at their own expense. The college will not recognize or enforce agreements between the parties outside of these procedures.

Initial Title IX Assessment. In every report of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, the college will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps may include interim protective measures to provide for the safety of the individual and the campus community.

The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may be initiated depending on a variety of factors, such as the Reporting Party's wish to pursue formal or informal resolution, the risk posed to any individual or the campus community, and the nature of the allegation.

The first step of the assessment will usually be a preliminary meeting between the reporting party and the Title IX Coordinator or a member of the Title IX Team. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full scale interview. At this meeting, the reporting party will be provided with information about support and advocacy resources, interim remedies and options for resolution.

As part of the initial assessment of the report, the Title IX Team will ensure the following steps have been taken:

Assess the nature and circumstances of the allegation

Address immediate physical safety and emotional well-being needs of the reporting party or any other individual

Notify the reporting party of the right to notify (or decline to notify) law enforcement if the conduct is potentially criminal in nature

Notify the reporting party of the right to seek medical treatment to address physical health and the importance of preservation of evidence

Assess the reported conduct for the need for a timely warning under federal law

Provide the reporting party with information about: o On and off campus resources o The range of interim accommodations and remedies o An explanation of the options for resolution, including informal resolution and formal resolution

Discuss the Reporting Party's expressed preference for manner of resolution and any barriers to proceeding

Explain to the Reporting Party the college's policy prohibiting retaliation

Make the Reporting Party aware of the availability of an advisor, advocate, or support person

Assess for pattern evidence or other similar conduct by Responding Party

Enter non-identifying information about the report into the College's daily crime log if the conduct is potentially criminal in nature

At the conclusion of the Title IX assessment, the Title IX Team will determine the appropriate manner of resolution and, if appropriate, refer the report either for informal resolution or for further investigation and, if the appropriate threshold is met, formal resolution.

The determination as to how to proceed will be communicated to the reporting party in writing. Depending on the circumstances and requested resolution, the responding party may or may not be notified of the report or resolution. A responding party will always be notified when the college seeks action that would directly impact a responding party, such as protective measures that restrict their movement on campus, the initiation of an investigation, or the decision to involve the responding party in informal resolution.

If the Title IX Team recommends formal resolution, a Hearing Coordinator will be assigned to facilitate the adjudication through a specially trained Hearing Panel. The Hearing Coordinator will be an administrator trained in campus policy and the dynamics of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence. The Hearing Coordinator's role is to ensure that procedures are timely and impartial and that all parties are informed appropriately at each step of the process.

Informal Resolution. Informal resolution eliminates a potential hostile environment by identifying and implementing remedies to stop sexual misconduct, address its effects, and prevent its recurrence. Because it does not involve a formal adjudication process, it does not result in disciplinary action against the Responding Party.

Where the Title IX assessment concludes that informal resolution may be appropriate, the college will take immediate and corrective action through individual and community remedies designed to maximize the Reporting Party's access to all employment, educational, and extracurricular opportunities and benefits at the college and to eliminate a potential hostile environment.

In addition to the range of interim measures previously described, the college may also:

Provide targeted and or broad-based training and educational programming for relevant individuals and groups;

Provide increased monitoring, supervision or security at locations or activities where the misconduct occurred;

Facilitate a meeting with the Responding Party with the agreement of both parties, with both parties present or through indirect action by the Title IX Coordinator; and,

Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

The college will not compel a reporting party to engage in mediation, to directly confront the responding party, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual assault. Depending on the form of informal resolution used, it may be possible to maintain anonymity of reporting parties and witnesses.

The decision to pursue informal resolution will be made when the college has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary for all parties, and a reporting party can request to end informal resolution at any time. At that time, the report may be referred for formal resolution. Factors that will shape the Title IX Team's recommendation will include the nature of the report, the reporting party's stated preference, and relevant evidence about patterns of conduct.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution. Informal resolution will typically be initiated within 30 business days of the initial report.

Investigation. Based on the findings of the initial Title IX assessment, the College may initiate a prompt, thorough and impartial investigation. The Title IX Coordinator, in consultation with the Title IX Team, will oversee the investigation. Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the campus community, and offer remedies as necessary to address the effects of the conduct cited in the report. An investigation is also required if the Title IX Team believes that disciplinary action may be appropriate.

The investigation is designed to provide a fair and reliable gathering of the facts. All individuals involved in the investigation, including the reporting party, the responding party, and any third-party witnesses, will be treated with appropriate sensitivity and respect. Throughout the investigation and resolution processes, both parties will receive timely notice of any meeting at which their attendance may be requested or required. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved.

The College will designate an investigator who has specific training and experience investigating allegations of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence. The investigator may be an employee of the College or an external investigator engaged to assist the college in its fact gathering. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest.

The investigator will gather information from the reporting party, the responding party, and any other individuals who may have information relevant to the determination. The investigator will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate. The investigator may consider prior allegations of, or findings of responsibility for, similar conduct by the responding party. The reporting party and responding party will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information.

The investigation will be completed expeditiously, usually within 20 business days, although the complexity of a report may require a longer time frame. The time frame may be extended for good cause 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.

Threshold Determinations and Request for Review from Insufficient Threshold. At the conclusion of the investigation, the investigator will prepare a written report synthesizing the facts for review by the Title IX Coordinator and a Hearing Coordinator. The investigator is not charged with reaching a determination as to responsibility, which is a function reserved for the Conduct Conference or the Hearing Panel.

Upon receipt of the investigative report, the Hearing Coordinator, in consultation with the Title IX Coordinator, and as appropriate, the Title IX Team, will review the report and make a threshold determination as to whether there is sufficient factual information upon which a Hearing Panel could find a violation of this policy. This threshold determination does not involve making a determination of responsibility, nor does it involve assessing the credibility of the parties. If the threshold has been established, the Hearing Coordinator will issue a notification letter to the responding party and the reporting party and refer the report for Pre-Hearing Procedures.

If the Hearing Coordinator, in consultation with the Title IX Coordinator, determines that this threshold has not been reached (that is, that there is no evidence which could support a policy violation), the reporting party and responding party will be notified in writing. The reporting party will have the opportunity to seek review by the appropriate divisional head or the Manager of Employee and Labor Relations (or their designee) by submitting a written request for review within 5 business days of receipt of the notification. Where a designee is chosen, the identity of this individual will be shared with both parties.

If a request for review is filed, the responding party will be notified and have the opportunity to respond within 5 business days. The divisional head or the Manager of Employee and Labor Relations (or their designee) may affirm the threshold finding, reverse the finding or remand the matter for additional investigation as warranted. The divisional head or the Manager of Employee and Labor Relations (or their designee) will render a decision in writing, to both parties, within 10 business days of receipt of the request for review and the response to such request. The decision of the divisional dean or the Manager of Employee and Labor Relations (or their designee) affirming the threshold finding that there is insufficient information to proceed is final.

The Title IX Team always has the discretion to determine if additional measures are necessary to achieve resolution or provide support for the parties. In a report where the investigation does not move forward to formal resolution, informal resolution may be an appropriate course of action.

Formal Resolution. Disciplinary action against a responding party may only be taken through Formal Resolution procedures. Because the relationship of students, staff, and faculty to the college differ in nature, the procedures that apply when seeking disciplinary action necessarily differ as well. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this policy.

The specific procedures for Formal Resolution will vary based upon the role of the responding party:

For a report against a student, disciplinary action may be taken by the Hearing Administrator at the conclusion of a Conduct Conference in which a student accepts responsibility or is found to be responsible, or after a Formal Panel Hearing reaches a finding of responsibility and recommends appropriate sanctions.

For a report against a staff member, disciplinary action may be taken at the conclusion of the review by the appropriate divisional head or their designee or Manager of Employee and Labor Relations, in consultation with the Title IX Coordinator.

For a report against a faculty member, disciplinary action may be taken at the conclusion of a review by a panel composed of members of the General Faculty Committee on Equity and Diversity.

Time Frame for Resolution. The college seeks to resolve all reports within 60 business days of the initial report. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise that require the extension of time frames, including extension beyond 60 business days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances. In general, a reporting party and responding party can expect that the process will proceed according to the time frames provided in this policy. In the event that the investigation and resolution exceed this time frame, the College will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

The College as Reporting Party. On some occasions, Oberlin College will assume the function of the reporting party. This approach may be taken in instances of multiple reports about a single responding party, when a reporting party chooses not to participate in the hearing process, or other occasions when the college has sufficient evidence to reach a threshold determination that a report should be referred to formal resolution. In these instances, the Hearing Coordinator will appoint an administrator as the institutional representative to serve as the Reporting Party.

Support for Parties after Formal Resolution. The Title IX 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 any sanctions that may have been imposed.

Procedures for Formal Resolution for Reports against Students. Formal resolution of a report under the Sexual Misconduct Policy will occur either through a Conduct Conference or through adjudication before a Hearing Panel, which typically consists of a three specifically trained administrators. If resolution involves a Conduct Conference, the Hearing Coordinator will meet with the reporting party and responding party to determine responsibility and render a decision as to what sanctions, if applicable, should be implemented. If resolution involves a Hearing Panel, the Hearing Coordinator will be responsible for facilitating the formal resolution process, including the appointment of three trained administrators to serve on each panel. These appointments will take into account the need for a timely process and any conflicts of interest. Detailed steps and method of adjudication can be found within the Sexual Misconduct Policy upon which this document is based, and is located at <http://new.oberlin.edu/office/equity-concerns/sexual-misconduct-policy/formal-resolution.dot>.

Deliberations. Hearing Panel members will conduct their deliberations in private. The Hearing Panel will determine a Responding Party's responsibility by a preponderance of the evidence. 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. 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.

Range of Sanctions. Sanctions that may be imposed under this policy include, but are not limited to, the following:

**Warning**: Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.

**Censure**: A written reprimand for violating student conduct standards or other college policy. This conduct status specifies a period of time during which the party's or organization's good standing with the college may be in jeopardy. 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 student receive specific training within a designated time period and at their own expense to prevent further misconduct or discrimination or harassment. Failure to submit documentation of completion of the training within the specified time period may lead to further disciplinary action.

**Disciplinary Probation**: Exclusion from participation in privileged activities for a specified period of time. For students, privileged activities may include, but are not limited to, elected or appointed student offices, student research, athletics, some student employment, and study abroad. 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 and privileged events.

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.

**Suspension**: Exclusion from college premises, attending classes, and other privileges or activities for a specified period of time, as set forth in the suspension notice. Notice of this action will remain in the student conduct file and will be permanently recorded on the student's academic transcript unless specified otherwise in the suspension notice.

**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.

**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 sanctions 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 sanctions 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 sanctions listed above may be imposed for any single violation. The Hearing Panel 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 eliminate the hostile environment and prevent its recurrence.

Outcome Letter. The outcome of the Hearing Panel will be communicated to the reporting party and responding party simultaneously and in writing, usually within 4 business days from the date the hearing is concluded. The notification of each party should occur at or near the same time. In addition, the responding party will be fully informed of any sanctions. For reports involving sexual violence, the reporting party will be fully informed of any sanctions. For all other reports under this policy, the reporting party will be informed of only those sanctions that directly relate to the Reporting Party, consistent with FERPA and other applicable law.

Sanctions imposed are implemented immediately unless the Dean of Students (or their designee) stays implementation in extraordinary circumstances, pending the outcome of the appeal. For students, pending graduation, study abroad, internships/externships, or other events do not typically constitute extraordinary circumstances. Either party may appeal the final outcome to the Dean of Students, who will serve as the Appeals Officer. Appeal decisions are final.

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

Primary Prevention, Education, and Training Oberlin College recognizes that the most effective way to achieve a campus free of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence is to equip all community members with the skills to recognize and prevent sexual misconduct. The college wants to ensure that all members of the community understand and participate in our shared standards of equity, inclusion, civility, and respect.

In order to achieve these goals, Oberlin College offers regular primary prevention programs and ongoing education and awareness programs for all students and employees. Employees who play a key role in implementing the policy, including those faculty and staff who are likely to receive reports of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, will receive in-depth annual training to ensure a timely, sensitive, respectful, and effective intuitional response. The college is committed to ensuring that all employees understand how to respond to reports of sexual misconduct.

In particular:

* All new and transfer students and all new employees will receive education in primary prevention and awareness of sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence. These training programs will 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, including sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence, under college policy and state law
* The definition of consent in reference to sexual activity under college policy and state law
* A description of safe and positive options for bystander intervention
* Information on risk reduction
* Information on how to recognize warning signs of abusive behavior in order to mitigate the likelihood of perpetration, victimization, or bystander inaction
* Options and resources for reporting sexual and or gender-based harassment, discrimination and violence, including sexual violence, stalking, and intimate partner violence

All continuing students, staff, and faculty will receive regular opportunities to review this information, become acquainted with new policies and best practices, and practice key skills.

The Title IX Coordinator is responsible for oversight, coordination, and assessment of prevention and training programs on campus, in collaboration with the appropriate departments and personnel. The Title IX Team should review campus education and prevention programs on an annual basis to ensure quality and address staffing and resource needs. Training and education may be provided by appropriately trained campus personnel and or external partners.

Two current programs in prevention training are described below:

Oberlin’s Bystander Intervention Training Workshop combines data-driven, proven methods of bystander education with Oberlin specific scenarios and resources. The workshop covers the definition of a bystander, when it is appropriate and safe for a bystander to intervene, scenarios that warrant bystander intervention, and how to intervene. Often, asking others (friends, colleagues, paid staff, safety personnel) for assistance in intervening is a good way to stay safe while addressing the situation. Bystander Intervention emphasizes the importance of one’s own safety first, while creating an empowered community of students and staff who are able to raise Oberlin’s standards for safe and respectable conduct.

**Spring 2016**

* Student Union: Approximately 15 students and staff completed the Bystander Intervention Training in the Spring of 2015-16 from the Student Union staff. The Student Union staff interacts with a wide range of students every day, including at dance and music venues.
* Open Trainings: Approximately 55 students completed the Bystander Intervention Training in the Spring of 2015-16 through open sign-ups. All students were welcome to these sessions.
* Solarity: Approximately 14 students completed the Bystander Intervention Training in the Spring 2015-16 as part of the group Solarity. Solarity conducts events in the Fall and Spring semester, so they were re-trained for the spring event.
* Drag Ball: Approximately 31 students completed the Bystander Intervention Training in the Spring 2015-16 for the Drag Ball event.

Total: ~ 105 students trained

**Fall 2016**

* Essentials for New Students is a mandatory two-hour peer led workshop for all new incoming students to Oberlin, started in Fall 2016. The workshop covers the Policy and definitions of sexual misconduct, consent (including alcohol and other drugs), intimate partner violence, bystander intervention, and resources at the College. In 2016, trained student facilitators led 38 workshops for 819 first year and transfer students between September 13, 2016 and October 11, 2016. Oberlin Student Cooperative Association sexual assault peer advocates offered special sessions for coop members. Approximately 819 first-year and transfer students were trained.

Bystander trainings also were offered in Fall 2016.

* Student Union: 52 Student Union student staff were trained between 8/23/16 - 9/5/16.
* Track and Field: 18 student athletes on Track and Field team trained on 10/28/16.
* Men’s Tennis: 8 student athletes on Men’s Tennis team trained on 11/7/16.
* Open Trainings: 11 students attended Open Bystander Workshops and 3 staff members attended an Open Bystander workshop in late November/early December

Sex Offender Registry and Access to Related Information

The Federal Campus Sex Crimes Prevention Act, (CSCPA) enacted in 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 Mike DeWine. 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 of personal property.

Nevertheless, it is important for every member of the College community 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, or how to take other actions in an emergency. Update your information for emergency notifications given out by the College. Visit the website [www.oberlin.edu/warn](http://www.oberlin.edu/warn)

Program the phone number of the Safety and Security office into your cell phone: (440) 775-8444

Individual residence hall rooms should be locked at all times; outer doors must never be propped open and students should beware of unknown individuals who attempt to “tail gate” or enter behind them as they open an outer door. Suspicious persons and/or activity should be reported to residential hall staff or the office of Safety and Security. Students should never lend access cards or keys to anyone, and report any doors, locks, or windows in need of repair to residential hall staff or the Safety and Security 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 Safety and Security 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 its 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 Safety and Security 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 Safety and Security, or by using any of the emergency “Blue Light” phones found in or near parking lots and at 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, and particularly to avoid 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 agreement with trusted friends to attend and leave social functions together and then keep that pact. Remember to call the Safety and Security office or the City Police at the first sign of trouble.

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, and 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, as well as the security of property in observing safe practices.