



# Roger Williams University

**2021 Annual Security & Fire Safety Report**



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## INTRODUCTION

Roger Williams University presents the 2021 Annual Security & Fire Safety Report that fulfills the requirements of the Higher Education Act and to comply with the required reporting under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Statistical data reported in this document reflect reports to University officials and campus security authorities. Statistics are also compiled from law enforcement agencies in jurisdictions where RWU owns property, leases property or those with jurisdiction on adjacent property.

This Annual Security & Fire Safety Report provides vital information to prospective and current students and employees about campus safety and security along with campus crime and fire prevention and safety awareness programs. It includes crime and fire statistics for 2018, 2019, and 2020 and reports all crimes by Uniform Crime Report (UCR) definition and Clery Act definition broken down by geographic location; to include the Bristol Campus (including the Main Campus, School of Law, Almeida Apartments, and Baypoint Residence Hall) and Providence Campus. Statistics also include any public property that is immediately within or immediately adjacent to and accessible from campus and non-campus buildings and property that are University owned or controlled. We encourage members of the RWU community to use this report as a guide for safe practices on and off campus. Each member of the RWU community receives an e-mail that describes the report, attached as a PDF document, and provides its web address. The printed report is available upon request or may be printed from the Department of Public Safety website. All prospective students and employees may obtain a copy of the report by contacting DPS or accessing our website at <https://www.rwu.edu/who-we-are/administrative-offices/public-safety>. The Roger Williams University Department of Public Safety strives to provide high quality security, safety and crime prevention services that meet the needs and standards of a progressive academic institution.

Recognizing it takes a University community to grow scholars, we believe that every member of the campus community has shared accountability for the success of Roger Williams University. As such, we are honored to participate in the academic process.



## **I. SAFETY AND SECURITY ON CAMPUS**

The Department of Public Safety (DPS) is a service-oriented branch of the University's Student Life Division. The Department has a Director, 3 Shift Commanders, 19 full time officers (9 of which are EMTs), an Administrative Assistant, and a Manager of Transportation and Parking who are charged with assisting the campus community with various services including the enforcement of local, state, and federal laws, as well as campus policies and regulations. The mission of the Department of Public Safety is to promote the protection and well-being of RWU students, faculty, staff and facilities. Public Safety contributes to the quality of University life by fostering an environment in which security is balanced with freedom of movement, and individual rights balanced with community needs. This mission is accomplished with commitment to the core values of honor, honesty, integrity, respect, dedication and with the ultimate goal in mind to promote a feeling of safety and security for all members of our community.

DPS officers are not sworn officers and do not possess arrest powers; however, within the jurisdictional boundaries of the campus they have the inherent right and authority to detain persons for alleged misconduct, search backpacks and/or on-campus rooms and apartments with reasonable suspicion and/or probable cause. They may detain and/or restrain persons who create disorder. Officers can also refuse admittance to the campus, ask persons to leave who become disorderly or who violate Rhode Island laws, campus policies and regulations, or who demonstrate improper behavior. The DPS is responsible for monitoring activities 24 hours a day, seven days a week, and 365 days a year on University property to include the Bristol campus, including the School of Law, Almeida Apartments and Baypoint Residence Hall. DPS also provides security for the Providence Campus during classroom hours.

All reports of crimes and or suspicious activity, minor or major, should be reported immediately to the DPS. The DPS is the campus liaison to the Bristol Police, Portsmouth Police and Providence Police and works in close relation with all including state and federal law enforcement agencies. DPS members also act as first responders to campus emergencies. Major components of this service include the Emergency Medical Technicians (EMTs) who respond to medical emergencies on campus and are licensed by the State of Rhode Island. The DPS has nine EMTs who also serve as Public Safety Officers. DPS does not have any written agreements or memoranda of understanding with local police agencies at this time.

DPS officers provide services such as access control, patrolling the campus on foot, bicycle, motor vehicles, and fixed posts such as the main entrance to the campus. Public Safety Headquarters is equipped with surveillance monitors in order for the dispatcher to monitor live video footage of selected locations. DPS is also responsible for parking enforcement, emergency medical services on campus and transportation needs.

DPS officers receive training from the Rhode Island College and University Public Safety (RICUPS) Academy along with bi-annual in service training in order to provide continuing safety and emergency services to the Roger Williams University community.



## II. REPORTING A CRIME OR EMERGENCY

Roger Williams University strongly encourages the prompt and accurate reporting of all criminal activity, suspicious behavior or emergencies occurring on RWU property by calling the Department of Public Safety (DPS) at (401) 254-3333 (emergency) or (401) 254-3611 (non-emergency) or in person, by visiting the DPS office in North Campus (building to the right of the Parking Garage in Lot A). Reporting crimes aids DPS in providing prompt response, mitigate future criminal activity to persons/property and issuing timely warning notices to the community if imminent or ongoing threat continues. It should be noted that when using a cell phone to call the DPS, callers should dial (401) 254-3333, as dialing 911 directly will route them to an outside police agency. If you should be routed to an outside police department, you need to advise them of your specific location at RWU so that they may dispatch that information to the DPS.

There are emergency telephone locations throughout the campus designated by blue lights for easy identification at night. Simply press the button to activate. They are directly connected to the DPS Dispatch Center, which is staffed 24 hours a day, seven days a week. The location of the activated telephone is automatically identified to the DPS Dispatch Officer. When calling, provide the Dispatch Officer with the following information:

- Your identity
- Is medical attention needed
- What is the nature of your call
- When the event occurred

The DPS responds to all reports of criminal activity or suspicious behavior occurring on its campus. In response to a report, the DPS will dispatch an officer to initiate an incident report. A Shift Commander reviews the report and makes a recommendation for follow up investigation if deemed necessary. DPS incident reports along with follow up information obtained through the investigation are forwarded to the Office of Student Conduct and Conflict Resolution for potential disciplinary action, as appropriate. Crimes or other incidents that violate university policy can be reported by using the following procedures:

- Call Public Safety at (401) 254-3333 (emergency) or (401) 254-3611 (non-emergency) or in person by visiting the DPS office in North Campus (building to the right of the Parking Garage in Lot A).
- Confidential and/or anonymous reporting form located on the RWU website: <https://www.rwu.edu/who-we-are/administrative-offices/public-safety>
- **Rave Guardian** is a campus safety app available at the University that turns your smart phone into a personal safety device. The free app, available for both iPhone and Android smartphones, allows users to check in with family, friends, Public Safety or others you trust to help you stay safe. You can use the app to set a safety timer, create and message your guardians or initiate emergency help requests at the push of a button. Rave Guardian can be used to send an anonymous tip to Public Safety if you see something on campus that looks out of place or dangerous. Find complete details and download instructions at: <http://www.rwu.edu/about/university-offices/public-safety/crime-prevention/rave-guardian>
- **Crime Prevention Tipline/Email:** (401) 254-3212 [crimeprevention@rwu.edu](mailto:crimeprevention@rwu.edu)

**CAMPUS SECURITY AUTHORITIES:** Because official responsibilities and job titles vary significantly on campus, a list of specific titles of individuals or organizations who are campus security authorities (CSA) is not provided in RWU policy. To determine specifically which individuals or organizations are CSAs, RWU, in accordance with the Jeanne Clery Act, considers the function of the individual or office. CSAs include Officials (i.e. not support staff) whose functions involve relationships with students. If someone has significant responsibility for student and campus activities, then they are a CSA.



**The Following are defined by the Jeanne Clery Act as Campus Security Authorities:**

- **Department of Public Safety**
- **Individuals with Campus Security Responsibility** — Any individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department, such as an individual who is responsible for monitoring entrance into institutional property. Examples of this category are: parking enforcement staff, event security staff and patrol staff.
- **Individuals Designated by the Campus** — Any individual or organization specified in an institution's statement of campus security policy as one to which students and employees should report criminal offenses. Examples include: President, Provost, Director of Human Resources, Vice President of Student Life, DPS and the Department of Residence Life and Housing.
- **Officials with Significant Responsibility for Student and Campus Activities** — An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus conduct proceedings. Examples of this category are: Department of Student Conduct and Conflict Resolution, Department of Residence Life and Housing Staff, Officials who oversee student extracurricular activities, Director of Athletics, Team Coaches, Faculty Advisors to student groups and Department of Student Programs and Leadership staff.

It is important to note that to protect the victim and the University community from imminent harm, information received from a complainant by the DPS or any other CSA regarding Title IX related incidents will be forwarded to the Title IX Coordinator or their designee along with the identity of the victim and/or offender if known. If a student has reported an incident to an Official With Authority (OWA), but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, then RWU will weigh this request against its obligation to provide a safe environment for all students. A student should be aware that if RWU decides to honor a request for confidentiality, RWU's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged offender will be limited. In addition, when deemed necessary to protect the interests of the community, RWU may not be able to honor a student's request for confidentiality made to an Official With Authority. Non-personally identifiable statistics from confidential reports are included in the University's Annual Security Report.

**Policy Addressing Professional Counselors:** The negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 USC Section 1092 (f), resulted in clarification regarding those considered to be CSAs. Professional counselors on campus are not considered CSAs and are not required to report crimes for the inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at RWU are encouraged to inform persons being counseled of the procedures to report Clery crimes on a voluntary basis for inclusion into the annual crime statistics. A voluntary procedure is in place to anonymously capture crime statistics disclosed confidentially to Professional Counselors (all clinical staff) as well as to a physician, nurse, or nurse practitioner at Health Services.

- **Professional Counselor:** An employee of an Institution whose official responsibilities includes providing psychological counseling to members of the community and who also functions within the scope of their license or certification.

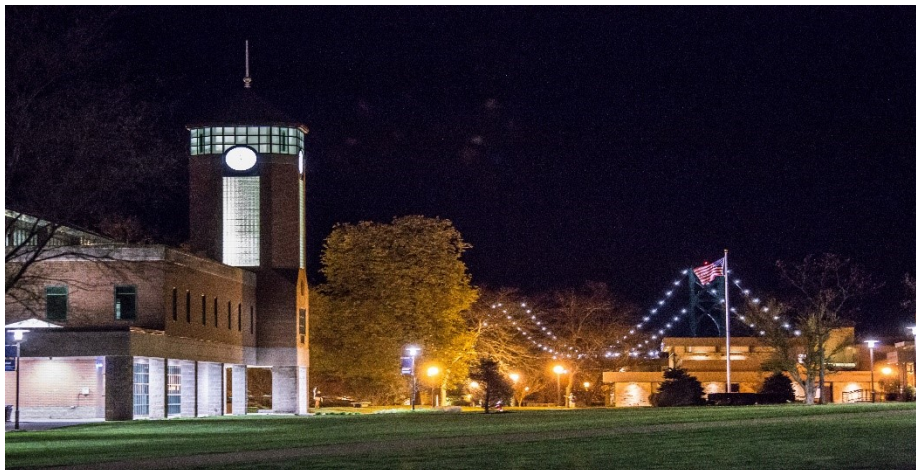


### III. TIMELY WARNING POLICY

Roger Williams University will issue “Timely Warnings” in compliance with the Clery Act to alert the campus community about crimes that pose a serious or continuing threat to safety. Timely Warnings may be issued for on-going or imminent threats both on and off-campus and will aid in the prevention of similar occurrences. The decision to issue a Timely Warning is decided on a case by case basis in light of all the facts surrounding an incident, including factors such as the nature of the crime, the continuing threat to the campus community and the possible risk of compromising law enforcement efforts and are not limited to crimes being committed by persons not known to the victim. Timely Warnings may be issued for specific crime classifications: arson, aggravated assaults, criminal homicide, robbery, burglaries and sex offenses. Timely Warnings may also be posted for other crime and incident classifications as deemed necessary. Before issuing a Timely Warning, the Vice President of Student Life or designee may confer with the Director of Public Safety or designee, the Director of Student Conduct and Conflict Resolution, and other University Officials such as the President and the Core Emergency Response Team (CERT) to determine the message that will inform the campus community of the threat. The Vice President of Student Life or designee ultimately sends the Timely Warnings which will be widely distributed throughout campus in manners such as: provided to campus media, posted on the DPS website and, to the extent possible, posted in off-campus areas frequented by students, emailed, text message and left on voice mail as quickly as possible to building Community Directors and select University offices. The Vice President of Student Life or designee will also be responsible for updates to the Timely Warning notice and for clearing the Timely Warning notice once the threat is over.

**Information included in a Timely Warning may include, but is not limited to, the following:**

- A succinct statement regarding the circumstances surrounding the incident.
- Possible connection to previous incidents, if applicable.
- Physical description of the suspect; to include the identity and or photo.
- Composite drawing of the suspect, if available.
- Date, time and general location where the incident occurred.
- Other relevant crime prevention tips and information.
- Victims’ personally identifiable information will never be given.
- Updates to the Timely Warning notice.
- Clearing the Timely Warning notice once threat is over.



## IV. EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Roger Williams University (RWU) has adopted an Emergency Response Plan (ERP) to establish the organizational structure and procedures to allow for a reasonable, timely and effective management of and response to sudden significant emergencies on a campus of RWU, and to restore normal operations as soon as practicable after an emergency is concluded.

Students, staff, faculty, and regular visitors are expected to know how to respond in emergency situations and therefore should read this document periodically to ensure familiarity with RWU general safety policies and pre-planned emergency response procedures. A hard copy of the ERP is available in all departments at RWU and may be found on the RWU website. <http://rwu.edu/about/university-offices/ehs/emergency-response/emergency-response-plan>

### **Emergency Response Planning & Operational Committee**

The Full Emergency Response Team (FERT), which may be convened (either in person or telephonically) by the President or designee to provide advice and counsel and/or to implement decisions made by the President, shall consist of the following members of the University:

- President
- Executive Vice President for Finance and Administration
- Provost
- Chief of Staff
- Vice President for Student Life
- Vice President for Enrollment Management
- Dean of the School of Law
- Director of Environmental Health and Safety
- Assistant Dean of Experiential Education and Professor, School of Law
- Assistant Dean of Students, School of Law
- Director of Public Safety
- Chief Information Officer
- Associate Vice President for University Marketing
- Director of Communications
- Dean of University College
- Director of Facilities
- Assistant Dean/Director of Residence Life

Upon being called by the President or designee, the FERT shall assemble together either at a pre-determined secured location or by secured telephonic or other means. The FERT shall remain together (unless some members are released by the President) until the incident is declared over by the Incident Commander. Information regarding the emergency shall be delivered to the FERT on a current basis, and the President may designate a member of FERT to go to the emergency site to gather firsthand information and report back to the FERT.

Each member of the FERT shall have a designee who shall have authority to act instead of the named person, and each member shall have ready communication to persons within their area of responsibility so that decision made by the Team member may be implemented as directed.



The Core Emergency Response Team (CERT), which will convene (in-person or telephonically) in the event the incident occurs at a time that is not a normal workday (e.g. evenings, nighttime, weekends, holidays or snow days) shall consist of the following members of the University:

- President
- Executive Vice President for Finance and Administration
- Provost
- Vice President for Student Life
- Chief of Staff

The President, or designee, upon having received a communication from the Incident Commander, will immediately contact the members of the CERT, probably by telephone or secured electronic communication, and inform them of the incident and steps already taken to address the situation, and the CERT will provide appropriate advice and direction as may be indicated under the circumstances; and shall act as the FERT until such time as the FERT is able to convene. A designated CERT member, upon the direction of the President, will contact each member of the FERT not already contacted, advise them of the situation, and direct that the members immediately convene at a predetermined location on-campus or anticipate group telephonic communication. After convening, the FERT will proceed as indicated above.

#### **Special Considerations for Providence Campus and Facilities in Other Municipalities**

In the event the incident involves only the Providence campus of the University (or University owned or operated property in Portsmouth or downtown Bristol), it is likely that the first responder would be the Providence, Portsmouth or Bristol Police or Fire Department, and it is the ranking officer of the local police or fire department on-site who will serve as the Incident Commander. However, upon notification of the incident, and after informing the President of the University, the Department of Public Safety will dispatch its ranking officer then on duty to the satellite location to coordinate with the local police or fire department with respect to the emergency matter. The President or designee, upon being notified of the incident, may immediately convene (either by telecommunications or in person) an Operations Committee consisting of the Executive Vice President for Finance and Administration, Provost, Dean of University College, and Dean of the School of Law (for Providence campus) and Vice President for Student Life (for Portsmouth and downtown Bristol), and others as may be added by the President, which committee shall act as the FERT for the purposes of the incident involving such satellite locations.

**Emergency Communications:** Throughout the pendency of the emergency and thereafter, all communications to and from external constituencies, including the media and other organizations, shall be managed by the Vice President of Student Life and/or the Director of Public Safety or their designee. The only spokespersons for RWU during the crisis and its aftermath shall be the President or other person(s) specifically designated by the President. In the event of a news conference, depending on the severity of the crisis/emergency, the President or designee should be the spokesperson, with the Public Relations Officer providing updates as indicated. The Vice President of Student Life and/or the Director of Public Safety or their designee also are responsible for ensuring that the President, FERT or CERT and the Incident Commander, if necessary, are kept apprised as to what is being said or reported about the incident. This allows for questions to be addressed, rumors to be managed and ensures that public relations issues are not overlooked.

In the event of an emergency, under the authority of the Incident Commander, President, or specifically designated CERT and FERT members, as the case may be, RWU may utilize some or all of the following methods of emergency communication to the RWU community:

1. Verbal Notification
2. RWU Alert (Mass Notification System)
3. RWU Siren Warning System
4. RWU Website [www.rwu.edu](http://www.rwu.edu)
5. Emergency Information Hotline 401-254-4400/4400
6. Local Television and Radio Station Broadcasts

**4400 Emergency Information Hotline:** The RWU campus emergency hotline allows the University to record a message with details, information and updates related to any campus emergency or crisis situation.

**RWU Alert (Mass Notification System):** RWU community members must heed all warnings/emergency messages promulgated via “RWU Alert”. RWU provides a secure web-based program and fully hosted emergency communication system that sends pre-recorded or incident specific emergency messages to thousands of RWU community subscribers via voicemail, e-mail, and text messaging. Upon receipt of any RWU Alert message, all University members should follow emergency instructions until further notice. It is the responsibility of all RWU students, staff, and faculty to maintain current emergency contact information through the Emergency Information section of Roger Central at <https://rogercentral.rwu.edu> to ensure receipt of all RWU Alert communications.

**Emergency Siren Warning System:** Roger Williams University has an outdoor Emergency Siren Warning System (ESWS) on its main campus. The system consists of five strategically placed sirens that are used to warn the University community in the event of a potentially life-threatening emergency. If a potentially life threatening emergency is identified where a campus-wide ESWS activation is deemed necessary, the DPS will activate the system. The activation will consist of an alert tone generally followed by a voice message regarding the nature of the emergency. Additionally, the University will use the RWU website and RWU Alert notification system to provide further information via internet, telephone, e-mail and text messaging. When the campus is deemed safe from the threat, an “All Clear” notification will be sent.

#### **What should I do if I hear the sirens during a non-test period?**

Students, faculty, staff and visitors who hear the siren should seek shelter by immediately going inside a nearby building unless directed otherwise via emergency public address message. The system will be used to alert people to go indoors/shelter-in-place and seek additional information by doing the following:

- Listen to the voice message following the siren alert tone.
- Carefully listen to and read all incoming messages via e-mail, text message or telephone voicemail.
- Check the RWU website homepage for updates.
- Limit non-emergency outgoing communications so as not to overburden the phone system.

#### **Examples of emergencies where the ESWS would likely be activated include:**

- Hostile Intruder (Active Shooter)
- Large Chemical Release near or on campus
- Natural Disasters (Tornado/Sudden Lightning Storm)

**Emergency Response Training Requirements:** All students, staff, faculty, and guests will be trained in safe emergency response procedures, with special attention given to emergency exits and emergency notification procedures. EHS will provide RWU emergency response training to all new employees at the new employee orientation. Department heads review the Emergency Response Plan with all department employees on the following occasions:

- Annually and/or when it is apparent that refresher training should be provided.
- Whenever an employee’s responsibilities or designated activities under this plan, or a related RWU emergency plan, change.
- Whenever the ERP is revised.

Training must address emergency egress, emergency notification procedures, fire alarm system activation, use of fire extinguishers, and post-evacuation procedures.

**University-Wide Training Events:** The RWU Alert and Siren Warning systems are tested during the fall and spring semesters of each academic year to ensure system operability and campus familiarity with RWU emergency communication systems. All RWU Community Directors (CDs) and Resident Assistants (RAs) receive emergency response and fire safety training prior to the start of each new academic year.

Fire drills at RWU are conducted under the supervision of the Department of Environmental Health and Safety. Fire drills are conducted no less than twice per the fall and spring semesters and summer semester (as necessary) in each residence hall to ensure building occupant familiarity and compliance with emergency exit procedures. Emergency egress arrangements specific to each building are kept with this plan in a location that is easily accessible for all building occupants to review on a regular basis.

Emergency egress plans can be found on the following link:

<https://www.rwu.edu/who-we-are/administrative-offices/environmental-health-safety/emergency-response-evacuation/emergency-evacuation-and-egress-maps>

**Operating Levels:** RWU has established standardized “Operating Levels” for emergency planning and emergency response purposes. The RWU Operating Levels are designed to facilitate coordinated University-wide emergency response efforts and ensure the seamless transition from a normal operating condition to a heightened state of emergency. The standardized RWU Operating Levels are as follows:

LEVEL	CAPTION	DESCRIPTION
1	All Operations Normal (no substantial risk)	All University operations functioning normally; no known impending events that could impact the University’s operations
2	All Operations Normal; Emergency Planning in Process (low level risk)	All University operations functioning as planned; however, there exists the possibility of an emergency event in the near future and efforts are underway to prepare for that event.
3	All or some Classes & Significant Events Cancelled; Other Operations Open as Usual (potential risk)	Conditions exist that warrant cancellation of classes or classes in a specific building or area and/or other significant events on campus (e.g. sporting events, theatre productions); all other operations remain open and functioning. All employees scheduled to work should report as usual. Classes or events in session at the time of cancellation will be dismissed and attendees will be instructed to leave the site immediately.
4	All University Operations Cancelled; Essential Services Personnel Only (major risk)	Conditions exist that warrant the suspension/closure of all University operations. Only Essential Services Personnel are required to report for duty. Classes or events in session at the time of the cancellation will be dismissed and attendees may be instructed to leave the University immediately.
5	All University Operations Closed.No University personnel to report unless otherwise notified. University or Portion of University on Lockdown or Evacuated; or Persons instructed to Shelter in Place (extreme risk)	All University operations are suspended/closed and the University is evacuated or placed on Lockdown* or persons are instructed to Shelter in Place**; or a specific building(s) or area of the University is evacuated or placed on Lockdown or persons instructed to Shelter in Place.

\*Lockdown is designed to protect people where practicable within a particular facility or facilities. In the event of a lockdown, entrances will be secured and no person will be permitted to exit or enter the facility. People may be instructed to stay where they are and may not enter a classroom or office space; or, if people are in the hallway or other open space, they may be instructed to proceed to the nearest classroom, office or other room within the locked-down facility.

\*\*Shelter in Place advisory instructs individuals to seek immediate shelter inside a campus building or residence hall. Sheltering in place will keep individuals inside an area that provides more protection than outside the area. Any notification to shelter in place will be incident specific and may apply to the entire campus or to specific facilities.



The above applies to all University operations, campuses (e.g. Bristol (including the Main Campus, School of Law, Almeida Apartments, and Baypoint Residence Hall) and Providence (including the School of Law)). It is recognized that Levels 3, 4 and 5 may be localized to a building, area or part thereof and/or it may be functional to a specific group, operation or event. The designation of a specific level will be assumed to apply to all operations, campuses and facilities absent instructions to the contrary in any announcement.

**Emergency evacuation procedures:** If an evacuation from a RWU building is required due to an emergency such as a fire alarm, gas leak, natural disaster or any other reason, occupants should always remember to stay calm, do not rush, and do not panic. It is very important to always leave the building immediately when directed by alarm activation, RWU Alert message or other notification. Notify others as you are exiting the building.

**The following procedures should be followed in the event of an evacuation:**

- Safely stop all work in your area.
- Gather your personal belongings if safe to do so (necessities only), in the event you cannot return to your building such as keys, wallet/purse, cellphones and medications, and remember only if it is safe to do so.
- Proceed to the nearest exit. Do not use the elevator.
- Proceed to the designated Emergency Assemble Area and try to account for those that were in your area.
- If you have information to offer in regards to the emergency, call Public Safety at (401) 254-3333 once you are in a safe location.
- Wait for instructions from Emergency Personnel.
- Never re-enter the building or work area until you have been instructed to by Emergency Personnel.
- It is recommended that each department/business unit in a building identify a few department members who will act as evacuation coordinators. These evacuation coordinators should:
  - Assist other department members, including those needing assistance, in evacuating the building, including – if safe to do so – checking restrooms as they are exiting.
  - Do a “head-count” of evacuated personnel to provide to Emergency Personnel.

In addition, it is important that all students and employees be aware of the locations of alternate exits and keep exit routes free and clear of obstructions. The Department of Environmental Health and Safety has updated egress maps for all buildings on campus. Please follow the link previously provided to see egress maps of a particular building and floor. For residence halls, please refer to the egress maps located within your housing unit.

As reflected on the egress maps, two designated assembly areas—that are at least 500 feet away from the building—should be identified where students, employees and visitors should assemble upon evacuation. Each department should have both a “Main Assembly Area” and an “Alternate Assembly Area”, in the event the Main Area cannot be used. Designated on some egress maps are Areas of Refuge. This is usually a stairwell that is designated as a fire rated location where rescue personnel will check for individuals who may have had difficulty getting down the stairs or out of the building.

## V. LOCAL POLICE AGENCIES

The Department of Public Safety monitors and records through local police agencies any criminal activity by students at non-campus locations officially recognized by Roger Williams University. RWU does not have any non-campus student organizations that must be monitored for any criminal activity.

## VI. SECURITY AND ACCESS TO CAMPUS FACILITIES

Members of the DPS patrol the perimeters of the Bristol campus property on foot, bicycle and in marked vehicles 24/7, including the Main Campus, School of Law, Almeida Apartments and Baypoint Residence Hall. DPS also patrols the Providence Campus during classroom hours. Members of the University community, invited guests, and visitors have authorized access to non-residential buildings while on campus. The academic and administrative buildings are open to the public, at a minimum, during normal business hours, and often into the evening hours for night classes and activities. Most facilities have individual hours, and the hours may vary at different times of the year. Public Safety Officers are not assigned to each academic and administrative building; however, they do patrol them on a routine basis. Only students, their registered guests, necessary University employees, and others authorized specifically by the University have authorized access to residential buildings. The residence halls are equipped with a 24-hour card access system. Residents may gain entry to their residence halls by using their University ID card. While no electronic monitoring system can guarantee a totally safe environment, the overall level of security is certainly improved by its existence. The DPS Officers and Residence Life and Housing staff work together to enforce security measures in the residence halls. Security programs are presented to residents to increase their awareness of safety and security in the residential facilities.

**SECURITY CAMERAS:** The DPS seeks to enhance public safety and security by utilizing security cameras, in a professional and ethical manner, consistent with accepted legal rights of privacy. RWU has security cameras that are in use in both internal and external locations. The cameras are spread throughout campus and non-campus buildings to include parking lots.

**POLICY FOR ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS:** Off-campus apartment complexes, townhouses/condominium communities, and other multi-family homes pose unique challenges. Because of the natural turnover of many residents in rental property, students must make an extra effort to be aware of their surroundings. This includes knowledge of the measures that landlords have taken on behalf of resident safety. Resources for off-campus students are available through the Office of Residence Life and Housing or at <https://www.rwu.edu/undergraduate/student-life/living-rwu/returning-student-housing-selection/campus-housing> with particular attention paid to the RWU Good Neighbor Policy.

To report a crime at an off-campus residence, call the non-emergency number for the local Police Department in your city or town, or dial 911 in the event of an emergency. You can also notify DPS after notifying the local Police Department for assistance.

## VII. MAINTENANCE OF CAMPUS FACILITIES

The Department of Facilities Management works with the DPS and the Department of Environmental Health and Safety (EHS) to maintain and minimize hazards related to facilities on campus. DPS Officers patrol the campus and communicate potentially hazardous problems, such as burned out lights or broken door locks to Facilities Management for immediate attention and repair. Roger Williams University community members are also encouraged to report these types of problems to the DPS or Facilities Management (401) 254-3136.

Facilities Work Order link: <https://www.rwu.edu/who-we-are/administrative-offices/facilities/work-order-system>  
EHS safety suggestions or reporting link: <https://rwu.edu/about/University-offices/ehs/safety-suggestion-form>

## VIII. UNIVERSITY EDUCATIONAL AND TRAINING PROGRAMS

The Department of Public Safety strives to provide a safe and secure environment conducive to living and learning. Our efforts to maintain a safe and secure environment rely on our ability to develop collaborative relationships with the many communities that make up the University and beyond. Roger Williams University continually promotes and sponsors programs designed to educate students and employees regarding campus crime prevention and safety. These programs encourage personal safety first and emphasize interaction and communication to enhance the Department of Public Safety's community policing approach to campus safety.

Examples of security awareness programs and procedures are as follows: The University has a Safety Committee that meets monthly and a Risk Management Committee that meets every other month to assist in reviewing, recommending and implementing policies, procedures and practices to promote campus safety. These Committees review such things as lighting surveys and occupational safety hazards. Environmental Health and Safety distributes regular email Safety Notices with safety tips to employees and students. Public Safety and Environmental Health and Safety in collaboration with the Student Senate conduct a campus Safety Walk each year to review on-scene campus safety options and possible needs for enhancement. The Safety Committee also conducts an annual Safety Walk.

During summer orientation, students and family members meet with the Director of Public Safety who discusses safety resources, including downloading the Rave Guardian application. Students are provided safety tips annually, with information advising them of precautions to help avoid becoming a victim of crime on or off campus. Employees receive campus safety information at new employee orientation, held once monthly. During Welcome Week, first year students attend Health and Safety training sessions conducted by Public Safety, Health Services, Title IX, Environmental Health and Safety, Student Conduct and Conflict Resolution, and Alcohol and Other Drug Education. The Title IX portion consists of risk reduction education, procedures, programs, and policy information regarding sexual misconduct, dating violence, domestic violence, sexual assault, and stalking. The Public Safety portion consists of an overview of learning to live independently, being responsible for oneself and personal belongings. Emergency Alert systems, Rave Alert and Rave Guardian are discussed as are learning the alternate exits in whatever buildings students are in. Emergency evacuation training, including active intruder training, is completed for first year students and made available for returning students. The Departments of Environmental Health & Safety and Public Safety have a joint training presentation on workplace emergency evacuation and hostile intruder procedures. All employees are encouraged to complete the video training session, which is distributed through an All-University email and available online. Employees also have had in person training on this module and it is used during new employee orientation. The University tests its Emergency Notification System and Siren Warning System during the year and completes a campus wide lockdown drill during the year.

Crime prevention information and personal safety programs are presented throughout the year as a means to promote an overall and ongoing public safety awareness campaign. The Department also provides ongoing safety escorts to community members as requested. While the Department of Public Safety and its partners are responsible for ensuring that our campus is as safe as possible, the primary responsibility for crime prevention and personal safety rests with each community member. Additional crime prevention information and safety tips are available online at <https://www.rwu.edu/who-we-are/administrative-offices/public-safety/crime-prevention/safety-tip>.

Rave Guardian is a campus safety app available at RWU that turns your smart phone into a personal safety device. The free app, available for both iPhone and Android smartphones, allows users to check in with family, friends, Public Safety or others you trust to help you stay safe. You can use the app to set a safety timer, create and message your guardians or initiate emergency help requests at the push of a button. Rave Guardian can be used to send an anonymous tip to Public Safety if you see something on campus that looks out of place or dangerous. Find complete details and download instructions at: <http://www.rwu.edu/about/university-offices/public-safety/crime-prevention/rave-guardian>.

The RWU Crime Prevention email is [crimeprevention@rwu.edu](mailto:crimeprevention@rwu.edu). For detailed information regarding University programs to prevent dating violence, domestic violence, sexual assault, and stalking, please see Section XVI.





## IX. ALCOHOL AND DRUG POLICY

Roger Williams University and Roger Williams University School of Law (collectively, the “University”), established an Alcohol and Drug-Free School and Workplace Policy (the “Policy”) in response to and in conformity with the Drug-Free Workplace Act of 1988 (41 USC § 701) and the Drug-Free Schools and Communities Act Amendments of 1989 (20U.S.C. § 1011i). Students and employees of the University receive a copy of this Policy on an annual basis. This policy contains a description of RWU drug or alcohol-abuse education programs, additional policy information and is located at: <https://www.rwu.edu/sites/default/files/downloads/hr/drug-freepolicy.pdf>.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, illicit drug, or alcohol by any person, including visitors and vendors, is prohibited in or on the University premises, in vehicles owned, leased, or rented by the University, at any work site or location at which University duties are being performed by University employees or students, as part of any University activity, or at off-campus activities of student groups recognized by the University. The DPS, in partnership with the Division of Student Life, enforces Rhode Island alcohol and other drug laws as well as Federal laws and local ordinances in this regard on campus. Violators are subject to University sanctions and possible arrest by police.

The University annually publishes the University Alcohol and Drug Policy, which also includes alcohol and drug education program information. A copy of this policy is available in the Roger Williams University Student Handbook available on-line at <https://www.rwu.edu/student-handbook/alcohol-and-drug-policy>. In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, University regulations and laws pertaining to alcoholic beverages and the possession, use, distribution and sale of illicit drugs shall be strictly and consistently enforced. Any violation of the University’s Student Code of Conduct or violation of federal, state or local laws shall subject the responding party to the University disciplinary process and/or criminal prosecution.

**MEDICAL AMNESTY POLICY:** The University is dedicated to creating a community of educated individuals focused on personal responsibility and sound decision-making. It also is committed to providing guidance so that students can learn to develop a responsible approach to social challenges.

The University encourages students to take care of their personal health and wellbeing and to behave in an equally caring way with their peers. The University recognizes that there may be times when students face medical emergencies involving excessive drinking and/or drug use. As in such cases, if an individual seeks medical attention due to a medical emergency, the Office of Student Conduct and Conflict Resolution will not pursue disciplinary sanctions against the student for consumption or possession of alcohol or drugs.

Medical Amnesty applies only to the possession or consumption of alcohol and drugs. It does not preclude disciplinary sanctions due to any other violation of the Student Code of Conduct. Other such violations include, but are not limited to, assault, property damage or distribution of illicit substances. Additionally, the Policy does not prevent action by police, other law enforcement personnel, or other third parties.

Roger Williams University Medical Amnesty Policy is applicable to:

- A student requesting medical assistance for oneself.
- A student(s) seeking medical assistance for another person.
- A student for whom medical assistance was sought.

If a student/group calls on behalf of another student, that student/group is required to remain with the student experiencing the emergency until medical attention arrives. Please note that Medical Amnesty will not be granted to students who do not seek medical assistance, and that students who are confronted by University staff or another third party will be referred to the Office of Student Conduct and Conflict Resolution for disciplinary action. The student needing medical assistance will be required to meet with a designated hearing officer and may be expected to complete the following:

- A meeting with another educational referral.
- Responsibility for costs associated with hospital transportation, treatment, assessment, or damage.
- Parental or emergency contact notification.

As long as the student seeking Medical Amnesty complies with all directives, there will be no disciplinary action taken related to a violation of possession or consumption of alcohol or drugs. Medical Amnesty is not intended to shield students or organizations in cases of extreme, flagrant, and repeated incidents. In cases where extreme, flagrant or repeated violations of the Student Code of Conduct occur, the University reserves the right to take disciplinary action on a case-by-case basis regardless of the manner in which the incident was reported. In each case, the Director of Student Conduct and Conflict Resolution or designee will make the final determination as to the applicability of this provision. In the case of any emergency involving alcohol or other drugs, call RWU Public Safety at (401) 254-3333 immediately for emergency medical assistance.

**ALCOHOL QUANTITY POLICY:** Students who are 21 years of age or older are permitted to possess and consume alcohol in specified quantities, in designated University housing rooms in a manner that does not lead to incapacitation or abuse. Students who are legal drinking age may not share or provide alcohol to any persons who are under 21 years of age. Those students who are under 21 years of age are not permitted to possess or consume alcohol anywhere on University property, at University-sponsored events, or off-campus. Quantity limit per student for those of age is: 15 beers **OR** 1.5 liters of wine **OR** 1 pint of hard alcohol (no higher than 80 proof and not stimulant-enhanced), but not to exceed 60 beers **OR** 3.0 liters of wine **OR** 1 liter (2 pints) of hard alcohol, regardless of the number of occupants. Empty containers will be counted towards the quantity limits. Possession of kegs or other large alcohol storage devices (i.e. trashcans, beer balls) is prohibited.

**STATEMENT ON MARIJUANA:** Rhode Island law currently permits with certain restrictions (e.g. prohibited on any school grounds) the use of marijuana for persons possessing a lawfully issued medical marijuana card. In addition, effective April 1, 2013, Rhode Island law was amended to decriminalize a limited amount (one ounce or less) of marijuana from a misdemeanor to a civil offense for the first and second violations in an 18 month period (the entire statute is available here: <http://webserver.rilin.state.ri.us/Statutes/>). It is important to note that federal law still prohibits the use, possession, distribution, sale or cultivation of marijuana.

The use of marijuana can negatively impact learning, impair clear thinking and mental alertness, and conflicts with the educational mission of Roger Williams University. As an educational institution that receives federal funds, Roger Williams University must comply with federal law under the Drug-Free Schools and Communities Act Amendments of 1989 (20 U. S.C. Section 1011i). Accordingly, the use, possession, distribution, sale or cultivation of marijuana remains prohibited for all students on and off campus via the RWU Student Handbook and the Student Code of Conduct. However, students who possess a lawfully issued medical marijuana card and use marijuana for that purpose in private, off-campus residences will be exempt from University policy in that regard.



## X. CRIME STATISTICS POLICIES AND DEFINITIONS

**Procedures for gathering crime statistics:** The Director of Student Conduct and Conflict Resolution, in collaboration with the Directors of Public Safety and Environmental Health and Safety, is charged with the responsibility of collecting data, preparing the Annual Security and Fire Safety Report, and distributing the annual report. Questions about the report can be directed to the Director of Public Safety, Mark Porter (401) 254-3611 [mporter@rwu.edu](mailto:mporter@rwu.edu) or the Director of Student Conduct and Conflict Resolution, Diana Proto (401) 254-3042 [dproto@rwu.edu](mailto:dproto@rwu.edu). Questions about the Fire Safety portion of this report can be directed to the Director of Environmental Health & Safety, Kathy Souza (401) 254-3494 [ksouza@rwu.edu](mailto:ksouza@rwu.edu). The Director of Student Conduct and Conflict Resolution completes an analysis of all crimes reported to the department. Crime statistics that occurred on or within RWU's Clery geography are gathered. The statistics can be found in Section XVII. Data is collected from the following:

- Bristol Police Department
- Portsmouth Police Department
- Providence Police Department
- RWU Campus Security Authorities

RWU maintains a "Daily Crime Log" and a "Daily Fire Log" that record, by the date the crime or fire was reported to the Department of Public Safety (DPS) and the Department of Environmental Health and Safety (EHS), any crime or fire that occurred within its Clery geography. The crime log includes the nature, date, time, and general location of each crime; and the disposition of the complaint, if known. The purpose of these logs is to record criminal incidents, alleged criminal incidents and Clery category fires that are reported to DPS and EHS. RWU makes an entry or an addition to an entry to the log within two business days of the report of the information, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim. RWU may withhold information if there is evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. The daily crime and fire logs for the most recent 60 days are available for public inspection in the Department of Public Safety (daily crime log) and in the Department of Environmental Health and Safety (daily fire log) during regular business hours. Daily crime and fire logs older than 60 days are available for inspection within two business days of a request.

### CLERY GEOGRAPHY DEFINITIONS

#### **On-campus-defined as:**

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution to 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 identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### **On-campus Student Housing Facility-defined as:**

- For purposes of the Clery Act (as well as the HEA missing student notification and fire safety regulations), any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

#### **Public Property-defined as:**

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



**Non-campus Buildings or Property-defined as:**

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution. RWU considers the RWU related properties at 235 High Street, 220 High Street, and 255 Franklin Street in Bristol, RI as non-campus buildings or property.

**Definition of the term "Unfounded":**

- A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

**CLERY REPORTABLE OFFENSES AND DEFINITIONS**

**Criminal Homicide:** Separated into two categories.

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

**b. Manslaughter by Negligence:** The killing of another person through gross negligence.

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

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

**b. 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 their age or because of their temporary or permanent mental incapacity.

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

**d. Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

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

**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.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

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

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Hate Crimes:** A crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

This includes all crimes listed above plus the following crimes:

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

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

**c. Intimidation:** To unlawfully place 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.

**d. Destruction/Damage/Vandalism of Property (except Arson):** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner of the person having custody or control of it.

**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. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

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

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition: (a) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property. (b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Weapons: Carrying, Possessing, etc., Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**STUDENT HANDBOOK AND UNIVERSITY POLICIES:** As stated in the Student Handbook and on the RWU website, the following items are examples of what is not permitted within our residence halls due to existing RWU policy, fire safety laws, and federal, state and local laws. Possession of such items may result in seizure and/or destruction of the items by a University representative and may result in student conduct action.

- Alcoholic beverages and containers (underage persons/over alcohol quantity policy).
- Narcotics, drugs (including alternative drugs such as synthetic THC) and drug related items (including hookahs).
- Firearms, weapons, ammunition (not limited to live ammunition) and related paraphernalia, BB guns and air guns.
- Explosive materials. Gasoline, kerosene and other fuels.
- Firecrackers and fireworks.
- Combustible decorations. Wall/ceiling tapestries.
- Candles, lanterns, incense, etc.
- Chemicals of any kind.
- Cooking equipment (i.e., grills, toaster ovens, hot pots, hot plates, fry pans, etc.).
- Immersion heaters.
- Refrigerators larger than 5 cubic feet (Microfridge rentals are permitted).
- Microwaves.
- Air conditioners.
- Pets (except fish in a bowl or tank under twenty gallons).
- Halogen lamps.
- Items that may affect the safety or security of the residence hall.

## XI. FIRE SAFETY REPORT

In accordance with the Higher Education Opportunity Act of 2008 and its implementing regulations, Roger Williams University, including Roger Williams University School of Law (collectively, “University”), is providing mandatory fire safety information for the three most recent calendar years (2018, 2019 and 2020) in this report.

### FIRESTATISTICS:2018

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries Related to a Fire that Result in Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Almeida Apartments	0	0	n/a	n/a	n/a	n/a
Baypoint Residence Hall	0	0	n/a	n/a	n/a	n/a
Bayside Apartments	0	0	n/a	n/a	n/a	n/a
Cedar Hall	0	0	n/a	n/a	n/a	n/a
Maple Hall	0	0	n/a	n/a	n/a	n/a
North Campus Residence Hall	0	0	n/a	n/a	n/a	n/a
Stonewall Terrace	0	0	n/a	n/a	n/a	n/a
Willow Residence Hall	0	0	n/a	n/a	n/a	n/a

### FIRESTATISTICS:2019

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries Related to a Fire that Result in Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Almeida Apartments	0	0	n/a	n/a	n/a	n/a
Baypoint Residence Hall	0	0	n/a	n/a	n/a	n/a
Bayside Apartments	0	0	n/a	n/a	n/a	n/a
Cedar Hall	0	0	n/a	n/a	n/a	n/a
Maple Hall	0	0	n/a	n/a	n/a	n/a
North Campus Residence Hall	0	0	n/a	n/a	n/a	n/a
Stonewall Terrace	0	0	n/a	n/a	n/a	n/a
Willow Residence Hall	0	0	n/a	n/a	n/a	n/a



**FIRESTATISTICS:2020**

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries Related to a Fire that Result in Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Almeida Apartments	0	0	n/a	n/a	n/a	n/a
Baypoint Residence Hall	0	0	n/a	n/a	n/a	n/a
Bayside Apartments	0	0	n/a	n/a	n/a	n/a
Cedar Hall	0	0	n/a	n/a	n/a	n/a
Maple Hall	0	0	n/a	n/a	n/a	n/a
North Campus Residence Hall	0	0	n/a	n/a	n/a	n/a
Stonewall Terrace	0	0	n/a	n/a	n/a	n/a
Willow Residence Hall	0	0	n/a	n/a	n/a	n/a

**ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY SYSTEMS:**

On-Campus Student Housing Facility	Fire Safety Systems
Almeida Apartments	5 buildings with supervised/addressable fire alarm systems and wet sprinkler systems/Fire extinguishers.
Baypoint Residence Hall	1 building with supervised/addressable fire alarm system and wet sprinkler system/Fire extinguishers.
Bayside Apartments	4 buildings with supervised/addressable fire alarm systems and wet sprinkler systems/Fire extinguishers.
Cedar Hall	1 building with supervised/addressable fire alarm system and wet sprinkler system/Fire extinguishers
Maple Hall	1 building with supervised/addressable fire alarm system and wet sprinkler system/Fire extinguishers
North Campus Residence Hall	1 building with supervised/addressable fire alarm system and wet sprinkler system/Fire extinguishers
Stonewall Terrace	4 buildings with supervised/addressable fire alarm systems and wet sprinkler systems/Fire extinguishers
Willow Residence Hall	7 buildings with supervised/addressable fire alarm systems and wet sprinkler systems/Fire extinguishers

## REGULAR MANDATORY SUPERVISED FIRE DRILLS

The University conducted four mandatory supervised fire drills at each on-campus student housing facility in each of the above calendar years. During fall 2020 the drills were modified with education and walk-throughs only due to COVID 19. We followed recommendation and direction of local authorities having jurisdiction.

## POLICIES/RULESONPORTABLEELECTRICALAPPLIANCES,SMOKING,ANDOPENFLAMES IN STUDENT HOUSING FACILITIES

**Portable Electrical Appliances:** Electrical appliances such as space heaters, air conditioners, electric blankets, and immersion heater coils which are extreme fire hazards or appliances that are not suitable for a residence hall environment are prohibited. Microwaves, toaster ovens, hot plates, fry pans, indoor grills, and other cooking appliances are only allowed in the private kitchens at Almeida Apartments, Bayside Apartments, and North Campus Residence Hall. The University reserves the right to confiscate and dispose of any appliance deemed hazardous. It is the student's responsibility to check with the Department of Residence Life and Housing whether or not appliances other than those listed above are allowed.

**Smoking:** Smoking is prohibited in all residence halls and apartments. All residence hall rooms and apartments are smoke-free. Smoking, including e-cigarettes, is only permitted in designated gazebos located near the residence halls. (A map of these locations can be found on the RWU website). Hookahs, vaporizers, and other smoking devices are not permitted in any residence halls or apartments. Students who are found smoking in residence halls or apartments may be assessed a fine and/or conduct review from the Roger Williams University Office of Student Conduct and Conflict Resolution or the School of Law Dean of Students Office.

**Open Flames:** Open flames, incense, candles, or oil lamps are prohibited at all times in all residence halls and apartments. Possession of these items may result in a fine and/or conduct review from the Roger Williams University Office of Student Conduct and Conflict Resolution or the School of Law Dean of Students Office. A grill procedures document is available on the RWU website designating proper use of grills.

**Procedures for Student Housing Evacuation in the Case of a Fire:** Procedures for student housing evacuation in the case of a fire are found on fire safety instruction sheets which are located in each on-campus student housing facility and online.

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

The Department of Environmental Health and Safety conducts the following fire safety education and training programs:

- a) Twice a semester supervised fire drills for each residence hall;
- b) Staff fire extinguisher training, and general fire safety training for the following University groups: Resident Assistants (RAs) and Community Directors (CDs);
- c) Annual employee emergency response and evacuation procedure training; and
- d) The distribution of flyers, e-mails and brochures regarding fire safety educational purposes.

## PROCEDURESFOREVACUATIONIN THE EVENT OF A FIRE IN A CAMPUS BUILDING

In case of a fire, you should immediately pull the nearest fire alarm as you exit the building. When evacuating the building, remember to feel doors before opening them to be sure that there is no fire on the other side. If you must enter a smoke-filled room or hallway, stay low, keeping one hand on the wall to avoid disorientation and crawl to the nearest exit, keeping your head near the floor. Once you are safely away from danger, call the Department of Public Safety at (401) 254-3333 and/or 911 to report the fire. Leave the building at once but stand by to direct emergency teams to the location of the fire. Never re-enter the building until you have been instructed that it is safe to do so by emergency personnel.

**Reporting Fires:** Students and employees should report all fires in on-campus student housing facilities to the Department of Public Safety at (401) 254-3333.

**Plans for Future Improvement in Fire Safety:** The University plans to continue campus wide fire alarm system upgrades.

RWU's Department of Environmental Health & Safety will provide a paper copy of the Annual Security & Fire Safety Report upon request. Questions regarding the Fire Safety portion of this report may be directed to the Department of Environmental Health & Safety. Please contact Kathy Souza, Director at (401) 254-3494 or email [ksouza@rwu.edu](mailto:ksouza@rwu.edu).



## **XII. MISSING STUDENT POLICY**

The RWU Missing Student Policy is enacted pursuant to 20 U.S.C. § 1092(j) and 34 C.F.R. § 668.46(h) and is intended to establish the missing student notification policy and procedure for Roger Williams University, including Roger Williams University School of Law, for students who reside in on-campus student housing facilities. On-campus student housing facilities shall include all residence halls on the Bristol campus, including Almeida Apartments and Baypoint Residence Hall.

**Policy:** Any student who resides in an on-campus residence hall may designate an individual(s) to be contacted by the University if the student is determined to be missing by the Department of Public Safety or local law enforcement. The contact information will be registered confidentially, accessible only to authorized University officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation or as otherwise provided by law. Students may designate and update their emergency and missing person contact information on the Emergency Information section of Roger Central at <https://rogercentral.rwu.edu>.

**Procedure:** Most missing person reports in the university environment result from a student changing their routine without informing roommates and/or friends of the change. Anyone who believes that a student might be missing should immediately report their concern to the [Department of Public Safety](#) at (401) 254-3333. The DPS shall promptly investigate each report to determine whether the student is missing. A student shall be deemed missing when they are absent from the University for more than 24 hours without any known reason.

The University shall take the following steps when the DPS or local law enforcement determines that a student is missing in accordance with this policy: The University will notify the contact person(s) designated by the student not later than 24 hours after the student is determined to be missing. If the student is under 18 years of age and not an emancipated individual, the University will notify the custodial parent or guardian of the student and the contact person(s) designated by the student (if different from the student's custodial parent or guardian) not later than 24 hours after the student is determined to be missing. If the DPS has determined that a student is missing, the University will notify local law enforcement not later than 24 hours after a student is determined to be missing.

**Students living in off-campus housing:** While this policy by law only applies to students residing in on-campus student housing facilities, anyone who believes that a student who resides in off-campus housing might be missing should immediately report their concern to the Department of Public Safety and/or law enforcement. If reported to the DPS, the DPS shall promptly notify law enforcement and provide any requested assistance to law enforcement in law enforcement's investigation. Students should maintain current emergency contact information on file with the University to assist in such an event. Students may designate and update their emergency and missing person contact information on the Emergency Information section of Roger Central at <https://rogercentral.rwu.edu>.

### **XIII. HIGHER EDUCATION OPPORTUNITY ACT VICTIM NOTIFICATION**

Roger Williams University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **XIV. REGISTERED SEX OFFENDERS: CAMPUS SEX CRIMES PREVENTION ACT (CSCPA)**

The CSCPA provisions appear in subsection (J) of the Wetterling Act [42 U.S.C.14071(j)]. As provided in subsection (j) any person required to register under a state sex offender registration program must notify the state concerning each institution of higher education in the state at which the person is a student or works, and of each change in enrollment or employment status of the person at such an institution. State procedures must also ensure that information concerning a registrant enrolled or working at an institution of higher education is promptly made available to a law enforcement agency having jurisdiction where the institution is located, and entered into the appropriate state records or data system. In accordance with requirements of the CSCPA as well as under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C.16911), information concerning registered sex offenders employed, enrolled as a student, or carrying on a vocation at this institution can be obtained, to the extent permitted by law, by contacting the Sex Offenders Community Notification Unit within the Rhode Island Parole Board at (401) 462-0905, or online at <http://www.paroleboard.ri.gov/sexoffender/olist/search.php>. In Massachusetts, find information online at <https://www.mass.gov/information-about-sex-offenders>.

### **XV. TITLE IX REPORTING, INVESTIGATION, AND GRIEVANCE PROCEDURES POLICY AGAINST TITLE IX PROHIBITED CONDUCT APPLICABILITY AND SCOPE**

The University prohibits dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. The Roger Williams University Title IX Sexual Harassment Policy & Procedures are provided here: <https://www.rwu.edu/student-handbook/sexual-misconduct-gender-based-misconduct-procedures> and non-Title IX sexual misconduct policies and procedures are provided here: <https://www.rwu.edu/student-handbook/student-code-conduct>. These are the University policy statements in compliance with the Clery Act.

#### **PURPOSE OF THE TITLE IX SEXUAL HARASSMENT POLICY & PROCEDURES**

On August 14, 2020, the United States Department of Education and the Office for Civil Rights implemented Title IX regulations that govern how institutions of higher education that receive federal funding must respond to allegations of sexual harassment.<sup>1</sup> This document describes Roger Williams University's ("RWU") Title IX Sexual Harassment policy and procedures. Incidents that do not meet the definitions of prohibited conduct described herein or other criteria outlined in this Title IX policy will be referred to other University departments as appropriate (e.g. Office of Student Conduct and Conflict Resolution, Human Resources, etc.).

#### **PROHIBITION AGAINST SEXUAL HARASSMENT**

RWU prohibits all forms of discrimination on the basis of sex in its education programs and activities and is required by Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations not to discriminate in such a manner. According to Title IX, *"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."*<sup>2</sup> This prohibition against discrimination on the basis of sex applies to incidents of sexual harassment as defined by 34 C.F.R. § 106.30, as well as dating violence, domestic violence, sexual assault, and stalking as defined by the Violence Against Women Reauthorization Act of 2013. Sexual harassment, including sexual violence, is a form of sex discrimination that is illegal under both federal and Rhode Island state law, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 28-51-2 of the General Laws of Rhode Island.

#### **APPLICABILITY AND SCOPE**

This policy applies to all RWU community members, including faculty, adjunct faculty, staff, students, and participants in University programs or activities. In certain situations, this policy may also apply to other individuals, such as contractors, visitors, volunteers, and/or other third parties.

The policy and procedures described herein only apply to allegations of sexual harassment that meet the Title IX regulatory definition of sexual harassment and conduct that has occurred within the University's education programs or activities in the United States. For

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<sup>1</sup> See 34 C.F.R. § 106 et seq.

<sup>2</sup> See 20 U.S.C. § 1681(a).



purposes of this policy, an education program or activity includes locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the Title IX sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the University.

### **ROLE OF THE TITLE IX COORDINATOR**

In compliance with Title IX requirements, the University has named Dr. Jen Stanley as its Title IX Coordinator. The responsibilities of the Title IX Coordinator and/or other Deputy Title IX Coordinators include, but are not limited to, the following:

1. Oversee compliance with the Title IX statute and implementing regulations, and review University Title IX policies and procedures accordingly;
2. Receive and assess reports of sexual harassment in violation of this policy made by any person through the reporting means described herein;
3. Respond to reports of sexual harassment, when the University has actual knowledge, in a way that is not deliberately indifferent;
4. Coordinate and oversee the administration of all Title IX formal complaints, informal resolution processes, formal grievance processes, and appeals processes described herein;
5. Oversee the effective implementation of supportive measures, remedies, and disciplinary sanctions;
6. Coordinate and develop programming and informational initiatives that enable individuals to understand sexual harassment as a form of sex discrimination; and
7. Educate community members about the University Title IX policy and procedures.

The Title IX Coordinator reserves the right to delegate some of the aforementioned responsibilities to other University employees who meet the requirements described in the “Roles of Professionals Involved in the Informal Resolution Process and Formal Grievance Process” section below.

The Title IX Coordinator’s contact information is as follows:

- Name: Dr. Jen Stanley
- Role: Title IX Coordinator
- Office Location: 2<sup>nd</sup> Floor of the Center for Student Development Building
- Office Mailing Address: 1 Old Ferry Road, Bristol, RI 02809
- Phone Number: (401) 254-3123
- Email Address: [jstanley@rwu.edu](mailto:jstanley@rwu.edu)

### **PROHIBITED CONDUCT DEFINED**

#### **Title IX Sexual Harassment**

Title IX Sexual Harassment is conduct *on the basis of sex* that satisfies one or more of the following three categories: (1) Quid Pro Quo Sexual Harassment; (2) Hostile Environment Sexual Harassment; and/or (3) Sex-Based Crimes.

- **Quid Pro Quo Sexual Harassment** occurs when an employee of RWU conditions the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct.

Examples of Quid Pro Quo Sexual Harassment include, but are not limited to the following:

- a. A Professor of the University promises a student that they will receive an A in their course in exchange for sexual favors;
- b. A coach employed by the University conditions a student’s athletic success or failure in an extracurricular activity on the student’s participation in unwelcome sexual conduct; or
- c. A University employee who supervises a student-employee asks the student to go out on a date. When the student declines, the University employee threatens to fire the student.

- **Hostile Environment Sexual Harassment** occurs when unwelcome conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity.

Examples of Hostile Environment Sexual Harassment include, but are not limited to the following:

- a. Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender-stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting and hazing, etc.
- b. Physical contact, such as intentional touching, pinching, brushing against another’s body, impeding or blocking movement, assault;
- c. Unwelcomed sexual advances or requests for sexual favors;
- d. Verbal contact, such as sexually suggestive or obscene comments, phone calls, threats, slurs, epithets, jokes about gender-specific traits, sexual propositions;
- e. Visual contact, such as leering or staring at another’s body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters or magazines; or

- f. Written contact, such as sexually suggestive, harassing, or obscene letters, texts, faxes, emails, notes, invitations;
- **Sex-Based Crimes** occur when conduct constitutes “sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).
- **Sexual Assault** includes the sex offenses of Rape, Sodomy, Sexual Assault with an Object, Fondling, Incest, and Statutory Rape.
  - **Rape** is the carnal knowledge of a person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Sodomy** is oral or anal sexual intercourse with another person, without the consent of that person, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Sexual Assault with an Object** is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification without the consent of that person, including instances where the person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - **Incest** is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** is nonforcible sexual intercourse with a person who is under the statutory age of consent.
- **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on consideration of the following factors:
  - (1) The length of the relationship;
  - (2) The type of relationship; and
  - (3) The frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, **or** by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.
- **Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - (1) fear for their safety or the safety of others; or
  - (2) suffer substantial emotional distress.

### **Title IX Retaliation**

Neither the University nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or the Title IX regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.

Intimidation, threats, coercion, or discrimination, including charges against an individual for Code of Conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this policy, constitutes retaliation.

The University must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by federal or Rhode Island state law, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the policy described herein.

## **RELEVANT DEFINITIONS**

**Consent** is a clear, informed, knowing and voluntary agreement to engage in specific sexual activity. Consent to one type of sexual activity does not equal consent to other types of sexual activity. Consent can be withdrawn at any point during sexual activity, wherein the sexual activity must stop immediately. A verbal “no” establishes lack of consent. Silence, without clear actions demonstrating permission, cannot be assumed to indicate consent—the absence of “no” does not equal “yes.” Consent cannot be obtained by coercion, force, intimidation, or threat. Consent cannot be given by someone if they are mentally or physically incapacitated.

The University strongly encourages students who choose to engage in sexual conduct to verbally communicate their intentions and consent as clearly as possible.

**Coercion** is unreasonable or sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

**Complainant** is any individual who is alleged to be the victim of sexual harassment that is prohibited under this policy.

**Force** is the use of physical violence and/or imposing on someone physically to gain sexual access. Force can include intimidation or implied threats to overcome an individual’s resistance or produce consent. There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

**Incapacitation** is a state where an individual is temporarily or permanently impaired to the extent where that person can no longer make a rational and informed decision to consent to sexual activity. Incapacitation may be caused by mental or physical disability, or when a person has consumed alcohol or other drugs, including prescribed medication. Individuals who are asleep or unconscious are incapacitated. A person who does not comprehend the “who, what, when, where, why or how” of a sexual interaction may be incapacitated.

Indicators of alcohol-related incapacitation may include, but are not limited to, stumbling or shaky equilibrium, vomiting, slurred speech, bloodshot eyes, smell of alcohol, outrageous or unusual behavior, unconsciousness (for short or long periods of time), elevated blood alcohol level, sleeping, blackout, or loss of memory.

**Intimidation** is defined as overt or implied threats or acts that would cause reasonable fear of harm in another.

**Preponderance of the Evidence** standard is met if the greater weight of the evidence demonstrates that it is “more likely than not” that a violation has occurred.

**Respondent** is any individual who has been alleged to be the perpetrator of sexual harassment that is prohibited under this policy.

## **ACADEMIC FREEDOM**

The University is committed to the principles of Academic Freedom as found in the RWU Faculty Contract.<sup>3</sup> Reported conduct that is deemed protected under the Academic Freedom policy would not qualify as a Title IX violation.

## **CONFIDENTIALITY**

RWU will make all reasonable efforts to keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment under this policy, any individual who has been reported to be the perpetrator of sexual harassment, any Respondent, or any witness. RWU will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

RWU may reveal confidential information as permitted or required by law, to carry out the purposes of this policy, including conducting any investigation, live hearing, or proceeding arising thereunder.

Although RWU will make all reasonable efforts to maintain privacy and confidentiality, the University will not restrict the ability of any

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<sup>3</sup> For the RWU Faculty Contract, see Appendix B of the following link:

[https://www.rwu.edu/sites/default/files/downloads/hr/faculty\\_union\\_contract\\_2017-21.pdf](https://www.rwu.edu/sites/default/files/downloads/hr/faculty_union_contract_2017-21.pdf)

party to discuss the allegations under investigation or to gather and present relevant evidence. However, the prohibition against retaliation continues to apply to all parties.

Certain types of Sexual Harassment are considered crimes for which the University must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. In these instances, the University will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the parties. In addition, RWU will issue “Timely Warnings” in compliance with the Clery Act to alert the campus community about crimes that pose a serious or continuing threat to safety. Timely Warnings may be issued for ongoing or imminent threats, both on- and off-campus, and will aid in the prevention of similar occurrences. The decision to issue a Timely Warning is decided on a case-by-case basis in light of all the facts surrounding an incident, including factors such as the nature of the crime, the continuing threat to the campus community, and the possible risk of compromising law enforcement efforts, and are not limited to crimes being committed by persons not known to the victim.<sup>4</sup>

### **AMNESTY FOR STUDENTS**

The health and safety of every student at RWU is of utmost importance. RWU recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. RWU strongly encourages students to report incidents of violence to University officials. A bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to RWU’s officials or law enforcement will not be subject to disciplinary action under RWU’s Code of Conduct for violations of alcohol and/or drug-use policies occurring at or near the time of the commission of the incident of violence.

### **OPTIONS FOR REPORTING SEXUAL HARASSMENT**

#### **Title IX Reporting Procedure**

Any person (whether or not the person reporting is the person alleged to be the Complainant) may report sexual harassment, in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator in Appendix A, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. For purposes of this policy, RWU will be deemed to have actual notice of allegations only when notice of said allegations is made to the Title IX Coordinator or to a University official who has authority to institute corrective measures on behalf of the University.<sup>5</sup>

A reporting party may request that RWU not investigate and/or adjudicate the report under the formal complaint procedures described herein. RWU will make all reasonable efforts to honor a reporting party’s request in this regard. However, in certain circumstances, the University may decide to pursue a formal complaint. These circumstances include, but are not limited to, instances when the University has received multiple reports of misconduct by the same individual or when the conduct reported poses a compelling risk to the health and safety of the University community.

Upon receiving a report of sexual harassment, if the Title IX Coordinator is made aware of the identity of a Complainant, the Title IX Coordinator will make all reasonable efforts to promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant’s wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. Upon receiving a report of sexual harassment, if the Respondent is unknown or is not a faculty, staff, or student member of the University, the Title IX Coordinator will make all reasonable efforts to provide the Complainant with supportive measures, as well as information and options regarding potential criminal processes. The Title IX Coordinator may also take appropriate actions to protect the Complainant, such as providing assistance in obtaining no-trespass and no-contact orders. If requested, the University will assist in filing/applying for orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

#### **Option of Confidential Reporting**

Individuals have the option to report confidentially through the RWU Confidential Reporting Form and/or to speak confidentially with the RWU Counseling Center employees, with RWU Health Services employees, or with other off-campus resources in accordance with law.<sup>6</sup>

#### **Option of Reporting to Law Enforcement**

Individuals who have experienced criminal violations are encouraged to report incidents to local law enforcement and have the option to do so. Formal reporting options include contacting the police department in the jurisdiction in which the incident occurred. If a

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<sup>4</sup> For more information about timely warnings, see the following link: <https://www.rwu.edu/who-we-are/administrative-offices/public-safety/clery-reports/timely-warning>

<sup>5</sup> See Appendix A.

<sup>6</sup> See Appendix B for reporting resources.



Complainant chooses to report to law enforcement or pursue a criminal process, the Complainant may simultaneously pursue a formal complaint under this policy. Individuals are advised that if there is concurrent law enforcement activity, RWU, at its sole discretion, may temporarily delay its investigative or adjudicative process.

The University can provide Complainants with information and support in the process of reporting criminal conduct to law enforcement. Regarding the involvement of law enforcement, the Complainant has several options, including: (1) to notify law enforcement authorities; (2) to be assisted by campus authorities in notifying law enforcement authorities; or (3) to decline to notify such authorities. The University will comply with the Complainant's request for assistance in notifying law enforcement to the extent it is consistent with law. The Complainant's choice to report to law enforcement will not impact the provision of supportive measures.

## **INTERIM ACTIONS**

### **Emergency Removal and Administrative Leave**

Upon receiving a report that a Respondent engaged in prohibited conduct described in this policy, RWU reserves the right to remove the Respondent on an emergency basis,<sup>7</sup> provided that it conducts an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual arising from the allegations justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

### **Supportive Measures**

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

RWU will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

Both the Complainant and Respondent involved in either an informal or a formal resolution process have a right to receive supportive measures from the University.

Supportive measures include, but are not limited to:

- Counseling services;
- Academic Accommodations;
- Housing Accommodations, such as:
  - Emergency Housing; and
- Protective Measures, such as:
  - No contact orders/directives;
  - Increased security and monitoring of certain areas of campus

Additional options and resources may be found in Appendix B and on the RWU Title IX website.

## **REQUIREMENTS FOR TITLE IX PERSONNEL**

### **Training**

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s),<sup>8</sup> and Facilitator(s) of Informal Resolution Processes receive training on:

- Prohibited behaviors as defined in this policy, including Title IX Sexual Harassment;
- The scope of the University's education program or activity as it relates to Title IX complaints;
- How to conduct the informal resolution process and formal complaint grievance processes under this policy, including investigations, live hearings, appeals, and informal resolution processes as applicable; and
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The Decision-Maker(s) receives additional training on:

- Any technology to be used at a live hearing; and
- Issues related to relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior may not be relevant.

The Investigator(s) receive additional training on:

- Issues related to relevance in order to create an investigative report that fairly summarizes relevant evidence.

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<sup>7</sup> When the Respondent is a non-student employee, RWU reserves the right to place the non-student employee on an emergency paid or unpaid administrative leave.

<sup>8</sup> For purposes of this policy, the Appeal Officer is a Decision-Maker.

Any materials used to train will not rely on sex or other stereotypes and will promote impartial investigations and adjudications of formal complaints.

All Title IX training materials will be posted on the RWU website as a part of its recordkeeping in accordance with law.<sup>9</sup> In addition to the aforementioned trainings, RWU also offers primary prevention and awareness programs, as well as educational programs and campaigns for students and employees to promote the awareness of discrimination and harassment, including dating violence, domestic violence, sexual assault and stalking.

As required by the Clery Act, the Grievance Process will also be implemented by officials who, at a minimum, receive annual training on relevant issues related to sexual assault, dating and domestic violence and stalking and on how to conduct the Grievance Process.

### **Conflicts of Interest, Bias, and Impartiality**

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes will make all reasonable efforts to ensure that the formal complaint grievance process is facilitated in an impartial manner.

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of informal resolution processes may not have a conflict of interest for or against Complainants or Respondents generally or an individual Complainant or Respondent.

The parties are expected to promptly report concern(s) regarding conflict of interest or bias regarding the above-listed personnel to the Title IX Coordinator as soon as reasonably possible once they become aware of the conflict of interest or bias. Upon receiving a report of conflict of interest or bias, the University will evaluate the report, and if it is determined that a conflict of interest or bias exists, the University will appoint another individual to serve in the role.

## **INFORMAL RESOLUTION PROCESS**

### **Overview of Process**

Informal resolution does not involve a full investigation and adjudication like the formal grievance process. Rather, the informal resolution process uses mediation or other forms of dispute resolution with the goal that the parties will arrive at a mutually agreed-upon outcome. The informal resolution process cannot be used for cases involving allegations that an employee sexually harassed a student.

In order to engage in an informal resolution process, the Complainant must first file a formal complaint with the Title IX Coordinator,<sup>10</sup> the process must be deemed appropriate for informal resolution by the Title IX Coordinator, and the Complainant and Respondent must voluntarily consent in writing to participate in the process.

To complete the informal resolution process, both parties must voluntarily agree to the outcome with the understanding that the outcome is final and will not be subject to further procedures under this policy, unless there is material evidence to show that a party engaged in misrepresentation or fraudulent conduct that impacted the resolution.

Both parties reserve the right to terminate the informal resolution process and may move forward with the formal grievance process any time prior to resolution. Such termination must be provided to the Title IX Coordinator in writing.

### **Written Notice to the Parties**

Prior to initiating an informal resolution process, the Title IX Coordinator will provide written notice to the parties that includes:

- The allegations alleged by the Complainant;
- The requirements of the informal resolution process, including the circumstances under which the parties are precluded from resuming a formal complaint arising from the same allegations; provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and move forward with a formal complaint grievance process; and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

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<sup>9</sup> See the “Recordkeeping” section below.

<sup>10</sup> See Filing a Formal Complaint described in the “Formal Complaint Overview” section.

## **FORMAL COMPLAINT OVERVIEW**

### **Filing a Formal Complaint**

A Formal Complaint is a document signed by a Complainant or signed by the Title IX Coordinator, alleging sexual harassment against a Respondent and requesting that the University investigate the allegations.<sup>11</sup> At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of the University. For purposes of this policy, employment by the University constitutes participation in the education program or activity.

A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail.<sup>12</sup> For purposes of the definition of Formal Complaint, “document signed by a Complainant” means a document or electronic submission that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or otherwise a party.

### **Consolidation of a Formal Complaint**

RWU may consolidate formal complaints under this policy when allegations arise out of the same facts or circumstances. In addition, a formal complaint of retaliation described herein may be consolidated with a formal complaint of sexual harassment under Title IX. Where the formal resolution process involves more than one Complainant or more than one Respondent, references made to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable.

### **Initial Assessment of a Formal Complaint**

Upon receipt of a formal complaint, the Title IX Coordinator will evaluate whether the alleged conduct, if proven, would constitute a Title IX violation because it meets or could meet the definition of Title IX Sexual Harassment and occurred or could have occurred within the jurisdiction and scope required by Title IX as described herein. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, would meet the aforementioned requirements, then the complaint will be investigated and adjudicated in accordance with the procedures outlined in this policy. If the Title IX Coordinator determines that the conduct alleged in the formal complaint, if proven, would not meet the aforementioned requirements, then the complaint will follow the dismissal process described below and may, if appropriate, be referred to another University office.

### **Dismissal of a Formal Complaint and Acknowledgment of Responsibility**

RWU reserves the right to dismiss a formal complaint. However, a dismissal of a formal complaint under Title IX may be resolved through other means outside of Title IX, including the University’s conduct process and procedures. Upon the decision to dismiss a formal complaint, both parties will be notified in writing and will be given the opportunity to appeal the dismissal.<sup>13</sup>

- *Mandatory Title IX “dismissal” will occur if:*
  - The alleged harassment would not constitute a Title IX violation because it does not meet or could not meet the definition of Title IX sexual harassment as described herein;<sup>14</sup> or
  - The alleged harassment did not occur within the jurisdiction and scope required by Title IX as described herein.<sup>15</sup>
- *Discretionary Title IX “dismissal” may occur if:*
  - At any time during the investigation or live hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein;
  - The Respondent is no longer enrolled in or employed by the University; or
  - There are specific circumstances that prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
  -

At any point during the grievance process, a Respondent may choose to voluntarily admit responsibility for the alleged violation(s) and execute a written waiver, at which point the Respondent will be assigned a sanction(s) and the grievance process will be terminated.

## **FORMAL COMPLAINT GRIEVANCE PROCESS: OVERVIEW**

Once a formal complaint (as defined above) is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the formal grievance process will commence.<sup>16</sup> The grievance process will include written notice of allegations, an investigation with interviews of all parties and relevant witnesses, a live hearing that includes all parties and relevant witnesses led by a Decision-Maker, a written determination of responsibility, and the option for appeal.

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<sup>11</sup> Unless the parties have met the requirements described in the “Informal Resolution Process” section and chosen to proceed with an informal resolution process as described herein, the University will evaluate the request for an investigation.

<sup>12</sup> See Appendix A for contact information.

<sup>13</sup> Please see Appeals section below.

<sup>14</sup> See the “Prohibited Conduct” section above.

<sup>15</sup> See the “Applicability and Scope of Policy” section above.

<sup>16</sup> Unless the parties have met the requirements to proceed with an informal resolution process as described herein.

RWU will make all reasonable efforts to provide a prompt, equitable, fair and impartial resolution of student and employee complaints,<sup>17</sup> including providing a grievance process that treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following its grievance process before imposition of any disciplinary sanctions or other actions that are not supportive measures. Remedies will be designed, where possible, to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services offered as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

### **Advisors**

The Complainant and the Respondent are entitled to the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney; and the University may not limit the choice or presence of an advisor for either the Complainant or Respondent in any meeting or grievance proceeding. Notwithstanding the foregoing, the advisor must comply with the restrictions established by the University regarding the extent to which the advisor may participate in the proceedings. The restrictions are set forth below.

- *Meetings and Investigation Interviews:* Advisors may not speak for or on behalf of any Complainant or Respondent during any meetings and/or investigation interviews. While an advisor cannot speak for or on behalf of the Complainant or Respondent during any meetings and/or investigation interviews, time will be granted for the advisor and the party to confer, if deemed appropriate, by the Investigator or University personnel facilitating any meeting. The Investigator and University personnel reserve the right to exclude an advisor from any meeting or investigation interview for failure to abide by these restrictions.
- *Live Hearings:* Each party must have an advisor present at the Title IX live hearing. If a Complainant or Respondent does not have an advisor present at the live hearing, the University will provide one. The University reserves sole discretion to select the advisor to provide under these circumstances. The advisor selected by the University will be provided without cost to the Complainant or Respondent. The role of any advisor during the live hearing is solely to conduct questioning on the Complainant's or Respondent's behalf. At the live hearing, the Decision-Maker will permit each party's advisor to ask the other party and any witnesses relevant questions and follow-up questions, including those challenging credibility. It is the expectation of the University that the advisor will at all times act in a respectful and non-aggressive manner. The Decision-Maker reserves the right to exclude an advisor from the live hearing for failure to abide by these restrictions. Should an advisor be excluded from the live hearing, the party will be able to choose a new advisor, or one will be provided by the University.

Advisors are required to follow all procedures described in this policy. In a situation where an advisor engages in a material violation of this policy or does not abide by reasonable instruction from the Title IX Coordinator(s), Investigator(s), Decision-Maker(s), or other University personnel, RWU reserves the right to either limit or preclude the advisor from participation in the formal complaint grievance process. In the circumstance where an advisor is precluded from future participation, the party may select a new advisor of their choice or the University will provide an advisor for them.

### **Privileged Information**

The University will not require, allow, rely upon, or otherwise permit questions or use of evidence that constitutes, or seek disclosure of, information protected under a legally recognized privilege. Notwithstanding the foregoing, if a person holding such a privilege has waived the privilege, then the information may be used during an investigation or live hearing.

In gathering evidence, the University will not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so.

### **Evidence Pertaining to Sexual History**

Questions about or evidence of a Complainant's sexual predisposition is never considered relevant for the purposes of preparing an investigative report or questioning in a live hearing.

Questions about or evidence of a Complainant's sexual history is only considered relevant for the purposes of an investigative report or questioning in a live hearing if:

- Such questions and evidence about the Complainant's prior sexual history are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant; or
- Such questions and evidence concern specific incidents of the Complainant's prior sexual history with respect to the Respondent and are offered to prove consent.

Questions or evidence about a Complainant's sexual history that do not meet the two exceptions described above will be excluded from investigative reports and live hearings and are to be deemed irrelevant.

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<sup>17</sup> As defined under Title IX and in the Clery Act.



## Written Notice of Allegations

Upon receiving a formal complaint, the Title IX Coordinator will provide written notice to all known parties that includes:

- The University's grievance process, including any informal resolution process;
- The allegations alleged by the Complainant, including sufficient details known at the time, and allowing sufficient time for a Respondent to prepare a response before any initial interview. "Sufficient details" include the identities of the parties involved, if known; the conduct allegedly constituting the sexual harassment, if known; and the date and location of the alleged incident(s), if known.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Information regarding the parties' right to have an advisor of their choice, who may be, but is not required to be an attorney.
- A statement that the parties may inspect and review evidence as described in the "Investigation" section of this policy;<sup>18</sup> and
- A statement that RWU prohibits knowingly making false statements or knowingly submitting false information in bad faith at any point in the grievance process. Individuals who engage in this misconduct may be subject to disciplinary actions.<sup>19</sup> Disciplinary action pursued against a party for knowingly making false statements or submitting false information in bad faith does not constitute retaliation prohibited under this policy; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement or provided materially false information in bad faith.

If in the course of an investigation, RWU decides to investigate allegations about the Complainant or Respondent that are not included in the written notice of allegations described above, the Title IX Coordinator will provide written notice of the additional allegations to the parties whose identities are known.

## **FORMAL GRIEVANCE PROCESS: INVESTIGATION**

### **Overview of the Investigative Process**

Once a formal complaint is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the Title IX Coordinator will appoint an Investigator to conduct a formal investigation into the allegations.<sup>20</sup>

The Investigator will contact the parties whose participation is invited or expected for an investigative interview and will provide written notice of the date, time, location, participants, and purpose of the meeting. Parties will be given reasonably sufficient time to prepare to participate.

The Investigator will make all reasonable efforts to complete the investigative report within 90 business days. This timeline may vary depending on the scope of the formal complaint, the amount of evidence to be considered, the number of persons to be interviewed, and additional factors. If the investigative report is going to take longer than 90 business days to complete, the parties and their advisors will be given notice.

The parties and their advisors are not authorized to disseminate any portion of the investigative report provided to them to any other person or entity, through any electronic or hardcopy means.

Unauthorized video or audio recordings of investigative interviews are not permitted by the parties or their advisors.

### **Equal Opportunity Given to the Parties**

All parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

Both the Complainant and the Respondent have the right to meet separately with the Investigator.

Both the Complainant and the Respondent are permitted to provide names of potential witnesses to the Investigator. The Investigator will determine which of those potential witnesses, or other persons, may have relevant information about the alleged conduct; and the Investigator may request statements, either orally or in writing.

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigator. For instance, evidence

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<sup>18</sup> See the "Investigation" section below.

<sup>19</sup> See Code 9. "Dishonesty" of the Student Code of Conduct at the following link: <https://www.rwu.edu/student-handbook/student-code-conduct>

<sup>20</sup> The appointed Investigator will meet standards set out in the "Roles of Professionals Involved in the Informal and Formal Resolution Processes for Sexual Harassment" section above.

may include any facts or information presented in support of or opposition to an allegation, including, but not limited to, text messages, email exchanges, timelines, receipts, photographs, etc. The Investigator may also consider additional documents, items, or other relevant information.

All parties will be given an equal opportunity to inspect and review any evidence obtained as a part of the investigation that is directly related to the allegations raised in the formal complaint. This includes evidence that the University does not intend to rely upon in reaching a determination regarding responsibility and inculpatory or exculpatory evidence, whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation.

### **Review of Evidence**

All parties must submit to the Investigator any evidence that they would like the Investigator to consider prior to the completion of the investigative report.

Prior to the completion of the investigative report, the University will send to each party and the party's advisor, if any, the evidence subject to the parties' inspection and review in an electronic or hardcopy format. (Note: All evidence that was subject to the parties' inspection and review also will be made available at the live hearing to give each party equal opportunity to refer to such evidence during the live hearing, including for purposes of questioning.)

Each party will be given 10 days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

### **Completion of the Investigative Report**

Either after the Investigator receives the parties' written responses or after the 10-day time limit has expired, the Investigator will create an investigative report that fairly summarizes the relevant evidence.

At least 10 days prior to the live hearing, the Investigator will send a copy of the investigative report in an electronic or hardcopy format to each party, their advisors, and the Title IX Coordinator. The parties will be given the opportunity to review the investigative report and provide a written response.

## **FORMAL GRIEVANCE PROCESS: LIVE HEARING**

### **Role of the Decision-Maker(s)**

Shortly after receiving the final investigative report, the Title IX Coordinator will appoint one or more Decision-Makers to conduct the live hearing. If more than one Decision-Maker is appointed, the Decision-Makers will work together to make determinations during the live hearing regarding relevancy, responsibility, and sanctions.

The Complainant and Respondent will be notified of the identity/identities of the Decision-Maker(s) prior to the live hearing. If any party has concern(s) of potential bias or conflict of interest in regard to a particular Decision-Maker, the party must alert the Title IX Coordinator of said concern(s) no later than two days prior to the live hearing. Upon receiving a report of bias or conflict of interest, the University will evaluate the report, and if it is determined that a conflict of interest or bias exists, the University will appoint another individual to serve in the role.

Prior to the live hearing, at the discretion of the University, the Decision-Maker(s) may schedule a preliminary conference with each of the parties and their advisors to provide an overview of the live hearing procedures.

### **Written Response to the Final Investigative Report**

Prior to scheduling the live hearing, a Decision-Maker (who will be the Hearing Chair when more than one Decision-Maker is appointed) will contact each party to provide a deadline for which they can submit their written responses to the final investigative report.

### **Live Hearing Schedule**

Promptly after receiving the parties' written responses, a Decision-Maker (who will be the Hearing Chair when more than one Decision-Maker is appointed) will provide the parties, their advisors, and witnesses with written notice of the live hearing date, time, and location. In this notice, the parties will be asked to inform the Decision-Maker right away if there is a scheduling conflict that would make it impossible to attend the live hearing.

### **Live Hearing Location and Attendance**

At the request of either party, the University will provide for the live hearing to occur with the parties located in separate rooms. Live hearings may be conducted with all parties physically present in the same geographic location, or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. In either of the aforementioned situations, the University will provide technology that enables the participants to simultaneously see and hear each other.

The only persons permitted to attend the live hearing are the parties, their advisors, the witnesses, and designated University personnel. The witnesses are only to be in attendance at the live hearing during the time in which they are offering information or answering questions. Otherwise, the witnesses are to be waiting in a designated room (or virtual room) until called upon.

### **Recording of Live Hearing**

The University will create an audio or audiovisual recording, or transcript of any live hearing. The choice of whether it is an audio or audiovisual recording, or transcript is made in the sole discretion of the University. The audio or audiovisual recording, or transcript will be made available to both parties for inspection and review. In compliance with applicable disability laws, the University will ensure that all parties are properly accommodated with respect to use of technology and reliance on visual, audio, or written communication.

### **Standard of Evidence**

Preponderance of the evidence is the standard of evidence to be used to determine whether a Respondent is responsible for the prohibited conduct alleged in the formal complaint.<sup>21</sup> This is the standard of evidence that will be applied to all formal complaints of prohibited conduct described in this policy, regardless of whether the Respondent is a student or employee of the institution.

### **Questioning During Title IX Live Hearings**

At the Title IX live hearing, the Decision-Maker (who will be the Hearing Chair when more than one Decision-Maker is appointed) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.

Before a party or witness answers a question, the Decision-Maker (who will be the Hearing Chair when more than one Decision-Maker is appointed) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker has complete discretion to make relevancy determinations.

Advisors are required to engage with parties, witnesses, and the Decision-Maker(s) in a respectful and non-aggressive manner. Questions will be asked directly, orally, and in real-time from the advisors of the parties, not from the parties themselves. Advisors are permitted to ask the other party and witnesses relevant questions and follow-up questions, including those challenging credibility. The advisor may only ask relevant questions to each party and witness. Repetitive questions asked at the Title IX live hearing may be deemed irrelevant.

The Decision-Maker(s) is prohibited from drawing an inference regarding the determination of responsibility based solely on a party's or witness' absence from the live hearing or refusal to answer questions.

### **FORMAL GRIEVANCE PROCESS: WRITTEN DETERMINATION OF RESPONSIBILITY**

At the conclusion of the live hearing, the Decision-Maker(s) will undertake an objective evaluation of all relevant evidence (including both inculpatory and exculpatory evidence). In addition, the Decision-Maker(s) will not make any credibility determinations based on a person's status as a Complainant, Respondent, or witness. Upon a determination of responsibility using the preponderance of the evidence standard described herein, the Decision-Maker(s) simultaneously issue a written determination regarding responsibility to both parties.

The written determination regarding responsibility will include:

- Identification of the allegations potentially constituting prohibited conduct;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of relevant policies to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed, where possible, to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- The University's procedures and permissible bases for the Complainant or Respondent to appeal.

The determination of responsibility will be deemed final on either of the following dates:

- If an appeal is filed, the date that the Appeal Officer<sup>22</sup> provides the parties with the written determination of the result of the appeal; or
- If an appeal is not filed, the date on which an appeal would no longer be considered timely.

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<sup>21</sup> See the "Relevant Definitions" section above.

<sup>22</sup> The Appeal Officer will be the Vice President of Student Life or designee, as indicated in the written determination of responsibility. See Appendix A for contact information.

## **FORMAL GRIEVANCE PROCESS: REMEDIES & DISCIPLINARY SANCTIONS**

Remedies will be designed, where possible, to restore or preserve the Complainant's equal access to the University's education program or activity. Disciplinary actions may range from warnings to University dismissal or termination, depending on the magnitude and specifics of the violation. The types of prohibited conduct described in this policy are all serious offenses, and such violations are subject to any combination of conduct remedies or sanctions listed below.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Possible remedies and disciplinary sanctions are described in Appendix B.

## **FORMAL GRIEVANCE PROCESS: APPEALS**

### **Appeals for Dismissal of a Formal Complaint or Determination of Responsibility**

Both parties have the option to appeal a dismissal of a formal complaint and/or the determination regarding responsibility on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-Maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter. If it is found that a party was aware of a potential bias or conflict of interest prior to the determination regarding responsibility and the party knowingly withheld that information from the University, the party will not be permitted to raise that allegation of bias or conflict of interest on appeal.

All appeals must be submitted in writing to the Appeal Officer within 5 days of receiving the written determination of responsibility.

Within 7 business days of receiving the written appeal, the Appeal Officer will review the appeal to determine whether it falls within one of the three bases for appeal as described above. If it does, the University will promptly notify the other party when a valid appeal is filed and will implement appeal procedures equally for both parties. If it does not meet the appeal criteria, the appealing party will be notified in writing.

The other party will be given 5 business days from the date of notification of the appeal to submit to the Appeal Officer a written response to the appeal.

Either after receiving the other party's written response to the appeal, or after the time for the other party to submit a written response has expired, the Appeal Officer will make a determination regarding the outcome of the appeal within 7 business days.

Upon a determination of the outcome of the appeal, the Appeal Officer will provide written notice of the decision to both parties and will make all reasonable efforts to simultaneously notify said parties. This written notice will describe the rationale for the result of the appeal.

The University will ensure that the Appeal Officer is not the Investigator, Title IX Coordinator, or the Decision-Maker(s) who made the decision regarding responsibility and/or sanctioning.<sup>23</sup>

## **POTENTIAL DELAYS IN THE INFORMAL OR FORMAL RESOLUTION PROCESSES**

RWU will make all reasonable efforts to abide by the timelines described throughout this policy. If the timeline for any stage of the informal resolution process or the formal complaint grievance process must be changed, the Complainant and Respondent will receive written notice of the temporary delay or limited extension of timelines and the reasons for the change. Possible reasons for temporary delays or extensions of timelines include, but are not limited to, the absence of a party or a party's advisor, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, etc.

## **REQUEST FOR EXTENSIONS OF TIMELINES FROM THE PARTIES**

If a party has good cause and needs an extension during the formal complaint grievance process, they can contact the Title IX Coordinator to request such extension. It is within the Title IX Coordinator's discretion to grant such a request. In the case that an extension is granted, the same extension will be given to the other party.

## **TIME LIMITS**

There is no time limit on reporting violations of this Policy, although the University's ability to respond fully may be limited with the passage of time.

## **WRITTEN EXPLANATION OF RIGHTS AND OPTIONS**

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<sup>23</sup> The Appeal Officer will abide by the procedures described in the "Roles of Professionals Involved in the Informal and Formal Resolution Processes for Sexual Harassment" section above.



When an individual reports any allegation(s) of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, the University will provide the individual with a written explanation of rights and options.

## **RECORDKEEPING**

RWU will document and maintain in University records for a period of seven years the following:

- All materials used to train Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of Informal Resolution Processes. The University will make these training materials publicly available on its website;
- Any informal resolution and the results therefrom;
- Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance of actions taken in response to Title IX reports or formal complaints, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity. If the University does not provide a Complainant in Title IX cases with supportive measures, then the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances;
- Each formal investigation, including any determination regarding responsibility and any audio or audiovisual recording, or transcript of the live hearing;
- Any disciplinary sanctions imposed on the Respondent, and/or any remedies provided to the Complainant designed, where possible, to restore or preserve equal access to the University's education program or activity; and
- Any appeal and the result therefrom.

## **ADDITIONAL INFORMATION**

**Bystander Intervention** refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of discrimination or sexual harassment, including sexual assault, dating and domestic violence, or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm; understanding institutional structures and cultural conditions that facilitate violence; overcoming barriers to intervening; and identifying effective ways to intervene and take action, provided that the intervention or action can be undertaken in a way that ensures the safety of the bystander. For more information about bystander intervention, contact Dr. Jen Stanley ([jstanley@rwu.edu](mailto:jstanley@rwu.edu); 401-254-3123). A description of the University's educational and primary prevention and awareness programs, including bystander intervention, can be found in the University's most recent Annual Security Report.

**Risk Reduction** is defined as options designed to decrease perpetration and bystander inaction, increase empowerment in order to promote safety, and help individuals and communities address conditions that facilitate violence. A description of the University's educational and primary prevention and awareness programs, including risk reductions, can be found in the University's most recent Annual Security Report.

**Preserving Evidence:** In cases of sexual violence, including sexual assault, dating and domestic violence, and stalking, as defined herein, it is critical that the Complainant preserve evidence because doing so may assist in proving that the alleged behavior occurred and/or may be helpful in obtaining a protective order.<sup>24</sup>

**Resources:** The University will provide written notification about existing resources and services, which may include counseling, health, mental health, advocacy, legal assistance, visa and immigration assistance, student financial aid, and other resources and services that may be available at the University and in the community. The written information may include options for, available assistance in, and how to request changes to academic, living, transportation, and working situations; or protective measures. The University will make requested accommodations and protective measures if they are reasonably available, regardless of whether a report is made to Public Safety or local law enforcement.

**Violations of Rhode Island State Law:** Individuals may also wish to pursue criminal charges through local law enforcement. Below are relevant violations under Rhode Island General Law:

- **First Degree Sexual Assault** (RIGL § 11-37-2): A person is guilty of first degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist: (1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force or coercion. (3) The accused, through concealment or by the element of surprise, is able to overcome the victim. (4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.
- **Second Degree Sexual Assault** (RIGL § 11-37-4): A person is guilty of second degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist: (1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless. (2) The accused uses force, element of surprise, or coercion. (3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

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<sup>24</sup> See Appendix B.

- **Third Degree Sexual Assault** (RIGL § 11-37-6): A person is guilty of third degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.
- **Stalking** (RIGL § 11-59-2): Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking. "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury. "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."
- **Cyberstalking and Cyberharassment** (RIGL § 11-52-4.2): Whoever transmits any communication by computer or other electronic device to any person or causes any person to be contacted for the sole purpose of harassing that person or his or her family is guilty of a misdemeanor.
- **Dating Violence** (R.I.G.L. § 16-22-24) "Dating violence" means a pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. "Dating partner" means any person involved in an intimate association with another primarily characterized by the expectation of affectionate involvement, whether casual, serious, or long-term.
- **Domestic Violence** (RIGL § 12-29-2): (a) "Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another: (1) Simple assault (§ 11-5-3); (2) Felony assaults (chapter 5 of title 11); (3) Vandalism (§ 11-44-1); (4) Disorderly conduct (§ 11-45-1); (5) Trespass (§ 11-44-26); (6) Kidnapping (§ 11-26-1); (7) Child-snatching (§ 11-26-1.1); (8) Sexual assault (§§ 11-37-2, 11-37-4); (9) Homicide (§§ 11-23-1 and 11-23-3); (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the accused has knowledge of the order and the penalty for its violation, or a violation of a no-contact order issued pursuant to § 12-29-4; (11) Stalking (chapter 59 of title 11); (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14); (13) Burglary and Unlawful Entry (chapter 8 of title 11); (14) Arson (chapter 4 of title 11); (15) Cyberstalking and cyberharassment (§ 11-52-4.2); (16) Domestic assault by strangulation § 11-5-2.3; (b) "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors: (1) The length of time of the relationship; (2) The type of the relationship; (3) The frequency of the interaction between the parties. (c) "Protective order" means an order issued pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8. (d) "Victim" means a family or household member who has been subjected to domestic violence.

## **POLICY REVISION**

RWU reserves the right to revise this policy at any time in its sole discretion. Revised policies will be posted on the University's website.

## **Appendix A – Important Contact Information, Campus and Local Resources**

### **IMPORTANT CONTACT INFORMATION**

Any person believed to have experienced sexual harassment is encouraged to contact the Title IX Coordinator (or a deputy coordinator) for support, resources and information regarding the University policy and procedures, including how to file a complaint.

### **TITLE IX COORDINATOR**

- Name: Dr. Jen Stanley
- Office Location: 2<sup>nd</sup> Floor of the Center for Student Development Building
- Office Mailing Address: 1 Old Ferry Road, Bristol, RI 02809
- Phone Number: (401) 254-3123
- Email Address: [jstanley@rwu.edu](mailto:jstanley@rwu.edu)

Request for appeals are to be submitted in accordance with the criteria outlined in the “**Appeals**” section of this document to:

- Dr. John King, Vice President for Student Life
- Office Mailing Address: 1 Old Ferry Road, Bristol, RI 02809
- Phone Number: (401) 254-3042
- Email Address: [jjking@rwu.edu](mailto:jjking@rwu.edu)

### **Official with Authority (OWA)**

An Official with Authority is a Roger Williams University employee explicitly vested with the responsibility to implement corrective

measures on behalf of the institution for sex or gender-based discrimination, harassment, violence, and/or retaliatory conduct involving students, faculty, staff, or third parties.

This includes:

- The President and Members of the Cabinet
- Assistant Vice President for Human Resources
- Academic and Administrative Deans
- Title IX Coordinator and Title IX Deputies
- Director of Public Safety
- Director of Student Conduct & Conflict Resolution
- Department of Student Conduct & Conflict Resolution Staff
- Director of Athletics
- Residence Life Professional Staff
- Student Life Senior On-Call Staff Members

Complaints and inquiries regarding the application or enforcement of this Policy should be made to the University's Title IX Coordinator. Inquiries regarding the application of Title IX and its implementing regulations may be referred to the Title IX Coordinator or designee, or to the United States Department of Education, Office for Civil Rights, at [OCR@ed.gov](mailto:OCR@ed.gov) or (800) 421-3481. This Policy is in compliance with applicable legal requirements, including Title IX of the Education Amendments of 1972, relevant provisions of the Violence Against Women Reauthorization Act of 2013, the Clery Act, and other applicable federal and Rhode Island state laws.

### **EMERGENCY MEDICAL, COUNSELING AND LAW ENFORCEMENT RESOURCES**

Emergency medical assistance, counseling support and campus safety/law enforcement resources are available on and off campus. Individuals are encouraged to seek prompt medical attention following incidents that pose a threat to safety or physical well-being.

#### **LOCAL MEDICAL RESOURCES:**

- **Women & Infants Hospital:** (401) 274-1100 (24/7)
- **Rhode Island Hospital:** (401) 444-4000 (24/7)
- **Roger Williams Hospital:** (401) 456-2121 (24/7)
- **Hasbro Children's Hospital:** (401) 444-4000 (24/7)
- **[RWU Health Services](#):** (401) 254-3156

#### **LOCAL COUNSELING RESOURCES:**

- **[RWU Counseling Center](#),** (401) 254-3124
- **[Day One](#)** (sexual assault & trauma resource center), (401) 421-4100 <http://www.dayoneri.org/> (24/7)
- **[Women's Resource Center of Rhode Island](#),** (401) 846-5263 / 24 Hour Hotline: 1-800-494-8100 <https://www.wrcnbc.org/>
- Rape, Abuse, and Incest National Network (RAINN) crisis hotline (queer and trans affirming sexual assault hotline) 800-656-HOPE (24/7)
- **[Rape, Abuse, and Incest National Network](#)** (RAINN) online hotline <https://ohl.rainn.org/online> (24/7)

#### **CAMPUS SAFETY / LAW ENFORCEMENT RESOURCES:**

- **[RWU Office of Student Conduct and Conflict Resolution](#),** (401) 254-3042
- **[RWU Public Safety](#)** (401) 254-3333 (24/7)
- **[Bristol Police Department](#)** (401) 253-6900 (24/7)
- **[Portsmouth Police Department](#)** (401) 683-0300 (24/7)
- **[Providence Police Department](#)** (401) 272-3121 (24/7)

### **CONFIDENTIALITY, PRIVACY AND REPORTING POLICY**

Any person reporting a violation of this policy has the right to confidential support and advice on and off campus. The following list includes confidential resources on and off campus.

#### **RWU CONFIDENTIAL RESOURCES**

- **[RWU Center for Counseling and Student Development](#),** (401) 254-3124
- **[RWU Health Services, Center for Student Development](#),** (401) 254-3156

#### **OFF-CAMPUS RESOURCES**

- **[Day One](#)** (sexual assault & trauma resource center), (401) 421-4100

- [The Women's Resource Center](#), (401) 846-5263 / 24 Hour Hotline: 1-800-494-8100
- Rape, Abuse, and Incest National Network (RAINN) crisis hotline 800-656-HOPE (queer and trans affirming sexual assault hotline)
- [Rape, Abuse, and Incest National Network](#) (RAINN) online hotline <https://ohl.rainn.org/online>

**DATING & DOMESTIC VIOLENCE RESOURCES** (including criminal justice and protective order advocacy, emergency shelter, transitional housing, safety plans, counseling, education and/or policy) are available at the following member agencies of the [RI Coalition Against Domestic Violence](#):

- [Sojourner House](#)  
401-765-3232 (24-hour)
- [Women's Center of Rhode Island](#)  
401-861-2760 (24-hour)
- [Elizabeth Buffum Chace Center](#)  
401-738-1700 (24-hour)
- [Blackstone Valley Advocacy Center](#)  
401-723-3057 (24-hour)
- [Domestic Violence Resource Center of South County](#)  
401-782-3995
- [Women's Resource Center of Newport & Bristol Counties](#)  
401-289-2022
- [Sisters Overcoming Abusive Relationships](#) a victim task force  
401-467-9940
- [National Sexual Assault Hotline](#)  
1-800-656-HOPE (4673) (24 hour)
- [National Domestic Violence Hotline](#)  
1-800-799-SAFE (7233) (24 hour)

## **APPENDIX B – Sanctioning Guidelines**

### **SANCTIONS**

When an individual has been determined to be in violation of the policy, a range of sanctions may be assigned. When determining the appropriate sanction(s), the following factors may be considered:

- nature, context, and severity of an incident,
- level of accountability and responsibility taken by the individual,
- level of cooperation from the individual,
- need to stop the misconduct and prevent its recurrence,
- need to remedy and address the impact or effects of the conduct on others,
- disciplinary history of the individual,
- best interests of the University community, and
- any other aggravating, mitigating, or relevant factors.

Sanctions related to employees may include:

- termination or dismissal from the University,
- suspension,
- probation,
- reprimand,
- warning, and
- directed counseling and/or mandatory education and training

Sanctions related to students may include:

- fines and restitution,
- community service,
- suspension of privileges,
- educational intervention,
- educational / restorative sanctions,
- conduct warning,
- conduct probation,

- suspension from housing,
- dismissal from housing,
- university suspension,
- interim suspension,
- university dismissal, and
- transcript notation for sanctions of suspension (during the suspension period) and dismissal

For both employees and students: Other Reasonable Sanctions

Any reasonable sanction may be assigned that appropriately promotes the education and development of a student or employee, ensures safety, or otherwise furthers the mission of the University.

Additional information regarding sanctions can be found in the student handbook: [here](#).

### **RHODE ISLAND MANDATORY CHILD ABUSE AND BYSTANDER TO SEXUAL ASSAULT REPORTING LAWS**

All members of the Roger Williams University community should be aware that Rhode Island law requires reporting of known or suspected child abuse or neglect and reporting of first degree sexual assault or attempted first degree sexual assault occurring in a bystander's presence.

#### **•Known or Suspected Child Abuse or Neglect**

Rhode Island General Laws § 40-11-3 requires mandatory reporting of known or suspected child abuse or neglect, providing in part: Any person who has reasonable cause to know or suspect that any child has been abused or neglected as defined in section 40-11-2 or has been a victim of sexual abuse by another child shall, within twenty-four (24) hours, transfer that information to the department of children, youth and families or its agent who shall cause the report to be investigated immediately.

R.I.G.L. § 40-11-3(a). "Abused and/or neglected child" is defined as any child "whose physical or mental health or welfare is harmed or threatened with harm when their parent or other person responsible for their welfare" commits or allows to be committed any one of certain enumerated offenses, including sexual assault. R.I.G.L. § 40-11-2(1) and (1)(ix). "Person responsible for child's welfare" is defined as "the child's parent, guardian, any individual, eighteen (18) years of age or older, who resides in the home of a parent or guardian and has unsupervised access to the child, foster parent, an employee of a public or private residential home or facility, or any staff person providing out-of-home care (out-of-home care means child day care to include family day care, group day care, and center-based day care)." R.I.G.L. § 40-11-2(9).

**Information about known or suspected child abuse or neglect should be reported to the Rhode Island Child Abuse Hotline: 1-800-RI-CHILD (1-800-742-4453).**

#### **•First Degree or Attempted First Degree Sexual Assault Occurring in Bystander's Presence**

Rhode Island General Laws § 11-37-3.1 requires that a bystander to first degree sexual assault or attempted first degree sexual assault immediately report such offense to the police: Any person, other than the victim, who knows or has reason to know that a first degree sexual assault or attempted first degree sexual assault is taking place in their presence shall immediately notify the state police or the police department of the city or town in which the assault or attempted assault is taking place of the crime.

R.I.G.L. § 11-37.3.1.

If you have information about any such matter occurring on campus or involving a member of the campus community, please contact the Department of Public Safety immediately at (401) 254-3333 or ext. 3333 or 4357 (HELP) from a campus phone.

If you have questions about the state mandatory reporting requirements, please contact the Department of Public Safety at 401-254-3611 (ext. 3611) or the Office of General Counsel at 401-254-5379 (ext. 5379).

### **HOW TO OBTAIN AN ORDER OF PROTECTION**

- Go to the proper court in your current jurisdiction and fill out paperwork, including an affidavit, which is your sworn, written statement about the incident(s) that has caused you to fear for your safety. The DPS can assist you with determining the proper court.
- After this paperwork is given to a clerk, a judge will review it. The judge may or may not ask you questions.
- If the judge signs your order, it is valid for up to 21 days. A court officer will then serve the responding party with a copy of the Temporary Restraining Order (TRO).
- If you want your court-ordered protection to last longer than the temporary period (up to 21 days), you must go to a second hearing. The responding party may also be there, so you may not want to be alone. You may call your local domestic violence agency for an advocate to support you before, during and after the hearing. DPS can assist you with this.

**Important:** If you do not go to the second hearing, or you are late for the hearing, your court-ordered protection may be dismissed. For



more information about getting a TRO, you can call one of the courts listed or a domestic violence agency.

**Court Ordered No Contact Order** is automatically issued to the defendant upon arraignment. A court authorized No Contact Order will remain in effect until the conclusion of the defendant's case, to include the end of the sentence.

**RWU No Contact Orders** may be issued at the discretion of University Officials. A violation of a RWU No Contact Order is not an arrestable offense; but University action may be taken in the event the Order is violated.

Protective Orders Family and District Court

- Newport County: 45 Washington Square, Newport, RI (401) 841-8350
- Providence/Bristol County: 1 Dorrance Plaza, Providence, RI (401) 458-5400

Further information regarding orders of protection can be found at:

<https://www.courts.ri.gov/PublicResources/domesticviolenceunit/PDF/VictimInfoEnglish.pdf>  
<https://ebccenter.org/protective-orders/>

## **XVI. PROGRAMS TO PREVENT DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING**

The University recognizes the importance of providing education and training on the prevention of dating violence, domestic violence, sexual assault, and stalking. The University has required educational prevention programs for all first year students. Residence Life staff and the DPS staff are specifically trained to respond to these situations. In-service training is available for staff. During new employee Orientation, new employees receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking. All students and employees also receive training through EVERFI's Sexual Assault, Harassment, and Discrimination Prevention modules.

RWU engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- are culturally relevant, inclusive of diverse communities and identities, sustainable, responsible to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Roger Williams University offers primary prevention and awareness programs for all incoming new students and employees. The University offers ongoing prevention and awareness campaigns for students and employees. This educational programming:

- a. Identifies dating violence, domestic violence, sexual assault and stalking as prohibited conduct.
- b. Defines what behavior constitutes dating violence, domestic violence, sexual assault, and stalking.
- c. Defines what behavior and actions constitute consent to sexual activity at RWU and in the State of Rhode Island.
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against a person other than the bystander.
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential harm.
- f. Identifies resources regarding procedures that the institution will follow when one of these crimes is reported.

### **UNIVERSITY PRIMARY AND ONGOING PREVENTION AND AWARENESS PROGRAMS AND CAMPAIGNS 2019**

#### **Programs Directed at New Students:**

- Sexual Assault Prevention Training Model. All first year and new transfer students are required to successfully complete the EVERFI Sexual Assault Prevention online course before beginning classes at RWU, which addresses the issues of sexual assault, dating/domestic violence, and stalking; including education to assist students in recognizing, reporting and preventing these incidents. The curriculum meets VAWA requirements. The course is administered through EVERFI and coincides with the requirement for RWU first students to complete AlcoholEdu, EVERFI's interactive online program designed to reduce the negative consequences of alcohol amongst students. Both programs contain general information as well as customized, RWU-specific resources.

- "This Matters@RWU: Let's Talk About Sex" program for all first year students reviews issues of sexual health, alcohol, sexual assault, dating violence, domestic violence, stalking and sexual harassment. This session also provides an overview of the Green Dot bystander intervention program.

- University-wide emails sent annually to students and employees regarding the University's sexual harassment and non-discrimination policy and the sexual misconduct and relationship violence policy, including dating violence, domestic violence, sexual assault, and stalking. Resources and reporting obligations are contained within that are available on and off campus.

## PROGRAMS AND INITIATIVES DIRECTED AT CAMPUS COMMUNITY

- Campus Safety Tips. Students are provided safety tips annually, containing material advising them of precautions to help avoid becoming a victim of crime on or off campus along with additional prevention resources. First year area RAs review safety precautions with their residents during their first floor meetings.
- Silent Witness Break The Silence Vigil. This event promotes awareness of the impact of sexual misconduct and to raise awareness in the community by standing in solidarity with all those impacted.
- Silent Witness Day of Remembrance/Day of Silence. This initiative promotes and educates to support an end to domestic violence through community-based exhibits.
- STAND Relationship Violence Performance Art Installation.
- Safe Zone Training conducted by RWU's Assistant Director for Queer and Trans Initiatives. The Safe Zone program seeks to increase awareness and acceptance of lesbian, gay, bisexual, asexual, pansexual, queer, transgender, gender nonconforming, and intersex students, faculty, and staff. Members displaying the Safe Zone decal have participated in training through the program and are committed to providing an environment in which every community member is free to thrive within a community based on respect and dignity.
- Safety Walk conducted by Student Senate, DPS, and Environmental Health and Safety for harm reduction.
- RI Sexual Assault Denim Day. Held in April during Sexual Assault Awareness Month, Denim Day is a campaign for all community members to prevent sexual violence through education and public awareness.
- Green Dot Bystander Intervention Trainings – Throughout the year 60 minute, 90 minute and 4-6 hour full-day interactive bystander intervention trainings were offered.
- Health & Wellness Educator Healthy Relationships Poster campaigns – “Bystander Superpower” poster series & “Navigate Your Sexual Health” poster series – Both series’ focused on healthy relationships in a COVID environment.
- Clothesline Project Display – As a part of Campus Safety Week, the Title IX Office hosted a display of the Rhode Island Clothesline Project.
- Sexual Assault & Dating Violence Awareness Social Media Campaigns – Social media efforts coordinated by Title IX Office, Green Dot, and Health & Wellness Educators, in collaboration with RI state-wide College Collaborative.

## SPECIALIZED STUDENT LEADER TRAINING

- Resident Assistants  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Health and Wellness Educators  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Orientation Advisors  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Peer Mentors  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Athletes  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Admissions Student Staff and Tour Guides  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)
- Title IX Student Task Force  
(Bystander Intervention, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking)

## HUMAN RESOURCES:

- Emergency Evacuation Training for all new employees.
- Harassment & Discrimination Prevention for Faculty & Staff online EVERFI's Training Course. Required for all employees. Addresses the issues of sexual assault, sexual harassment, dating/domestic violence, and stalking; including education to assist students and employees in recognizing, reporting and preventing these incidents. The curriculum meets VAWA requirements.
- Voluntary trainings available.
- University-wide emails sent annually to students and employees regarding the University's sexual harassment and non-discrimination policy and the sexual misconduct and relationship violence policy, including dating violence, domestic violence, sexual assault, and stalking. Resources and reporting options are included and available on and off campus.

## Additional Trainings to students and employees include but are not limited to:

- Title IX Training for all employees

- Title IX Training for Dining staff
- Title IX Training for new Faculty
- Title IX Sexual Harassment Policy and Procedures
- Non-Discrimination Policy
- Title IX obligation and University Policy
- Officials With Authority Policy
- Campus Security Authority Policy
- Title IX Advisor Support Program Training
- In support of the NCAA Board of Governors Policy on Campus Sexual Violence, all Student Athletes and Athletic Staff complete during the fall semester EVERFI's Sexual Assault Prevention for Student Athletes and Athletic Staff courses. These courses educate student athletes and athletic staff about sexual violence prevention, intervention, and response; and help ensure an environment free from hostility for student-athletes and athletic staff inclusive of every sexual orientation and/or gender identity.

**BYSTANDER INTERVENTION:** Roger Williams University encourages community members to be engaged proactive and reactive bystanders, which means creating safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Included in this model are risk reduction options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

RWU has adopted the Green Dot Strategy in an effort to educate our community and encourage students, faculty and staff to be engaged bystanders. Green Dot is built on the premise that in order to measurably reduce the perpetration of power-based personal violence, a cultural shift is necessary. This model includes 60-minute, 90-minute, half day and full day workshops, as well as campus-wide collaboration on programs and initiatives aimed at generating awareness and empowering community members to be engaged bystanders. For information on the Green Dot initiative, go to: <http://livethegreendot.com>.

**SAFETY TIPS:** The following safety tips are offered to you to help protect yourself from crime:

- Know your environment. There are Emergency phones located throughout campus. Emergency phones go directly to the Department of Public Safety.
- Dial x3333 or (401) 254-3333 to reach the Department of Public Safety.
- Immediately notify the Department of Public Safety of any crimes or any suspicious activity that you observe.
- Stay in well-lit areas. Know where to obtain help when you need it.
- Keep valuables left in your car inside your locked automobile trunk, out of view.
- Keep all valuables under your direct control; do not leave them unattended.
- Safety in numbers. Walk with a friend. Keep all doors and windows locked.
- Do not prop doors. Do not allow or encourage unauthorized visitors in your residence hall, apartment, or suite.
- Know the location of fire extinguishers and alarms.
- Follow campus policies about candles, incense, smoking, etc.
- Mark your valuables using an identifier and keep a record of all serial numbers.
- Use a locking device to secure computers, TV, gaming consoles, bicycle, etc.

## **XVII. UNIVERSITY NON-DISCRIMINATION POLICY**

Roger Williams University and Roger Williams University School of Law do not discriminate against any person on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender expression or identity, disability, veteran status, or any other legally protected basis in admission to, access to, employment in, and treatment in its programs and activities. Inquiries regarding the application of this Non-Discrimination Policy may be referred to the following:

- Amy Lanoie, Manager of Employment, One Old Ferry Rd, Bristol, RI 02809, Telephone: (401) 254-3190;
- Assistant Secretary for Civil Rights, U.S. Department of Education, Office for Civil Rights, 400 Maryland Avenue, SW, Washington, DC 20202-1100, Telephone: (800) 421-3481; or
- Boston Office, Office for Civil Rights, U.S. Department of Education, 8<sup>th</sup> Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: (617) 289-0111.

The Equal Employment Opportunity Coordinator and Coordinator of the Age Discrimination Act of 1975 is **Amy Lanoie**, Manager of Employment, Roger Williams University, One Old Ferry Rd, Bristol, RI 02809, Telephone: (401) 254-3190.

**Dr. Jennifer Stanley** is the Title IX Coordinator, Associate Dean, Roger Williams University, One Old Ferry Rd, Bristol, RI 02809, Telephone: (401) 254-3123. Deputy Coordinators list: <https://www.rwu.edu/undergraduate/student-life/health-and-counseling/title-ix-rwu>.

The Coordinator of Section 504 of the Rehabilitation Act of 1973 is **Diana Proto**, Director of Student Conduct and Conflict Resolution, Roger Williams University, One Old Ferry Rd, Bristol, RI 02809, Telephone: (401) 254-3032.

**RWU Non-Discrimination policy:** [https://www.rwu.edu/sites/default/files/downloads/hr/Non-Discrimination\\_Policy\\_\(09-2020\).pdf](https://www.rwu.edu/sites/default/files/downloads/hr/Non-Discrimination_Policy_(09-2020).pdf)



**XVIII. CRIME STATISTICS FOR YEARS: 2018, 2019, 2020 Bristol Campus including Main Campus, School of Law, Almeida, Baypoint**

Offense Reported by Hierarchy	Year	On Campus	Non Campus	Public Property	Total	Residential*	Unfounded Crimes
Murder/ Non-Negligent Manslaughter	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Rape	2018	6	0	0	6	6	0
	2019	7	0	0	7	7	0
	2020	1	0	0	1	1	0
Fondling	2018	2	0	0	2	2	0
	2019	2	0	0	2	2	0
	2020	3	0	0	3	3	0
Incest	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Robbery	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Burglary	2018	8	0	0	8	8	0
	2019	1	0	0	1	1	0
	2020	0	0	0	0	0	0
Motor Vehicle Theft	2018	1	0	0	1	0	0
	2019	2	0	0	2	0	0
	2020	0	0	0	0	0	0
Liquor Law Arrests	2018	2	0	0	2	2	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Drug Law Arrests	2018	1	0	1	2	1	0
	2019	1	0	0	1	1	0
	2020	2	0	2	4	2	0
Weapons Law Arrests	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Liquor Law Violations- Disciplinary Referrals	2018	316	0	0	316	316	0
	2019	251	0	0	251	251	0
	2020	310	0	0	310	310	0
Drug Law Violations- Disciplinary Referrals	2018	3	0	0	3	3	0
	2019	1	0	0	1	1	0
	2020	2	0	0	2	2	0
Weapons Law Violations- Disciplinary Referrals	2018	0	0	0	0	0	0
	2019	1	0	0	1	1	0
	2020	0	0	0	0	0	0
Offense (Not Reported by Hierarchy)	Year	On Campus	Non Campus	Public Property	Total	Residential*	Unfounded Crimes
Arson	2018	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Domestic Violence	2018	1	0	0	1	1	0
	2019	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Dating Violence	2018	8	0	0	8	8	0
	2019	3	0	1	4	3	0
	2020	1	0	0	1	1	0
Stalking	2018	3	0	0	3	3	0
	2019	0	0	0	0	0	0
	2020	4	0	0	4	4	0



*Note: Residence Hall Crime Statistics are a subset of the On Campus Category, i.e. they are counted in both categories.*

**CRIME STATISTICS FOR YEARS: 2018, 2019, 2020 Providence Campus**

<b>Offense Reported by Hierarchy</b>	<b>Year</b>	<b>On Campus</b>	<b>Non-campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Unfounded Crimes</b>
Murder/ Non-Negligent Manslaughter	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Manslaughter by Negligence	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Rape	2018	0	0	0	0	0
	2019	0	0	3	3	0
	2020	0	0	0	0	0
Fondling	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Incest	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Robbery	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0
	2019	0	0	1	1	0
	2020	0	0	1	1	0
Burglary	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	2	2	0
Motor Vehicle Theft	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	2	2	0
Liquor Law Arrests	2018	0	0	0	0	0
	2019	0	0	1	1	0
	2020	0	0	2	2	0
Drug Law Arrests	2018	0	0	2	2	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	1	1	0
Liquor Law Violations- Disciplinary Referrals	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Drug Law Violations- Disciplinary Referrals	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Weapons Law Violations- Disciplinary Referrals	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
<b>Offense (Not Reported by Hierarchy)</b>	<b>Date</b>	<b>On Campus</b>	<b>Non-Campus</b>	<b>Public Property</b>	<b>Total</b>	<b>Unfounded Crimes</b>
Arson	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0
	2019	0	0	1	1	0
	2020	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0
Stalking	2018	0	0	0	0	0
	2019	0	0	0	0	0
	2020	0	0	0	0	0

## HATE CRIMES STATISTICS FOR YEARS: 2018, 2019, 2020

Hate Crimes: A crime that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

2018 Clery reportable Hate Crimes Bristol Campus: 1 On Campus Residential Simple Assault Category: Religion

2018 Clery reportable Hate Crimes Providence Campus: none

2019: There were no Clery reportable Hate Crimes reported for the Bristol or Providence Campuses.

2020: There were no Clery reportable Hate Crimes reported for the Bristol or Providence Campuses.

Roger Williams  
University