



Hamilton

Department of Campus Safety

2025 Annual Safety, Security and Fire Safety Report





Hamilton

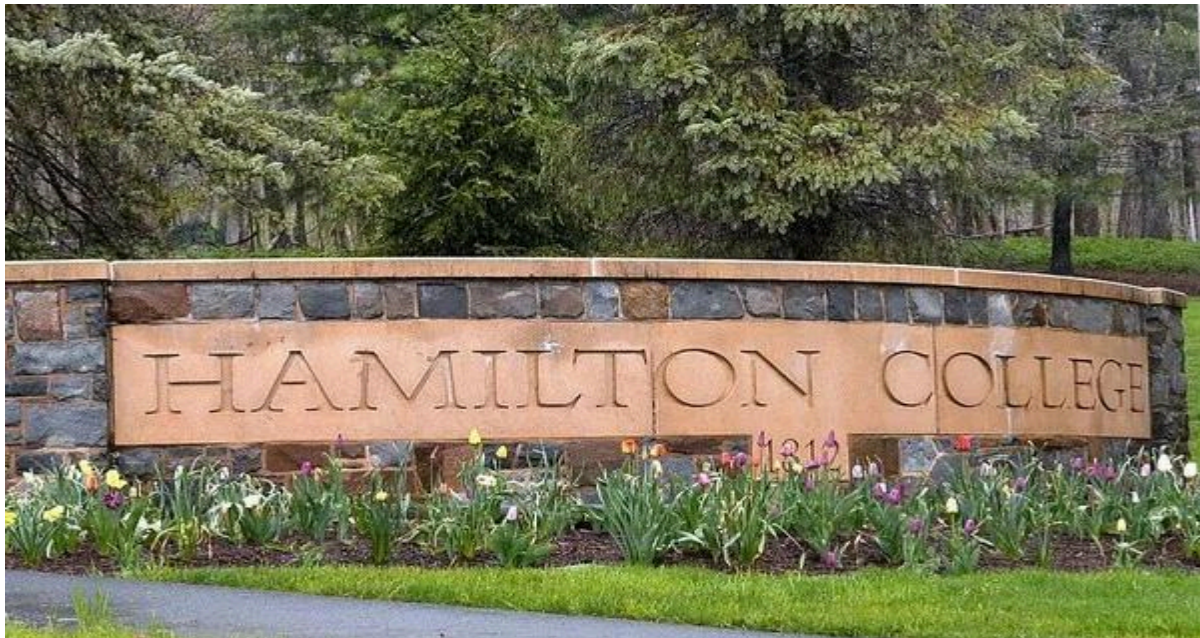
Department of Campus Safety
198 College Hill Road Clinton, New York 13323

Judith M. Trimboli, *Director of Campus Safety*

Anthony M. Scalise, Jr., *Assistant Director*

Kelle J. Chrysler, *Assistant Director*

EMERGENCY: (315) 859-4000
Non-Emergency: (315) 859-4141
<http://www.hamilton.edu/college/safety>



Message from the Director of Campus Safety

Hamilton College is home to some of the nation's most talented students and scholars, and we take great pride in fostering a vibrant and supportive campus community here on College Hill. Like institutions across the country, we face unique challenges in ensuring the safety and security of our campus. The Campus Safety Department is dedicated to providing a safe and secure environment for all students, faculty, staff, and visitors. Your safety and well-being are our highest priority.

Our team of highly trained and committed professionals is available around the clock to support the Hamilton community. The safety and security of our campus are shared responsibilities, and I believe we can all contribute to creating a safer environment. Your feedback and ideas are essential as we work together to enhance our community's safety, security, and quality of life. By practicing good judgment, exercising basic safety measures, and supporting one another, we can ensure that Hamilton remains a safe and welcoming place for everyone.

This report serves as a resource for understanding the programs and services offered by the Office of Campus Safety and our community stakeholders. It also outlines our compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act. This federal law requires colleges and universities to disclose campus crime statistics and security information. Our procedures for collecting and reporting these statistics involve collaboration with local law enforcement and campus security authorities, ensuring transparency and accuracy. The Director of Campus Safety submits written requests for reported crimes and incidents to local law enforcement agencies, including but not limited to the Town of Kirkland Police Department, the Oneida County Sheriff's Office and the New York State Police. Additionally, Hamilton College Campus Safety officers submit incident reports for crimes and incidents, occurring or reported during their patrols, which are included in this report.

The annual crime statistics published in this report are submitted to the U.S. Department of Education and made available to the public through the Department of Education's website. It is my hope that this information will encourage safe practices and inspire the entire community to partner with us in our mission to reduce crime on and around our campus and that it encourages you to be aware of your surroundings and join us in our mission to reduce crime. Your partnership is essential—whether you're making responsible choices or reporting something that seems out of place. It's a privilege to work with you as we maintain a safe and secure environment for everyone on the hill.

Judith M. Trimboli
Director of Campus Safety

Campus Safety: Educators and Protectors

The Department of Campus Safety is dedicated to providing the highest quality of public safety services to the college community in support of the College's academic mission.

Every encounter between a Hamilton community member and a Campus Safety officer is an educational opportunity. We strive to make all encounters positive, but confrontations are inevitable. By explaining the nature of campus policies and referring infractions to College administrators for follow-up discussions, Campus Safety officers attempt to make confrontations beneficial.

Campus Safety officers derive their authority from Article 7-A of the New York State General Business Law. Our personnel are officials of the College with specific responsibilities for safety, security and traffic control enforcement. Officers completing The Enhanced Security Officer Training Course also derive limited law enforcement authority from Article 129-A, sub-section 6435 of the New York State Education Law. Enhanced officers are authorized by state law to make arrests. Campus Safety officer's jurisdiction is confined to the geographical boundaries of all properties owned by Hamilton College. The officers of the Department work closely with our local law enforcement partners, including the Town of Kirkland Police Department, Oneida County Sheriff's Office and the New York State Police, in criminal cases and situations where arrests may be warranted.

The Department of Campus Safety is located south of Dunham Residence Hall at 10 Museum Way, Clinton, NY 13323. The office is open 24 hours a day. Campus Safety personnel are on duty 24 hours a day, 365 days a year.

The ***Annual Safety, Security and Fire Safety Report*** is produced in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It outlines the Department's services and resources that are available to everyone on College Hill. Hamilton College's crime statistics are made available electronically on the Campus Safety webpage and in written form upon request.

Campus Safety Leadership

Judith M. Trimboli, *Director of Campus Safety*

Judie Trimboli was appointed Director of Campus Safety in December 2024, following three years as Campus Investigator and Compliance Officer at Hamilton College. She joined the College after a distinguished 35-year career in law enforcement, retiring as a Senior Investigator with the New York State Police, where she led major crime scene investigations and collaborated with local, state, and federal law enforcement agencies. As one of the inaugural members of the New York State Police Campus Sexual Assault Victims Unit, Judie demonstrated her commitment to addressing sensitive and complex issues in higher education. She has attained the highest level of Incident Command System and led law enforcement and search and rescue command posts during major crises in the State of New York. Judie has a Bachelor of Arts degree from the State University of New York at Plattsburgh in Sociology with minors in Psychology and Counseling. Her extensive leadership experience, investigative expertise, and wealth of knowledge, Judie is dedicated to ensuring the safety and well-being of the campus community.

Anthony M. Scalise, Jr., *Assistant Director-Operations and Investigations*

Anthony M. Scalise Jr., serves as the Assistant Director of Campus Safety-Operations and Investigations, where he leads investigations into campus incidents and coordinates the response of all local emergency services to campus. Anthony joined the Hamilton College Campus Safety Department in 2011 as a Campus Safety Officer and was promoted to Campus Safety Investigator in 2015. His career began with the City of Utica Fire Department, where he attained the rank of Lieutenant/Paramedic, directing fire and medical emergency operations and serving on the Oneida County Hazardous Materials Response Team. Anthony is a graduate of Mohawk Valley Community College with a degree in Criminal Justice. He is a level 1 Fire Investigator and holds numerous certifications from NYS OFPC and FEMA.

Kelle J. Chrysler, *Assistant Director-Administration*

Kelle J. Chrysler serves as the Assistant Director of Campus Safety- Administration, where she manages a staff of two patrol supervisors and 25 full-time and part-time campus safety officers along with supervising the parking management system and associated appeals process on campus. Kelle collaborates closely with local law enforcement and coordinates safety logistics for major campus events, including Commencement and the Great Names series. Kelle joined the Hamilton College Campus Safety Department in November 2009 as a part-time dispatcher, transitioning to a full-time patrol officer in 2010. In October 2018, she was promoted to Patrol Supervisor, where she oversaw daily operations and the Campus Safety Department. She is a certified Rape Aggression Defense (RAD) instructor, and also completed the New York State Campus Public Safety Enhanced Officers Course in July 2012.

Campus Security Authorities

Campus officials that have a significant responsibility for student and campus activities are considered to be *Campus Security Authorities* as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. The following list denotes the *Campus Security Authorities* for Hamilton College:

- Dean of Students Office
- Residential Life Office
- Resident Advisors
- Student Activities Office
- Advisors to Student Organizations
- Athletic Directors and Team Coaches
- Department of Campus Safety
- Contract Security of any Campus Office

Clery Policy Statement Addressing Counselors

Campus "Pastoral Counselors" and Campus "Professional Counselors", when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary (not confidential) basis for inclusion into the annual crime statistics.

Counselors are defined as:

- A Pastoral Counselor is an employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as pastoral counselor.
- A professional Counselor is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Security Awareness Programs Education and Outreach

The Department of Campus Safety and the Dean of Students Office promotes security awareness and personal safety and responsibility and proactively deters crime on campus through the following outreach programs.

Primary Prevention Programs

All incoming students are required to attend a three-part educational program intended to prevent and begin to address dating violence, domestic violence, sexual assault, and stalking. All incoming students were required to take a *Think About It* online course, attend a Title IX Fundamentals Training by the Director of Title IX and Civil Rights Compliance, and attend a *Speak About It* performance about healthy relationships and consent.

All new faculty and staff are required to attend a Title IX Fundamentals for Employees training by the Director of Title IX and Civil Compliance and an online Harassment awareness course by United Educators.

Awareness Programs

In the past year, the Dean of Students Office hosted a range of community-wide and audience-specific programming that increased audience knowledge of information and resources to prevent violence, promote safety, and reduce perpetration of dating violence, domestic violence, sexual assault and stalking. These initiatives include Title IX Fundamentals training sessions for student leaders and student athletes, contracted speakers/programs from outside agencies, and discussion-based Title IX Policy and Process training sessions.



Rape Aggression Defense

This nationally-recognized basic self-defense class for women is offered through the Department of Campus Safety. Participants learn physical techniques for defending themselves against aggressors and participate in the culminating simulation experience where they can apply and hone their skills. This twelve-hour course is typically offered once or twice per year. While enrollment preference is given to students, all Hamilton community members are able to participate in this program free of charge.

Basic Self-Defense

This class is offered to both men and women, and participants learn the same physical techniques as RAD for defending themselves against aggressors and participate in the culminating simulation experience where they can apply and hone their skills. This twelve-hour course is typically offered twice per year.

During the 2024-2025 academic year Hamilton College offered security awareness programs to the campus community. The common theme throughout these programs is to promote awareness around prevention programming while encouraging students and employees to be responsible for their own safety and security as well as the safety and security of others.

Crime Prevention and Fire Safety

Campus Safety officers are available to assist Community Advisors with residence hall programming about crime prevention, personal safety issues and fire hazards. These programs are also offered in non-residential settings and are available to any member of the community. These programs are typically offered at the beginning of the fall semester but are available for presentation to any community member throughout the school year.

In addition to offering programs, the Department of Campus Safety takes an active role in assisting with the fire safety and inspection programs mandated by the State of New York. These mandates include performing fire drills, performing fire inspections of all college owned property, and actively monitoring conditions to prevent any potentially dangerous conditions that could lead to a fire.

The State of New York requires that four fire drills be performed, in every college owned building that is used as a residence hall, during the course of the school year. This is divided so that two drills are performed in the fall semester and two drills are performed in the spring semester. The drills are designed to give the building's occupants a sense of familiarity with procedures in the event of a real fire or emergency.

Academic and Administrative buildings have three fire drills, per year, performed to assist the occupants with gaining familiarity with emergency procedures. These fire drills are spread out over the course of the academic year.

Reporting Emergencies, Crimes and Policy Violations (315-859-4141 non-emergency, 315-859-4000 emergency)

Despite Campus Safety's best efforts, crimes and policy violations do occur on College Hill. Community members should promptly report all crimes, emergencies, policy violations, and any suspicious behavior that they witness to Campus Safety, who will investigate all reports and activate the appropriate College judicial procedures. One Campus Safety Officer is always on dispatch duty to answer calls from concerned members of the Hamilton community. Campus Safety is ready to respond to all situations on campus and will coordinate with local agencies to ensure that the proper resources are available. Campus Safety incident reports are forwarded to the Dean of Students Office for review and referral to the Office of Student Conduct for potential disciplinary action. The Assistant Director of Campus Safety for investigations will review all reports and initiate a high level of investigation, when it is deemed appropriate and prepare supplemental reports for the Office of Student Conduct. If assistance is required from the local law enforcement or fire authorities Campus Safety will contact the appropriate authority. In the event a sexual assault is reported Campus Safety will offer the complainant a wide variety of services, including assisting them in contacting those resources. All emergencies should be reported to the Department of Campus Safety. Persons who dial 911 from a campus phone will be connected to Campus Safety. Persons who dial 911 from a cellular phone will be connected with Oneida County Emergency Services who will immediately notify the Office of Campus and direct appropriate response. All members of the campus community are strongly encouraged to promptly and accurately report any suspicious behavior or activity, crime, acts of violence against themselves or another or any circumstances that require attention when the victim of a crime elects to file a police report. These reports should be made to Campus Safety so they can be assessed for issuance of a timely warning notice and for inclusion in the annual disclosure of crime statistics. A timely warning notice will be issued if there is a serious or continuing threat to the campus. Members of the Hamilton community should report crimes to any member of the Campus Safety Department, any Dean within the Dean of Students Office, or any Campus Security Authority (CSA). Campus Safety **cannot guarantee** the confidentiality of any reporting party and therefore does not have any procedures for voluntary, confidential reporting of crimes for inclusion in the annual disclosure of crime statistics.

Persons can anonymously report suspicious activity by texting, emailing, or leaving a voicemail from a cell phone or computer regarding the activity they have observed. The relevant information is immediately delivered to Campus Safety email address, along with the email of the Director of Campus Safety so it can be immediately acted upon by members of Campus Safety.

It is important to remember that if a situation needs immediate attention, such as a fire or medical emergency, community members should dial 315-859-4000 or report the situation in person. Emergencies often require additional information that cannot be quickly or easily obtained from the anonymous reporting option.

Blue Light Emergency Phones

Several call box telephones are installed across campus and are indicated with signage and/or blue lights. These phones are directly connected to the Campus Safety dispatcher and are intended for emergency use only. Community members are strongly encouraged to utilize these emergency phones anytime they feel uncomfortable in a situation or require immediate assistance from the department.

There are ten blue light emergency phones located throughout the campus. They are located in the following areas:

- North Parking Lot (2)
- Fieldhouse Parking Lot
- Woolcott House (Front)
- New Parking Lot
- Bristol Campus Center (Rear)
- Campus Safety/Transportation Office
- Martin's Way Bridge (South Entrance)
- Major/McIntosh/Minor Residence Halls
- Root Extension Parking Lot

Available Resources

Many Hamilton offices and local agencies are available to assist members of the community in emergency and crisis situations.

Peer Listeners are students who provide active listening, contribute to an empathic and connected campus community, and provide outreach to peers on topics related to wellness. They are here to listen, support, and provide resources on topics related to everyday aspects of the student experience to their peers. Peer Listeners have published weekly hours where appointments are available through this link <https://www.vagaro.com/hcpbe3>

HCEMS (dispatched through Campus Safety 315-859-4000) are New York State certified Student Emergency Medical Technicians are on duty 24/7 during the academic periods and respond to all on-campus medical emergencies. This service is overseen by the Emergency Medical Services Director and maintains a strong collaborative relationship with area EMS agencies such as Clinton Fire Rescue and Central Oneida County Volunteer Ambulance Corps. Additional information about our Hamilton College Emergency Medical Services can be found at [Student Volunteer EMTs - Hamilton College](#).

Counseling Center

The Counseling Center is proud to offer multiple pathways to a personal level of care that can meet immediate and long-term needs. When in crisis and in need of counseling services you may call 315-859-4340 and press option 2 to speak with a counselor 24/7/365. If you want off-campus help, contact 988 Lifeline. Call or text 988. For additional information regarding services [Counseling Center - Hamilton College](#). For crisis services outside of Hamilton College, you can access the national 988 Lifeline for suicidal and crisis support. You can call and be connected to 988 Lifeline. Call, text, or chat 988 for crisis services.

You can be connected to the National Suicide Prevention Lifeline by calling 1-800-372-TALK or the Crisis Text Line by texting "START" to 741-741.

Law Enforcement Resources:

Kirkland Police Department (315-853-2924 non-emergency)

Oneida County Sheriff's office (315-736-7804 non-emergency)

New York State Police (315-736-0122 non-emergency)

Informational questions about local laws or reports of civil crimes can be directed to the Town of Kirkland Police Department by telephone. KPD will notify the Department of Campus Safety when they are responding to campus and request assistance. Campus Safety officers may request additional support from KPD. As the local police authority, KPD is the contact agency for questions relating to our local sex offender registry. Community members may also access the New York State Sexual Offender Registry at the following web address: [The Official New York State Sex Offender Registry - NY DCJS](#)

The Hamilton College Department of Campus Safety maintains a close working relationship with the Kirkland Police Department, the New York State Police, and the Oneida County Sheriff's Office. Meetings are held between the leaders of these agencies on both a formal and informal basis. The Officers of Campus Safety and KPD communicate regularly on the scene of incidents that occur in and around the campus area. The Director and Assistant Directors of the Campus Safety Department work closely with these agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information.

EMERGENCY COMMUNICATIONS On-Campus Emergency Contact Information	
Campus Safety (all emergency types)	x4000
Campus Safety (non-emergencies)	x4141
General Information	x4444
Hamilton College Emergency Medical Services (HCEMS)	x4000
Student Health Center	x4111
Maintenance Emergencies	x4500
*Note—dialing 911 from on-campus land line phones directs you to the x4000 ext.	

Daily Crime Log

Campus Safety maintains a daily crime log, which is available to the public. The crime log is maintained at the Campus Safety Administrative building and is available during normal business hours.

Planning & Preparedness

Hamilton College routinely operates in a manner which avoids emergencies. However, the College is not immune to critical incidents, and strives to plan and prepare for them through written plans and protocols, training, effective communication strategies, and regular meetings of the [Hamilton Emergency Response Team \(HERT\)](#). A broader group, The Crisis Management Team (CMT) [Emergency Planning and Procedures - Hamilton Emergency Management Infrastructure - Hamilton College](#) is comprised of senior College officials who have overall administrative and managerial responsibility for emergency planning before, during and after emergency incidents.

Emergency Notification Systems and Procedures

In the event of a serious incident which poses an immediate threat to members of the Hamilton College community, the college has various systems in place for communicating information quickly to those individuals. Messages are sent out in a timely and understandable fashion utilizing a Reverse 911 system (Everbridge Mass Notification), Desktop computer notifications (Alertus Technologies), Wall-mounted alert beacons (Alertus Technologies), Classroom speakers (Singlewire InformaCast), and Outdoor sirens (Whelen Engineering). The sirens issue a warning to provide notice to the community of a pending emergency. Upon confirmation by the Department of Campus Safety or a member of the HERT, of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the students or employees occurring on campus an immediate notification will be sent using some or all of these methods of communication. These methods of communications may include activating Everbridge Mass Notification, an emergency notification system utilizing the Everbridge App, email, SMS text messaging and telephone voice messaging. Face to face communications may also be used if situationally appropriate. Phone numbers and email addresses of parents or other persons identified by students or employees in official college registrar or employee records as emergency contact persons will be included in the Everbridge notification database and may receive emergency messages as well. Members of the larger community, such as campus neighbors, may tune into local media or check the Hamilton College web-site for updates and information about emergencies on campus.

Serious threats of this nature may involve weather, health, or personal safety situations. Based on the nature of the emergency the responsibility for assessing the severity of the threat usually begins with the HERT. Upon a determination by the Hamilton Emergency Response Team, that a significant threat exists, a member(s) of HERT will promptly decide regarding emergency notification and determine the appropriate segment(s) to receive the message if the emergency is isolated to a particular section of campus. In the event of confirmation of a threat involving imminent risk to personal safety any member of Campus Safety and/or the HERT may develop a message and activate Blackboard Connect immediately, prior to notifying the entire Hamilton Emergency Response Team.

Many factors are considered when assessing a situation to determine whether to activate one or more of the emergency communications systems and if so, the content of the message and whether to send the emergency message to all or some of the campus community. Among the factors to be considered is the nature and anticipated duration of the emergency situation and whether the emergency applies to a particular building or segment of the population or to the entire campus. The HERT will decide without delay of the appropriate segment of the community to send the message, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The HERT will provide regular updates to the Hamilton community as they become available through the Blackboard Connect system.

The Hamilton Emergency Response Team plans, publicizes and conducts a test of the emergency response and notification system at least semi-annually, which may be announced or unannounced, and maintains a record documenting each test, including a description of the exercise, the date, time and whether it was announced or unannounced.

Timely Warnings

Hamilton College sends out timely warnings and campus alerts to the college community in the event any situation arises that is considered to be an ongoing threat to students, faculty, staff, and visitors. The situation may involve safety, security, or health. The decision to issue a timely warning is made on a case by case basis in light of all of the facts surrounding an incident, including factors such as the nature of the incident, the continuing danger to the campus community, and where it occurred (within the geographic reporting area required by the Clery Act or within the local community).

The college will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate or ongoing threat. The campus alert will result in a notification that is disseminated with the goal of notifying as many people as possible, as rapidly as possible. Warnings may be dispersed through texts, and/or email.

The decision to issue a Timely Warning is made by Campus Safety, often in consultation with members of the Dean of Student's Office and Communications. The Director of Title IX and Civil Compliance is involved in the decision to issue a timely warning involving allegations of violations of the sexual misconduct policy. In an extreme emergency, the notification process will be implemented at the sole direction of the Director of Campus Safety or their deputy.

Clery Act regulations do not specify what information should be included in a timely warning. However, the warning should include all information that would promote safety, because the intent of the warning is to enable members of the campus community to protect themselves.

Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim. The timely warning will not contain personally identifiable information about any victim.

An institution may, in appropriate circumstances, include personally identifiable information in a timely warning. Although personally identifiable information is generally protected from disclosure under FERPA, such information may be released in an emergency situation. The Department's FERPA regulations, at 34 CFR 99.36, describe the rule relating to the disclosure of information in health and safety emergencies.

Evacuation Procedures

Initial Gathering Points

- All routinely occupied College facilities have an initial gathering point, which is a location selected by designated Building Coordinators and/or Community Advisors where occupants should gather immediately following an evacuation signal (fire alarm) to await further instructions. Please contact your designated Building Coordinator or Community Advisor if you have not been advised of your building's initial gathering point. Refer to door posters for your gathering point designation and guidance in these situations.

Assembly Points

- All routinely occupied College facilities also have primary and alternate assembly points, which are secure locations of assembly and head-counting in the event of actual emergencies that necessitate building evacuations. Should such an incident occur, individuals should proceed from their initial gathering point to their primary assembly point (or alternate assembly point if the primary point is also affected by the incident), until either the emergency is terminated or further direction is provided. See the last section of this document for your building's primary and alternate assembly points.

Lockdown/Shelter-In-Place Procedures

In some emergency situations, evacuating the building/facility is not desired, and lockdown/shelter-in-place procedures are the best courses of action. A lockdown would typically be called for when some criminal element is threatening the campus, such as an active shooter, hostile intruder, or fugitive from justice. Shelter-in-place procedures would typically be called when some environmental element is threatening the campus, such as an airborne chemical plume or weather-related event (like a tornado or ice storm). Despite these technical differences, the actions that personnel should take essentially remain the same. Once a lockdown or shelter-in-place command has been ordered, take the following actions:

- Stay inside the building you are in, even if you do not normally work or reside in that building.
- If you are in an outdoor location, proceed to the nearest building or other source of shelter.
- Close and lock exterior and interior doors to the greatest extent possible to maximize security. Also, close windows, blinds and drapes, and stay away from any objects that could fall or otherwise become projectiles.
- Terminate any on-going teaching activities (instruction, lab experiments, studio work, etc.), and turn off all local ventilation, fans, fume hoods, window air conditioners, etc.
- Be prepared to go to more secure locations, as directed by College personnel, and do not leave the building or secured area until and unless told to do so.

Security of and Access to Campus Facilities

Access to campus administrative and academic buildings and grounds is available during normal business hours to students, faculty members, staff members, and guests. With the exception of the residence halls, which are locked at all times, most campus facilities are normally open when classes are in session, or by special request coordinated with the Department of Campus Safety. When class is not in session and when the campus is officially closed, all buildings are secured and only faculty, staff and students with proper authorization are allowed access. The general public may attend cultural and recreational events on campus, however access is limited to the facility in which the event is being held. Officers conduct routine security patrols of academic and administrative buildings to monitor activity.

Authorization for use of the campus grounds for assembly purposes must be obtained in advance from the Office of Student Activities and the Office of Summer Programs/Conference Services.

Residence Halls are locked at all times and access is restricted to building residents and their authorized guests. Community Advisors routinely monitor safety and security concerns inside residence halls and, if necessary, report security concerns to Campus Safety. Campus Safety Officers make regular patrols through and around residence halls and have regular contact with Community Advisors.

Escorts

Campus Safety Officers will escort any student from one campus location to another if they contact the office and report feeling unsafe. These escorts may be given in a Campus Safety vehicle or on foot, by Campus Safety officers. The Department will provide vehicular escorts between campus locations to those with physical disabilities, whose disabilities have been documented with the Department of Student Health Services.

Lockouts

Students are strongly encouraged to lock their rooms at all times. If a student is accidentally locked out of their room, Campus Safety personnel will grant them admittance after checking their official room assignment and photo identification. Students who lose their room keys must report the loss to the Office of Community Living so that their locks can be changed.

Deliveries

Off-campus delivery services are not permitted to enter any College buildings. All deliveries must be received at the Mailroom which is located in the basement of the Bristol Center or at the Campus Safety office.

Campus Safety's Routine Responsibilities

Monitoring and Recording Off-Campus Crimes

Local law enforcement agencies regularly notify Campus Safety of non-campus crimes that involve members of the Hamilton community, particularly those involving students engaged at non-campus locations to include non-campus housing. The Department's role in non-campus investigations is limited, but information is often shared and cooperative work regularly takes place. The Hamilton College Code of Conduct prohibits violations of local, state, and federal laws. The College may take disciplinary action, independent of law enforcement authorities, for activities that take place off-campus when the interests of the College are adversely affected.

In instances where crime reporting is necessary in Hamilton College study abroad locations in Paris and Spain or domestic programs located in New York City and Washington, DC, those statistics will also be reported in compliance with the Jeanne Clery Act.

Building Check and Maintenance of Campus Facilities

Hamilton College is maintained in a manner that minimizes hazardous conditions. Prior to securing a building at night, Campus Safety officers will visually inspect its exterior, making note of any damage. Officers will also conduct an interior walk-through of all buildings in their entirety, ensuring that doors are secured, that fire safety equipment is present and in working order, and that there are no apparent safety, fire, or health hazards. This walk through includes mechanical rooms and a basic check of the building's heating and electrical systems.

All hazards and physical problems are referred to the Department of Facilities Management for action during the next business day. Facilities Management personnel can be called in after hours to address serious situations.

Parking and Traffic Enforcement

The Department of Campus Safety is responsible for regulating all vehicular traffic and parking on campus, outside of public roadways that run through campus. Detailed information about the Department's current policies is available from the Campus Safety office or electronically on their website. All vehicles, including those belonging to temporary visitors, must be registered with the Department of Campus Safety.

Closed Circuit Video Monitoring System

Hamilton has installed an IP-based closed-circuit television system throughout the campus. The cameras record activity in the public areas and parking lots; activity is not always monitored in real time. The purpose of this system is to deter crime and assist in the apprehension of people who commit vandalism or other criminal acts in these areas. Campus Safety personnel have received training to ensure that the system is utilized in a professional, ethical and legal manner consistent with best practices.

Missing Person Policy

Designated Contact Person

Students have the option to register a confidential contact person to be notified in the case that the student is determined to be missing. Students may register a confidential missing person contact at the following link: <https://my.hamilton.edu/registrar/personal-evacuation-form> . The student may indicate that person to be a parent, guardian or another person if they choose. The contact information will be registered confidentially and this information will only be accessible to authorized campus and law enforcement officials and may not be disclosed outside of a missing person investigation. *In the case that a designated contact person is not registered the missing persons emergency contact information will be used.*

Persons reporting missing students may make their first contact with the Department of Campus Safety, the Office of Residential Life, or the Office of the Dean of Students. Said reports may come from parents, fellow students, professors, Community Advisors, or others. Regardless of the source or the office contacted first, the Department of Campus Safety will be immediately notified of all missing-student reports. Hamilton College will notify any missing student's confidential contact(s), if provided, within 24 hours of the determination the student is missing.

Upon receiving such notification, the Campus Safety Officer working dispatch, with direction from a supervisor, will report via phone to Oneida County Emergency dispatch (911) that a student has been reported missing. Initially, the Department of Campus Safety will be fully responsible for the investigation until it is turned over to a responding law enforcement officer, at which time both investigations will run concurrently and in collaboration.

If the student resides in an on-campus student housing facility and is determined to be missing, the following steps will be taken immediately:

- If the student has designated a missing person contact, notifying that contact person within the first 24 hours.
- If the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within the first 24 hours.
- Regardless of whether the student has identified a contact person, is above the age of 18, or is emancipated minor, informing the local law enforcement agency that has jurisdiction in the area that the student is missing as soon as possible once the facts are known, not to exceed 24 hours from the time of initial report.

Department of Campus Safety personnel will interview any members of the Hamilton community who might have information about the missing student's whereabouts. Such interviewees may include, but will not be limited to, Community Advisors, faculty and staff members, roommates, friends, and family members. Particular attention will be given to possible locations of the missing student and his/her most recent mental state and known concerns. The Department of Campus Safety has the right to enter student rooms in search of missing persons.

Campus Safety personnel will contact the Business Office to determine the last Campus Card transaction completed by the student in question and request to be alerted if any further transactions are attempted. The transportation office will be contacted regarding any vehicle that may be registered to the missing student for inclusion with information to local law enforcement.

All missing student reports must be relayed promptly to both the Director of Campus Safety. The Director will determine which other College officials should be notified. The local police authorities will be regularly updated on the progress of the investigation and will become involved at their discretion. If it is determined by the local police or the Director of Campus Safety that the entire college community is at risk, the Department of Campus Safety will be responsible for communicating that danger to the campus via any medium that the Director shall deem appropriate.

After the situation is resolved, the Director will prepare a detailed report to be provided to both the municipal authorities and the Dean of Students.

Drug and Alcohol Policies

Hamilton College has several regulations pertaining to the possession, use, and distribution of intoxicating beverages and illegal drugs; these policies are fully outlined in the Student Handbook. All students should carefully review these policies as the disciplinary penalties for violating them can be severe.

Hamilton College Alcohol Policy

I. Introduction

The Hamilton College alcohol policy and related educational programs are designed to promote responsible decision-making concerning the use of alcohol in this community. The College expects all members of the community to be respectful of the rights of others in order to contribute to an environment conducive to education and personal growth. Intoxication is never justification for behavior that violates the standards of conduct and expectations of the College.

This policy reflects local and state laws governing the possession, sale, use and distribution of alcohol, recognizing the rights of individuals who are 21 years of age or older to consume alcohol in a legal manner. Campus Safety enforces all New York State underage drinking laws. The College expects community members to abide by the laws of New York State and the policies of the College. Any member of the community, including Community Advisors and Campus Safety personnel, may confront and detain students whose behavior is in violation of these policies. Sanctions, ranging from one judicial point to separation from the college, may be imposed upon students who violate this policy, or other policies of the College.

II. Summary of New York State Laws governing Alcoholic Beverages

It is illegal to:

1. To provide alcohol to persons under the age of 21 or to persons who are visibly intoxicated. Providing alcohol to persons under the age of 21 is a Class A misdemeanor which is punishable by imprisonment for up to one year, a fine of not more than \$1,000 and/or 3 years' probation;
2. To misrepresent the age of a person under the age of 21 for the purpose of inducing a sale of alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$200, or by imprisonment for not more than five days, or by both fine and imprisonment;
3. For a person under the age of 21 to possess alcohol with the intent to consume it. Those found guilty of violating this law shall be punished by a fine of not more than \$50 and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service;

4. For any person under the age of 21 to present or offer any written evidence of age which is false, fraudulent or not actually his own, for the purpose of purchasing or attempting to purchase alcohol. Those found guilty of violating this law shall be punished by a fine of not more than \$100, and/or required to complete an alcohol awareness program and/or required to provide up to 30 hours of community service. Additionally, if it is found that a New York State driver's license was the written evidence of age used for the purpose of the purchase or attempted purchase, the person's license to drive a motor vehicle may be suspended for 90 days. Lastly, alteration of the required forms of identification (driver's license, passport or armed forces ID card) may constitute "possession of a forged instrument... with intent to defraud," which is a Class D felony under New York State penal law.
5. To sell alcohol, including charging admission at the door of an event where alcohol is distributed free of charge, without an Alcoholic Beverage Control license. Under New York State civil law the provider of alcohol may be liable for any damages or injuries caused by an intoxicated person.

III. General Policies

1. Persons 21 years of age and older may possess and consume alcohol in residence hall rooms, suites and apartments.
2. Open containers of alcohol are not permitted in public areas. Public areas include, but are not limited to, academic buildings, residence hall lounges and hallways, and outdoors. For purposes of this policy, suite lounges are not considered public areas.
3. Gatherings with bulk alcohol (defined as any quantity of beer in excess of two cases (48 twelve oz. cans), or the alcohol equivalent of wine or liquor) are not permitted in the residence halls. Kegs, beer balls and/or taps are not permitted in residence halls. Empty kegs may not be stored in residence halls.
4. Gatherings with bulk alcohol are permitted in College designated social spaces such as Beinecke Annex A & B.
5. The College reserves the right to notify the parents or guardian of a student who is transported to the hospital for an alcohol or drug-related overdose, and to require that the student participate in an educational program on alcohol and/or other drugs. The College may also choose to notify a parent or guardian of any alcohol or drug-related violation.

Educational Programs

The Coalition on Alcohol and Other Drugs is appointed by the President, and charged with finding ways to reduce the negative consequences associated with the abuse of alcohol and other drugs at Hamilton. Membership is open to any member of the College community.

The Alcohol & Other Drug Strategy Group meets to develop campus wide strategies to reduce the negative consequences of substance use. The group regularly reviews student population data gathered through AlcoholEdu, the First Year, First Week Survey, and Healthy Minds Study to guide strategy development. All incoming students are required to complete AlcoholEdu, which educates students about alcohol and substance misuse, incorporating evidence-based methods to encourage healthier decision-making. Community Advisors receive annual Substance Use Training addressing substance use, coping mechanisms, harm reduction tools, campus resources, and how to cultivate a compassionate and supportive community. Narcan training is provided by the Oneida County Health Department and offered on campus to all campus community members each semester. Narcan is made available to Hamilton Community Members throughout campus and their many locations are documented on the Campus Safety webpage.

Additional intervention and support programs are offered through the Office of Counseling and Psychological Services, the Student Health Center and the Dean of Students Office, as well as in the town of Clinton and surrounding communities.

Illegal Drug Policy

Students who are involved with drugs are encouraged to seek assistance through the College health services, counseling services or other professional assistance. These services are completely confidential. Hamilton College is committed to the development and maintenance of a drug-free environment and, in accordance with the Drug-Free Workplace Act of 1988, will not tolerate the unlawful possession, sale, use, manufacture, distribution or dispensation of a controlled substance in or on property owned or controlled by Hamilton College. This policy can also be viewed in Hamilton College's Administrative Handbook found at the following link: [Student Handbook - Drug Policy - Hamilton College](#)

The Department of Campus Safety will enforce all New York State and Federal drug laws. Drug paraphernalia and water pipes of all kinds are prohibited. The Judicial Board will normally hear cases involving the alleged possession, use, or distribution of illegal drugs. Students found responsible for possession, use, or distribution of drugs will be subject to appropriate disciplinary action, which may include separation from the College. The laws of New York State and the federal government and policies of Hamilton College prohibit the possession, use or distribution of illegal drugs, including marihuana. The penalties imposed on violators are severe. The College will offer no protection or immunity from prosecution by police agencies.

Penalties for alcohol or drug-related violations

Driving while intoxicated is a crime. Your judgment, coordination and ability to drive a vehicle change when you consume any amount of alcohol. The level of impairment depends on many conditions, not limited to;

- the amount of alcohol you drink
- the amount of food you eat before or while you drink alcohol
- the length of time you drink alcohol
- your body weight

There is no quick method to become sober. The best method is to wait in a safe location until the effects of the alcohol consumption dissipates. The average rate that your body processes alcohol is approximately one drink per hour.

Types of alcohol and drug-related violations in New York State

- **Driving While Intoxicated (DWI)**
.08 Blood Alcohol Content (BAC) or higher or other evidence of intoxication. For drivers of commercial motor vehicles: .04 BAC or other evidence of intoxication.
- **Aggravated Driving While Intoxicated (Aggravated DWI)**
.18 BAC or higher
- **Driving While Ability Impaired by Alcohol (DWAI/Alcohol)**
More than .05 BAC but less than .07 BAC, or other evidence of impairment.
- **Driving While Ability Impaired by a Single Drug other than Alcohol (DWAI/Drug)**
- **Driving While Ability Impaired by a Combined Influence of Drugs or Alcohol (DWAI/Combination)**
- **Chemical Test Refusal**
A driver who refuses to take a chemical test (normally a test of breath, blood or urine).
- **Zero Tolerance Law**
A driver who is less than 21 years of age and who drives with a .02 BAC to .07 BAC violates the Zero Tolerance Law.

Responding to Sexual Harassment and Sexual Assault

Sexual Assault

Hamilton College is committed to the personal safety of members and guests of the Hamilton community. Hamilton College informs incoming students about sexual assault prevention measures through campus programs that include workshops, discussion groups, and on-going orientation seminars. The purpose of these programs is to disseminate information about sexual assault, promote discussion, encourage reporting of incidents of sexual assault, and facilitate prevention of such incidents.

Sexual Assaults on College Campuses

The most prevalent form of rape on college campuses is acquaintance rape. The acquaintance may be a date or

friend, or someone the survivor knows only casually, from a residence hall, a class, or through mutual friends. Regardless of the relationship, if one person uses force or coerces another into submitting to sexual behaviors, or if the other party does not give consent, the act violates Hamilton College policy. Criminal laws and penalties also may apply in cases of acquaintance rape and other forms of sexual assaults.

Many acquaintance rapes involving college students follow similar patterns. Acquaintance rapes often occur at social gatherings or in residential settings. In some instances, the students involved in these assaults have consumed alcoholic beverages or used drugs, which should not discourage someone from reporting, due to amnesty policies in place. Detailed crime reports and prevention information can be obtained from the Office of Campus Safety. As a community, we can work together to protect community members from sexual violence and encourage peers to respect one another.

Prevention

There are things that all members of the Hamilton Community can do to reduce the rate of sexual violence on campus. As a Hamilton Community Member, please be aware of the following suggestions:

- When you go out, do so with people that you trust to look out for your safety and the safety of others. Be a good friend—keep an eye on your friends to make sure they are safe and hold your friends responsible for treating others with respect.
- If you want to be intimate with someone, remember to get that person's consent and communicate your boundaries actively. You and the other person(s) have the right to withdraw consent at any time.
- Since alcohol and drugs interfere with effective communication, avoid excessive use of these substances. It may not be safe to be intimate with someone if you or they have been drinking or using other substances.
- When you are at a party, make sure that someone knows where you are. Check on your friends to make sure they are safe too.
- Get your own drinks. Only accept beverages from people you trust and never drink out of a cup that has been left unattended.
- Know your sexual desires and limits and choose a partner or partners who respect them. Make sure you understand and respect your partner(s)'s desires and limits.
- Try to avoid walking home alone from bars or parties. Have a friend walk with you, call Campus Safety at 315-859-4141 for an escort, or let the Events Staff know that you need an escort. If you see someone walking alone at night, make sure they are safe; call Campus Safety if you are concerned for them.
- Lock your residence hall room door. Do not let people you have not invited into residence hall buildings.
- If you find yourself locked out of your residence hall, call Campus Safety to let you in.

- If you do not feel well and need to lie down, make sure that a friend stays with you to check on you. If you see someone who is sick or unconscious, make sure they are safe and call HCEMS through Campus Safety's emergency number at 315-859-4000.
- If you find yourself alone or in an unfamiliar place, be aware of your surroundings. Call Campus Safety (emergency: 315-859-4000), nonemergency: (315-859-4141) if you feel unsafe. Trust your instincts. If you feel uncomfortable in your surroundings for any reason, you have the right to leave.
- Communicate clearly and honestly with your sexual partner(s) and respect their boundaries.

Reporting and Obtaining Assistance

Report to the College's Director of Title IX and Civil Rights Compliance

- If you wish report the incident, pursue a complaint against the alleged perpetrator, and/or if you wish to discuss your options, consult with the College's Director of Title IX and Civil Rights Compliance, Debbie Owens (315-859-4896) during business hours, Monday through Friday, or she can be reached outside of business hours by calling Campus Safety (315-859-4000). Conversations will be kept as private as possible. The Director of Title IX and Civil Rights Compliance may be required to take some form of action in order to prevent further acts from occurring on Hamilton's campus. See the Hamilton Sexual Misconduct Policy (Article VII, Section B) for more details.

Seek Confidential Help

- Confidential resources will not share any information with outside parties, except in very limited situations (e.g. minors, imminent danger). Hamilton's confidential resources are the College Counseling Center, the College Health Center, and the Dean of Spiritual and Religious Life. All other Hamilton faculty, staff, coaches and Community Advisors are obligated to report incidents of sexual violence to the Director of Title IX and Civil Rights Compliance.
- A member of the Hamilton College Counseling Center is on-call at all times. The Counselor On-Call can provide immediate crisis support and information about resources for survivors on and off campus. Contact the Counseling Center (24/7, 365 days a year) by calling 315-859-4340 and selecting option 2 from the menu. This is a completely confidential service.
- The Hamilton College Dean of Spiritual and Religious Life is available at 315-859-4130.

Medical attention should be sought as soon as possible following a sexual assault

- Not all injuries are immediately apparent. Contact the Hamilton Student Health Service 315-859-4111; (8:30-4:30 M-F), Hamilton's Emergency Medical Technicians (315-859-4000), or go to the hospital Emergency Room for medical services.

- For treatment of any major injuries and/or a Sexual Assault Forensic Exam (SAFE), call Help Restore Hope Center or the Hamilton College Director of Title IX and Civil Rights Compliance to arrange a hospital visit. Help Restore Hope Center coordinates Sexual Assault Nurse Examiner (SANE) services for medical attention (injuries from a sexual assault are not always immediately apparent) and collecting physical evidence (a “rape kit”) at a regional hospital. The College strongly encourages any individual who has experienced sexual violence to obtain a rape kit, which is critical: (1) to diagnose and treat the full extent of any injury or physical effect and (2) to properly collect and preserve evidence. There is a limited window of time (typically up to 72 or 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Gathering such evidence does not commit an individual to pursuing legal action against the assailant, but does preserve that option. Although it may be difficult following a sexual assault, individuals who are considering a Forensic Rape Exam at a local hospital should not shower, rinse mouth, brush teeth or change clothes to allow for the maximum possible collection of evidence by a SANE nurse or other health care provider. The results of the SAFE exam will not be shared with on- or off-campus disciplinary authorities unless you choose to share them yourself. SANE services are coordinated through Help Restore Hope Center’s 24/7 hotline (1-855-966-9723).
- Confidential help is also available through YWCA Crisis Services by calling 315-797-7740. The YWCA Crisis Services Advocates are trained and available by phone or chat services and to accompany survivors to the hospital or the police. This service is confidential and is not connected with the College.

Pursue a Criminal Complaint

- Filing a police report does not obligate you to follow through with legal action but it does preserve physical evidence. This process can happen simultaneously with filing a complaint with the College. Contact Campus Safety at 315-859-4141 or the Director of Title IX and Civil Rights Compliance at 315-859-4896 to arrange a meeting with the New York State Police or the Oneida County Sheriff.
- Contact the New York State Police directly through the Campus Sexual Assault Victim Unit’s 24-hour hotline: 1-844-845-7269.

Hamilton College Sexual Misconduct Policy*

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I. Introduction

All members of the Hamilton College community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Hamilton seeks to provide an environment in which students, faculty, staff, and guests can work, study, and enjoy the College community without experiencing Sexual Misconduct. When such actions are brought to its attention, the College is committed to providing prompt and thorough responses to actions that adversely impact, or have the potential to adversely impact, the educational or workplace environment of any member of the Hamilton community.

The College strongly encourages all members of its community to report any prohibited act of Sexual Misconduct which they experience (including sexual assault, dating violence, domestic violence, stalking, sexual harassment, sexual exploitation and/or related retaliatory behavior, as more fully defined in Article IV) to the College and to immediately seek appropriate support and health care. In addition, many College employees are considered Responsible Employees who are required to report instances of Sexual Misconduct that they are made aware of to the Title IX Coordinator (see Article IV, Responsible Employees). The College also encourages all community members to contribute to the creation of a safe, welcoming, and respectful environment on campus. This includes taking reasonable and prudent actions to prevent or stop an act of Sexual Misconduct. Taking action may include direct intervention when safe to do so, enlisting the assistance of friends, contacting law enforcement, or seeking assistance from a person in authority. Community members who choose to positively intervene will be supported by the College and protected from retaliation.

This Policy has been developed to provide recourse for individuals who believe their rights have been violated, and serves as a means to determine, after the fact and with fairness to all involved, if specific behaviors constitute violations of this Policy.

Any individual who has experienced Sexual Misconduct has the right to make a report to local law enforcement, and/or the New York State Police, or choose not to report; to report the incident to the Title IX Coordinator; to be protected by the College from retaliation for reporting an incident; and to receive assistance and resources from the College.

This Policy describes support resources and accommodations available to members of the Hamilton community who experience Sexual Misconduct, whether or not that individual decides to pursue a formal report on campus. See Article VIII, Supportive Measures, and Article XXI, Options for Immediate Assistance.

When a community member (i.e., a current student or member of the faculty or staff) decides to make a formal report of an incident of Sexual Misconduct involving another community member, Hamilton will use the procedures outlined below (see Articles X and XI) to take reasonable, prompt, equitable, and appropriate action to respond. When a guest or other non-College community member decides to make a formal report, or a community member makes a formal report involving a guest or non-College community member, the process in Article XII will apply.

For purposes of this Policy, a formal report by a former student about an incident involving another community member which occurred while that former student was a current student, will be processed under this Policy in the same manner as a formal report by a current student (though the procedures to be utilized will depend on the status of the Respondent(s) at the time the report is processed).

II. Scope of Policies

A. Relevant Laws

Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §1681, *et seq.*, a federal law, prohibits discrimination on the basis of sex in education programs and activities:

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.

All public and private elementary and secondary schools, school districts, colleges, and universities receiving any federal funds must comply with Title IX. Title IX mandates that colleges and universities create an environment free from sexual discrimination and harassment for all community members. The College recognizes its obligation under Title IX to take steps to prevent the recurrence of sexual harassment and to correct its discriminatory effects.

Under Title IX, discrimination on the basis of sex includes sexual harassment, gender-based harassment, sexual assault, dating violence, domestic violence, and stalking. Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, New York State Law 201-g, and other applicable statutes.

Pursuant to the Violence Against Women Reauthorization Act, the College also prohibits sexual assault, domestic violence, dating violence, and stalking.

This Policy also reflects the requirements of New York Education Law Article 129-B, relating to sexual assault, domestic violence, dating violence and stalking.

The College's Title IX Coordinator is responsible for ensuring that the College responds to such complaints in a manner that treats all parties equitably, is effective, and eliminates the harassment through remedies designed for the individual and, as needed, the entire College community.

B. Scope of Policies

All College community members are responsible for their actions and behavior, and for adhering to College policies and local, state, and federal law.

The Sexual Misconduct Policy applies to all members of the Hamilton College community who participate in any of Hamilton's educational programs or activities, including students, employees, contractors, and visitors. Those who conduct business with the College, on College property, must also adhere to this Policy.

One or more of the College's personnel policies or faculty and staff handbook policies may overlap with this Policy in a particular situation. This Policy applies to any situation where a student is the Complainant or Respondent. In all other situations, the College reserves the right to apply this Policy or another applicable College policy or process to address potential violations of the behavioral standards described in this Policy. The College will apply this Policy to any situation where the College determines that Title IX requires the application of this Policy.

This Policy sets forth conduct expectations for the College community and provides a process for the reporting, investigation, and adjudication of alleged violations. This Policy applies to alleged conduct violative of Title IX as defined in Article IV ("Title IX Prohibited Conduct"), and also applies to a broader range of contexts and behaviors inconsistent with the College's commitment to equal opportunity as defined in Article IV ("Non-Title IX Prohibited Conduct").

The designation of conduct or allegations as either “Title IX Prohibited Conduct” or “Non-Title IX Prohibited Conduct” is not a function of the seriousness of the alleged conduct but rather a function of the scope and coverage of Title IX versus the College’s broader jurisdiction to prohibit and discipline a larger scope of inappropriate behavior. For example, whereas Title IX Prohibited Conduct is limited to conduct that occurs when the Complainant is in the United States at the time of the alleged conduct and in the context of the College’s education program or activity, and requires that the Complainant be participating in or seeking to participate in the College’s education program or activity at the time of the complaint, Non-Title IX Prohibited Conduct encompasses a broader range of conduct and contexts, and among other things applies to off- campus conduct that is likely to have a substantial adverse effect on, or poses a threat of danger to, any member of the Hamilton College community, conduct that occurs in study abroad and internship programs, and conduct other than that regulated by Title IX.

The protections of this Policy apply regardless of a person’s race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, pre-disposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

III. Title IX Coordinator

The Title IX Coordinator is:

- responsible for oversight of the investigation and resolution of all reports of Sexual Misconduct;
- knowledgeable and trained in relevant state and federal laws and the College’s policies and procedures;
- available to advise any individual, including a Complainant (defined below), a Respondent (defined below), or a third party, about the courses of action and resources available at the College, both informally and formally, and the courses of action and resources available externally, including reports to law enforcement;
- available to provide assistance to any Hamilton community member regarding how to respond appropriately to reports of Sexual Misconduct;
- responsible for monitoring full compliance with all requirements and timelines specified in this Policy; and
- responsible for compiling and maintaining required reports.

Hamilton’s Title IX Coordinator is Debbie Owens (315-859-4896 or dowens@hamilton.edu or titleix@hamilton.edu).

IV. Definitions

The following definitions outline the types of Sexual Misconduct prohibited under this Policy and identify the individuals and processes involved in the investigation of and response to allegations of those prohibited acts. The term “Sexual Misconduct” is an umbrella term used in this Policy to more conveniently refer to any form of conduct prohibited by this Policy. To be covered under this Policy, the conduct, or its effects, must have a connection to the College and/or the College community. Prohibited Sexual Misconduct includes conduct that falls within the definition of Title IX Prohibited Conduct or Non-Title IX Prohibited Conduct.

A. Title IX Prohibited Conduct

In accordance with Title IX as interpreted by the United States Department of Education, the College recognizes the following as conduct violations within the meaning of Title IX, provided that the context and circumstances of the conduct fall within the scope of Title IX, including but not limited to that the Complainant was in the United States at the time of the alleged conduct, that the Complainant is participating in or seeking to participate in the College's education program or activity at the time of the complaint, and that the conduct occurred in the context of the College's education program or activity:

Title IX Sexual Harassment includes conduct on the basis of sex, including gender, sexual orientation, or gender identity or expression, that falls within one of the two following categories:

Quid pro quo - An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.

Hostile environment - Unwelcome conduct of a sexual nature that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity.

Sexual Assault - The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, as described below.

Title IX Sexual Assault is prohibited under this Policy. Sexual assaults can take a number of forms, including:

- Non-Consensual Sexual Contact is defined as the touching of the private body parts (including genital area, anus, groin, inner thigh, buttocks or breast) of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her/their youth or because of his/her/their temporary or permanent mental or physical incapacity.
- Non-Consensual Sexual Act is defined as penetration of the vagina or anus, however slight, with any body part or object, or oral penetration by a sex organ of another person, without affirmative consent.
- Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent. The statutory age of consent in New York is 17.

Title IX Retaliation - means any adverse action taken against a person for making a good faith report under this Policy, for testifying, assisting, or participating or refusing to participate in any manner in an investigation, proceeding, or hearing under this Policy, or for the purpose of interfering with any right or privilege under this Policy. Retaliation includes threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Retaliation may be present even where there is a finding of "no responsibility" on the allegations of a violation of this Policy.

Retaliation does not include good faith actions pursued in response to a report under this Policy. Complaints of retaliation in connection with reports made under this Policy may be addressed under the procedures provided in this Policy.

Title IX Domestic Violence is defined as a felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the person against whom the violence is committed;

- a person with whom the person against whom the violence is committed shares a child in common;
- a person who is cohabiting with, or has cohabited with, the person against whom the violence is committed as a spouse or intimate partner;
- a person similarly situated to a spouse of the person against whom the violence is committed under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

This definition does not apply to roommates who have not expressed interest in entering into, or who have not entered into, a dating or sexual relationship.

Title IX Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the violent act is/acts are committed. The existence of such a relationship shall be determined 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. 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.

Title IX Stalking occurs when a person engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, on the basis of sex (including gender, sexual orientation, or gender identity or expression), under circumstances that would cause a reasonable person to fear for personal safety or the safety of others or suffer substantial emotional distress.

- 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.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the person against whom the stalking was committed.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

B. Non-Title IX Prohibited Conduct

For purpose of Non-Title IX Prohibited Conduct, the below conduct is prohibited even if the conduct occurs off-campus, outside the United States, the Complainant is not participating or seeking to participate in the College's education program or activity, or otherwise in circumstances over which the College does not have influence or control, including but not limited to during academic breaks. The College retains discretion to not respond to, investigate or adjudicate circumstances in which no College interest is implicated.

Non-Title IX Sexual Harassment is defined as unwelcome action, language or visual representation of a sexual nature that has the effect of unreasonably interfering with an individual's work or academic performance or that creates a hostile working, educational, or living environment, but that does not constitute Title IX Sexual Harassment.

Sexual harassment:

- may be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated;
- does NOT have to include intent to harm, be directed at a specific target or involve repeated incidents;
- may be committed by anyone, regardless of gender, age, position, or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational or employment relationships, harassment can occur in any context;
- may be committed by a stranger, an acquaintance, or someone with whom the individual has an intimate or sexual relationship;
- may be committed by or against an individual or may be a result of the actions of an organization or group;
- may occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation;
- may occur in the classroom, in the workplace, in residential settings, or in any other setting;
- may be a one-time event or can be part of a pattern of behavior;
- may be committed in the presence of others or when the parties are alone;
- may affect the subject of the harassment and/or third parties who witness or observe harassment and are affected by it.

Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal or physical aggression or hostility based on gender, gender identity, gender expression, sexuality or sex- or gender- stereotyping, even if those acts do not involve conduct of a sexual nature.

Examples of conduct that may constitute sexual harassment include:

- Physical conduct:
 - unwelcome touching, sexual/physical assault, impeding, restraining or blocking movements
 - unwanted sexual advances
- Verbal conduct:
 - making or using derogatory comments, epithets, slurs or humor, not pedagogically appropriate
 - verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes or invitations, not pedagogically appropriate objectively offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes, or anecdotes, which a reasonable peer would find offensive and which are not pedagogically appropriate
- Visual conduct:
 - leering, making sexual gestures, displaying of suggestive objects or pictures, cartoons, or posters in a public space or forum, not pedagogically appropriate
- severe, persistent, or pervasive visual displays of suggestive, erotic, or degrading sexually oriented images, not pedagogically appropriate

- Written conduct:
 - letters, notes, or electronic communications containing comments, words, or images described above, not pedagogically appropriate
- Quid pro quo conduct:
 - direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists
 - offering employment benefits in exchange for sexual favors
 - making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades, or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
 - making or threatening reprisals after a negative response to sexual advances

The determination of whether an environment is “hostile” is based on a reasonable person standard, considering all the circumstances. These circumstances could include, but are not limited to:

- the frequency or pervasiveness of the speech or conduct;
- the nature and severity of the speech or conduct;
- whether the conduct was physically threatening;
- whether the speech or conduct was humiliating;
- the effect of the speech or conduct on the recipient’s mental and/or emotional state;
- whether the speech or conduct was directed at more than one person;
- whether the speech or conduct arose in the context of other discriminatory conduct;
- whether the speech or conduct unreasonably interfered with the recipient’s educational opportunities or performance (including study abroad), College-controlled living environment, work opportunities, or performance;
- whether a statement is a mere utterance of an epithet which engenders offense in an employee or a student or offends by mere discourtesy or rudeness;
- and/or whether the speech or conduct deserves the protections of academic freedom.

Sexual Exploitation occurs when a person takes non-consensual sexual advantage of another, and that behavior does not otherwise constitute another form of Sexual Misconduct. Examples of sexual exploitation include, but are not limited to, non-consensual video or audio-recording of sexual or other private activity, exceeding the boundaries of consent (e.g., permitting others to hide in a closet and observe consensual sexual activity, or making a consensual intimate video or audio recording of another but then distributing the recording to others without the person’s consent or in a way that exceeds the bounds of consent), compelling another person to sexually touch themselves or another person without consent of all parties to the touching, intentional sexual transmission of bodily fluids (including seminal fluid, vaginal fluid, blood, urine or feces) onto a clothed or unclothed individual without affirmative consent, engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted diseases (STD) and without informing the other person of such infection, or administering any of the so-called “date rape” drugs (including Rohypnol, Ketamine, GHB, Burundanga, and others) for the purpose of engaging in sexual activity.

Non-Title IX Sexual Assault is prohibited under this Policy. Non-Title IX sexual assault includes conduct defined as follows, but that does not constitute Title IX Sexual Assault Prohibited Conduct as defined above because of the nature of the conduct or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the College's education program or activity at the time of the complaint, or because the conduct did not occur in the context of the College's education program or activity):

- Non-Consensual Sexual Contact is defined as any intentional sexual touching, however slight, either directly or through clothing, with any body part or object without affirmative consent.
- Non-Consensual Sexual Act is defined as penetration and/or oral contact, however slight, with any body part or object of or with the genitals or anus of another person, without affirmative consent.

Non-Title IX Retaliation means any adverse action taken against a person for making a good faith report under this Policy, for testifying, assisting, or participating or refusing to participate in any manner in an investigation, proceeding, or hearing under this Policy, or for the purpose of interfering with any right or privilege under this Policy. Retaliation includes threatening, intimidating, harassing, coercing, or any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Retaliation may be present even where there is a finding of "no responsibility" on the allegations of a violation of this Policy.

Retaliation does not include good faith actions pursued in response to a report under this Policy. Complaints of retaliation in connection with reports made under this Policy may be addressed under the procedures provided in this Policy.

Non-Title IX Domestic Violence is defined as a felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the person against whom the violence is committed;
- a person with whom the person against whom the violence is committed shares a child in common;
- a person who is cohabiting with, or has cohabited with, the person against whom the violence is committed as a spouse or intimate partner;
- a person similarly situated to a spouse of the person against whom the violence is committed under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;

if the conduct does not constitute Title IX Domestic Violence as defined above because of the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the College's education program or activity at the time of the complaint, or because the conduct did not occur in the context of the College's education program or activity).

This definition does not apply to roommates who have not expressed interest in entering into, or who have not entered into, a dating or sexual relationship.

Non-Title IX Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the violent act is/acts are committed, but that does not constitute Title IX Dating Violence as defined above because of the context in which it occurs (for example, because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the College's education program or activity at the time of the complaint, or because the conduct did not occur in the context of the College's education program or activity). The existence of such a relationship shall be determined 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. 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.

Non-Title IX Stalking means a course of conduct or repeatedly committing acts toward another person, including following the person without proper authority, under circumstances that would cause a reasonable person to fear for personal safety or the safety of others or suffer substantial emotional distress, but that does not constitute Title IX Stalking as defined above because of basis on which it occurs or the context in which it occurs (for example because the Complainant was not in the United States at the time of the alleged conduct, because the Complainant was not participating in or seeking to participate in the College's education program or activity at the time of the complaint, or because the conduct did not occur in the context of the College's education program or activity).

- 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.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the person against whom the stalking was committed.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass or to make unwelcome contact with another person in an unsolicited fashion.

C. Related Terms

The terms defined below apply to Title IX Prohibited Conduct and Non-Title IX Prohibited Conduct.

Affirmative Consent: Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- a) Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- b) Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.

- c) Consent may be initially given but withdrawn at any time.
- d) Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- e) When consent is withdrawn or can no longer be given, sexual activity must stop.
- f) Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Coercion: Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes a clear decision not to participate in a particular form of sexual activity, a decision to stop, or a decision not to go beyond a certain sexual activity, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (i) the nature of the pressure; (ii) the frequency of the application of the pressure, (iii) the intensity of the pressure, (iv) the degree of isolation of the person being pressured, and (v) the duration of the pressure.

Capacity to give consent: Incapacitation is a state where an individual lacks the ability to knowingly choose to engage in sexual activity. In assessing capacity, the College will consider whether the individual had the ability to understand the nature of the act (e.g., to understand the who, what, when, where, why, or how of the sexual interaction) and/or was physically helpless. Incapacitation may result from the use of alcohol and/or drugs, but consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affect an individual's:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments; and
- capacity to appreciate the nature and the quality of the act.

Persons who engage in sexual activity with someone who lacks the mental or physical capacity to consent (including being incapacitated by alcohol or other drug use or unconscious) are in violation of this Policy, and any consent perceived to have been obtained is invalid. Possession, use and/or distribution of any of the so-called "date rape" drugs (including Rohypnol, Ketamine, GHB, Burundanga, and others) is prohibited, and administering any of these drugs to another and engaging in sexual activity with that person is a violation of this Policy.

Individuals and Processes

Complainant: This term refers generally to an individual who has allegedly been subjected to Sexual Misconduct in violation of this Policy, whether a formal complaint has been filed or not. However, by their very nature, some aspects of this Policy apply only after the College has been put on notice of a possible violation and references to "Complainant" in that context should be read (and will be applied by the Title IX Coordinator) accordingly. In some cases, the Title IX Coordinator may file a formal complaint and thereby initiate an investigation and adjudication process pursuant to this policy. In that instance, the Title IX Coordinator is not the "Complainant"; the Complainant remains the person who allegedly experienced the Sexual Misconduct.

Respondent: This term refers to an individual whose conduct is alleged to have violated this Policy, whether a formal complaint has been filed or not. However, by their very nature, some aspects of this Policy apply only after the College has been put on notice of a possible violation and references to "Respondent" in that context should be read (and will be applied by the Title IX Coordinator) accordingly.

Responsible Employees: Responsible Employees who receive information or a report about any act that potentially constitutes Sexual Misconduct must further report that information to the Title IX Coordinator. The following employees of the College are Responsible Employees: faculty, staff (except staff in the Counseling Center, the Health Center, and the Chaplains), and Resident Advisors. In addition, Responsible Employees are expected to make every effort to explain their duty to report to anyone disclosing, or about to disclose, information to them.

A College supervisor or manager who receives a complaint or information about workplace Sexual Harassment is required to take appropriate action. In all instances, appropriate action must include reporting the situation to the Director of Community Standards (Title IX Coordinator). Appropriate action may also include immediately intervening if the harassment is witnessed by the supervisor or manager. In addition to being subject to discipline if they themselves engage in sex discrimination, sexually harassing conduct, or retaliation, persons with supervisory authority over other College employees will be subject to discipline for knowingly allowing Sexual Harassment to continue.

Harassment and Sexual Misconduct Board: The Harassment and Sexual Misconduct Board (HSMB or the Board) shall be composed of at least eight members (one of whom shall be designated Chair), appointed by the Title IX Coordinator to staggered terms of four years beginning in the Fall semester. Each year, the current Board will solicit applications and nominations for any open seat(s), and will recommend individuals to serve for the following year. Members of the Hamilton community may also nominate individuals for Board membership, provided the nominees are willing to serve if appointed. The Title IX Coordinator, in consultation with the Chair, will ultimately be responsible for appointing new members and designating a new Chair.

Normally, the Chair will be a tenured member of the faculty and serve for one year as Chair. Every effort will be made to maintain a diverse Board, and membership normally will be limited to members of the faculty who have attained the rank of associate or full professor, and full-time staff members. The Title IX Coordinator shall arrange for the Board members to receive annual training as required by this Policy. Members of the HSMB are required to maintain the privacy of all information they acquire in this role, unless disclosure is authorized by the Title IX Coordinator. Members of the HSMB can be removed prior to the end of their term by the Title IX Coordinator, with the agreement of the Chair of the HSMB (unless the member to be removed is the Chair), for good reason (e.g., dereliction of duty, failure to abide by the provisions of the Policy, etc.). The Title IX Coordinator may appoint, and train, additional Board Members as necessary.

Investigator(s): Individual(s) assigned by the Title IX Coordinator to conduct investigations following notice of alleged Sexual Misconduct. The Investigator(s) may be an appropriately trained College employee or an external investigator(s) as deemed appropriate by the Title IX Coordinator. Upon receipt of a formal complaint, the Title IX Coordinator will assign the investigator(s) to begin the investigation. If the Title IX Coordinator determines that a legitimate conflict of interest exists between an Investigator(s) and a party to a complaint, the Title IX Coordinator, in consultation with the Chair of the HSMB, will appoint a replacement. The Investigator(s) issues a report of the investigation to the Title IX Coordinator, but does not make a recommendation with respect to responsibility for violating the Policy.

Harassment and Sexual Misconduct Review Panel (Review Panel): In each investigation involving student Respondents, the Title IX Coordinator will appoint a three-person Review Panel to review the investigative report, attend the hearing, determine whether this Policy was violated, and, if so, impose a sanction. This Review Panel will ordinarily be comprised of two members of the HSMB and the Hearing Officer, but the Title IX Officer has the discretion to appoint other, appropriately trained, individuals to serve as necessary. If the Title IX Coordinator determines that a legitimate conflict of interest exists between a member of the Review Panel and a party to a complaint the Title IX Coordinator, in consultation with the Chair of the HSMB, will appoint a replacement from those members of the Board eligible to serve.

Hearing Officer: The individual assigned by the Title IX Coordinator to preside over the hearing process. In matters involving students, the Hearing Officer will moderate the hearing and deliberate with the members of HSMB appointed to serve on the Review Panel. In matters involving employees, the Hearing Officer will determine whether the Policy has been violated. The Hearing Officer may be an appropriately trained College employee or an external Hearing Officer as deemed appropriate by the Title IX Coordinator. If the Title IX Coordinator determines that a legitimate conflict of interest exists between a Hearing Officer and a party to a complaint, the Title IX Coordinator, in consultation with the Chair of the HSMB, will appoint a replacement

Senior Staff Member: The Vice President who has supervisory authority over the area of the College with which the Respondent is affiliated, and who will (as outlined in this Policy) make a final decision on sanction following the Hearing Officer's recommendation. For example, the Vice President for Academic Affairs and Dean of Faculty is the Senior Staff Member with respect to complaints brought against a faculty member.

Appeals Board: The Sexual Misconduct Appeals Board shall be composed of the faculty members of the College Appeals Board. This is the group of individuals that considers appeals that are permitted under this Policy. The Sexual Misconduct Appeals Board will receive annual training on relevant state and federal law (including Title IX) and this Policy.

V. Protection from Retaliation

Hamilton prohibits Retaliation against individuals who pursue complaints or who are otherwise involved in any of the processes outlined in this Policy. The College views Retaliation as a serious violation of this Policy that is subject to the same range of sanctions and responsive action as Sexual Misconduct. (Retaliation is defined in Article IV).

VI. Privacy and Confidentiality

Hamilton encourages the reporting of acts of Sexual Misconduct in order to help the College respond effectively to conduct that negatively impacts the safety of the community. The College also recognizes the importance of privacy and confidentiality. The following section describes how the College will maintain privacy while pursuing a complaint of Sexual Misconduct, and how it will respond to requests for confidentiality. (Information about confidential resources can be found in Article XXI)

A. General

In all cases of alleged Sexual Misconduct covered by this Policy, Hamilton will treat information as private and will, to the extent permitted by law, limit the disclosure of information to only those non-party individuals who are responsible for handling the College's response, and to those parties entitled to knowledge of the information in connection with processes undertaken pursuant to this Policy. Certain College administrators (e.g., the College President and Director of Campus Safety) may also be provided information on a need to know, private basis. In accordance with the Clery Act and other state and federal mandates, the College must also report information concerning the occurrence on campus of certain crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include any personally identifiable information. The College may issue a timely warning if a report of Sexual Misconduct presents information that there is an ongoing threat to the community. The announcement will include the nature of the violation and the action(s) being taken.

The College will normally not inform students' parents or guardians of their involvement in a complaint of Sexual Misconduct without their consent, but the Title IX Coordinator will speak with each party about their decision to personally inform their parents or guardians. College officials will directly inform a student's parents or guardians when requested to do so by the student, and may do so in emergency circumstances when necessary to prevent imminent harm or as otherwise permitted by law.

B. Requests for Confidentiality

If the Title IX Coordinator receives notice of an alleged incident of Sexual Misconduct under this Policy but the individual impacted requests confidentiality or otherwise asks that an investigation not be pursued, the Title IX Coordinator will make every effort to balance this request with Hamilton's policy of providing a safe and non-discriminatory environment for all members of the community. Honoring such a request may limit Hamilton's ability to conduct a thorough investigation and take appropriate disciplinary action. The Title IX Coordinator will consider many factors when determining whether the College can honor the request for confidentiality and/or the request that the College take no investigatory or disciplinary action, including but not limited to whether:

- the Respondent has a history of violent behavior or is a repeat offender;
- the incident represents escalation in unlawful conduct on behalf of the Respondent from previously noted behavior;
- the individual impacted is a minor;
- the information provided suggests an increased risk that the Respondent has committed prior acts or will commit additional acts;
- the alleged misconduct was perpetrated with a weapon or force;
- the alleged misconduct was committed by multiple perpetrators;
- the information provided suggests that the act is part of a larger pattern at a specific location or by a particular group; and/or
- information can be obtained by means other than from the impacted individual (e.g., by personnel or security cameras, witnesses, or through physical evidence).

If confidentiality cannot be maintained, the impacted individual will be informed of the decision prior to the start of an investigation. In appropriate cases, the course of action may include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against a Respondent or revealing the identity of the Complainant.

In the event that the College proceeds with an investigation and is unable to maintain confidentiality, the College will continue to evaluate methods and measures to protect the reporting individual or Complainant from retaliation or harm. The Title IX Coordinator will work with the Complainant to create a safety plan. Retaliation against the reporting individual or Complainant, whether by students or College employees, will not be tolerated.

Regardless of a request for confidentiality and the College's decision with respect to that request, the College will also:

- assist the Complainant in accessing other available advocacy support, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus, as appropriate;
- provide other supportive measures, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the Respondent pending the outcome of an investigation) or adjustments for assignments or tests (see Article VIII); and
- inform the Complainant of the right to report a crime to local law enforcement and provide assistance if the reporting individual wishes to do so.

VII. Rights of Parties

A. Common Rights

Each party has the right to:

- be treated with dignity and to receive from the College courteous, fair, and respectful health care and counseling services, where available;
 - o In the case of students, medical and emotional support from the Student Health Service, the Counseling Center, and/or trained advocates;
 - o In the case of employees, medical and emotional support through the College's Employee Assistance Program (1-800-834-3947);
- have disclosures of Sexual Misconduct treated seriously;
- make a report to local law enforcement and/or state police;
- make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
- describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
- preservation of privacy, to the extent possible and allowed by law;
- receive appropriate, reasonably available measures to reduce the burden on either the Complainant and/or Respondent, which may include (but may not be applicable to all depending on their status as a student or an employee):
 - o placement of limitations on contact between the parties during the investigation and while the complaint is being reviewed;
 - o separation or modification of the working, living, and/or academic arrangements of the Complainant and/or the Respondent and the College's assistance in effecting such change;
 - o rescheduling of exams, papers, or other assignments;
 - o taking an incomplete in a class, changing class sections, temporary withdrawal, or alternative course completion options;
- be protected from Retaliation by the College, any student, the other party, and/or the other party's friends, family, and acquaintances within the jurisdiction of the College;

- participate in a process that is fair, timely, impartial, and provides adequate notice and a meaningful opportunity to be heard;
- exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College;
- be informed of campus judicial rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- be informed in advance of any meeting they are required or eligible to attend, the purpose of the meeting and the rules allegedly violated and potential sanctions (if not previously advised);
- receive the counsel and support of an advisor (as more fully described below) throughout the investigation and resolution processes;
- provide information at any step of the procedures outlined in this Policy outside the physical presence of the other party;
- have their own irrelevant mental health diagnosis and/or treatment excluded from consideration by the Review Panel for purposes of determining responsibility;
- have other irrelevant information concerning character or incidents not directly related to the complaint excluded from the investigation and resolution proceedings (the HSMB Chair, Title IX Coordinator, or other appropriate person may determine that information about unrelated incidents demonstrating a pattern of behavior directly related to the alleged violation is relevant, and therefore admissible, information);
- be informed of the names of any additional individuals who have provided information to be considered in determining responsibility and/or sanctioning (as applicable);
- have the College request the presence of individuals at investigative and resolution proceedings (as appropriate);
- petition the Title IX Coordinator for removal of any Investigator(s) or member of the Review Panel (where applicable) on the basis of demonstrated bias or conflict of interest;
- have complaints investigated and adjudicated in a timely, impartial, and thorough manner, by individuals who have received annual training in conducting investigations and/or adjudication (as applicable) of allegations of sexual violence, the effects of trauma, impartiality, the rights of the Respondent (including the right to a presumption that the Respondent is “not responsible” until a responsibility determination has been made), and other issues relating to Sexual Misconduct;
- review all documentary information obtained during the investigation that is directly related to the allegations in the complaint, subject to the confidentiality limitations imposed by state and federal law and College policy;
- submit a personal impact statement prior to the consideration of any sanction;
- have College policies and procedures followed without material deviation;
- an outcome based solely on information obtained by the Investigator(s) and during the Review Panel hearing or other applicable proceeding;
- be notified of the findings as to responsibility and sanction (where applicable); and
- appeal determinations as to responsibility and sanction, in accordance with the standards for appeal established by this Policy.

B. Additional Rights of the Complainant

A Complainant has the right to:

- be informed by college officials of options to notify appropriate law enforcement authorities and the option to be assisted by campus officials in notifying such authorities whether or not the individual intends to pursue on-campus complaint resolution procedures;
- be free from any suggestion that the Complainant is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;

- have their own past sexual history with persons other than the other party precluded from consideration for purposes of determining responsibility, except as specifically provided in this Policy;
- file a report of Sexual Misconduct and consult the Title IX Coordinator and other appropriate College personnel for information and assistance;
- receive assistance from appropriate College representatives if interested in initiating legal proceedings in family court or civil court (e.g. orders of protection), such assistance to consist of facilitation in contacting appropriate local agencies (e.g., YWCA), who can provide direct assistance with court proceedings; and
- withdraw a complaint or involvement from the College processes at any time, with the understanding that in appropriate cases, the College may nonetheless be required to proceed even if the reporting individual does not wish to do so (see Article VI, Privacy and Confidentiality).

C. Additional Rights of the Respondent A

Respondent has the right to:

- receive written or electronic notice, prior to any meeting the Respondent is required to or eligible to attend, of the date, time, location and factual allegations made, the specific provisions of the Policy allegedly violated, and the possible sanctions;
- a presumption that the Respondent is “not responsible” until a finding of responsibility has been made;
- review the complaint made;
- have their own irrelevant past sexual history with persons other than the other party precluded from consideration for purposes of determining responsibility;
- waive Review Panel or other proceedings by admitting responsibility (in which case, the Senior Staff Member, in consultation with the Title IX Coordinator and Chair of the HSMB, will determine a sanction) (see Article XI, Section E); and
- withdraw from the College, subject to Article XI, Section F, of this Policy.

VIII. Supportive Measures; Emergency Removal Supportive Measures

Upon receipt of a report pursuant to this Policy, the College will evaluate and if warranted implement reasonable and appropriate supportive measures designed to restore or preserve, to the extent practicable, equal access to the College’s educational programs and activities and protect the safety of all parties without unreasonably burdening the other party or parties.

Supportive measures may be imposed at any time regardless of whether formal disciplinary action is sought by the Complainant or the College and may be imposed prior to the commencement of, during, or upon conclusion of an investigation. When the College receives a report of potential Sexual Misconduct, the College will inform the individual(s) who may have experienced Sexual Misconduct that they may receive supportive measures whether or not they pursue a formal complaint. Once the Respondent is informed of a report or a formal complaint, the Respondent will be contacted by the Title IX Coordinator and informed that they may receive supportive measures. Supportive measures will be kept confidential to the extent that maintaining confidentiality will not impair the ability of the College to provide the interim measures.

As required by federal regulation, supportive measures must be non-disciplinary and non-punitive to the parties. A party may request from the Title IX Coordinator some form of supportive measure, or the College may choose to impose supportive measures at its discretion to enhance the safety of all parties, the broader College community, and/or the integrity of the investigative and/or complaint resolution process.

Possible supportive measures include (but may not be applicable depending on the parties’ status as students or employees):

- mutual “No Contact” orders and, in certain cases, one-way no contact orders;

- changing class schedules, including the ability to transfer course sections or withdrawal from a course without penalty;
- changing work schedules or job assignments;
- changing a student's College owned housing;
- rescheduling of exams, papers, or other assignments;
- taking an incomplete in a class;
- transferring class sections;
- alternative course completion options;
- access to counseling services on- and off-campus and assistance in setting up an initial appointment;
- limiting an individual's or organization's access to certain college facilities or activities pending resolution of the matter;
- voluntary leave of absence;
- providing an escort between classes and activities;
- providing medical services;
- providing academic support services, such as tutoring;
- any other remedy that can be tailored to the involved individuals to achieve the goals of this Policy.

The Title IX Coordinator is responsible for coordinating the implementation of supportive measures, including coordinating with the various College departments and offices that may be involved. Supportive measures will be offered free of charge.

All individuals are encouraged to report concerns about the failure of another individual or organization to abide by restrictions imposed by a supportive measure. The College will take prompt and responsive action to enforce a previously implemented measure.

If a party's request for a supportive measure is denied, the party will be afforded an opportunity to have the denial promptly reviewed to assess whether the supportive measure is reasonable under the circumstances. In addition, an individual may also seek a prompt review of the need for and/or terms of any supportive measure that directly affects said individual, by submitting a written request for review to the Title IX Coordinator, providing the basis for that request and any evidence in support. Each party will be allowed to submit evidence in support of, or in opposition to, the request to the extent the supportive measure under review affects that party. Information about how to request a review will be included in a written communication to each party that will outline the supportive measures offered and any that were requested by the party but denied.

Emergency Removal

When a student accused of Sexual Misconduct is determined to be an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct, the College may undertake an emergency removal of the student from some or all College programs or activities pending the outcome of any proceedings under this Policy. Prior to effectuating an emergency removal of a student, the College will undertake an individualized safety and risk analysis. If the individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student, including the student Respondent, or other individual justifies removal, then a student Respondent will be removed.

This is the case regardless of the severity of the allegations and regardless of whether a formal complaint was filed. Both the Complainant and the Respondent will, upon written request, be afforded an opportunity for a review of the need for and/or terms of an emergency removal, including potential modification, by the Vice President and Dean of Students. Parties desiring such a review should by submit a written request to the Title IX Coordinator, providing the basis for that request and any evidence in support.

The emergency removal process applies only to student respondents. Employee Respondents are not subject to this section and may be placed on administrative leave pursuant to the College's employment policies and practices (including applicable collective bargaining agreements).

IX. Amnesty Related to Other Policy Violations

The health and safety of every student at the College is of utmost importance. Hamilton recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to sexual harassment, sexual exploitation, sexual assault, domestic violence, dating violence, or stalking, occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Hamilton strongly encourages students to report incidents of sexual harassment, sexual exploitation, sexual assault, domestic violence, dating violence, or stalking to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of sexual harassment, sexual exploitation, sexual assault, domestic violence, dating violence, or stalking to college officials or law enforcement will not be subject to College code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the sexual harassment, sexual exploitation, sexual assault, domestic violence, dating violence, or stalking. Persons cooperating by furnishing information in good faith in connection with College processes under this Policy (whether as Complainants, Respondents, or witnesses), or in connection with law enforcement proceedings arising out of reported incidents of Sexual Misconduct, will not be subject to College code of conduct action for violations of alcohol and/or drug use policies, or other minor conduct offenses (i.e., those that can be expected to result in sanctions no more than probationary status) based on their conduct occurring at or near the time of a reported incident of Sexual Misconduct.

X. Informal Resolution

In cases where a formal complaint (as described in Article XI) has been filed, but where the Title IX Coordinator and HSMB Chair determine that mediation or a restorative justice process may be appropriate, the Title IX Coordinator will first consult with the Complainant about the option to pursue one of these alternative processes. If the Complainant is agreeable, then the Title IX Coordinator will consult with the Respondent to discuss the mediation or restorative justice process. If both parties are agreeable to the proposed informal resolution process, mediation or a restorative justice process will be coordinated by the Title IX Coordinator. Either party or the College may discontinue the informal resolution process at any time. The mediator or restorative justice facilitator will report to the Title IX Coordinator and the HSMB Chair the results of the process, which are subject to the acceptance of the Title IX Coordinator.

In implementing an informal resolution the College will:

- Provide to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties 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 resume the formal resolution process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- Obtain the parties' voluntary, written consent to the informal resolution process.

The College will not use informal resolutions to resolve allegations that an employee sexually harassed a student.

XI. Formal Resolution Procedures

In cases of alleged Sexual Misconduct under this Policy, where an informal resolution is not used or if used is not successful, the following process will apply. This process may involve the Chair of the HSMB, the appropriate Senior Staff Member, the Title IX Coordinator, an Investigator(s), and a Hearing Officer and/or the Review Panel. In the event the Complainant, Respondent, Chair of the HSMB, or Title IX Coordinator identifies a conflict of interest involving the Chair or the Title IX Coordinator, the appropriate Senior Staff Member will appoint another member of the HSMB to oversee the process.

A. Formal Complaint

Reports of Sexual Misconduct may be made orally or in writing, and may come from the report of a Responsible Employee, directly from a Complainant, or from a third party. This will be considered “notice” that an act of Sexual Misconduct is alleged to have occurred. In order to proceed with a formal resolution the Complainant, or in certain instances the Title IX Coordinator, must file a formal complaint. The formal complaint must contain information about the alleged Sexual Misconduct by the Respondent and request that the College conduct an investigation into the alleged Sexual Misconduct. The formal complaint may be provided to the Title IX Coordinator by mail, electronic mail, or delivered in person. The formal complaint must include the Complainant’s physical or electronic signature or otherwise indicate 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 under this Policy.

Based on the formal complaint, the College will issue a Notice of Complaint. The Notice of Complaint will include, to the extent known, the identities of the parties involved in the alleged incident(s), the conduct allegedly constituting a violation of the Policy, the Policy provisions allegedly violated, and the date, time and location of the alleged incident(s). The Notice of Complaint will also include the following:

- 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.
- A description of the investigation and adjudication process.
- A statement informing the parties that they may have an advisor of their choice as provided by this Policy, who may be, but is not required to be, an attorney.
- A statement that the parties may inspect and review evidence in accordance with this Policy.
- A description of potential sanctions.
- A statement, where applicable, that the College’s Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the processes contemplated by this Policy.

If, in the course of the investigation, the College decides to investigate allegations that are not included in the notice initially provided to the parties, the Title IX Coordinator will provide notice of the additional allegations to the parties.

The Title IX Coordinator will meet with the Complainant, provide a copy of the Notice of Complaint, and explain the investigation and hearing procedures that will be followed. The Title IX Coordinator will meet separately with the Respondent to provide a copy of the Notice of Complaint, explain that Hamilton is investigating the possibility that the Respondent may have violated this Policy, and explain the investigation and hearing procedures that will be followed. Both parties will also receive a copy of this Policy. The parties will receive the Notice of Complaint with sufficient time to prepare a response before any initial interview.

Dismissal of Complaint or Specific Allegations

In order to comply with Title IX regulations, the Title IX Coordinator must “dismiss” allegations of Title IX Prohibited Conduct if at any time the College learns that the allegations do not meet the definition of Title IX Prohibited Conduct set forth in Article IV, due to factors such as the nature of the alleged conduct, because the alleged conduct did not occur in the College’s education program or activity, because the alleged conduct did not occur against a person in the United States, or because the Complainant is not participating in or attempting to participate in an education program or activity of the College when the complaint is filed. Even if Title IX Prohibited Conduct allegations are subject to dismissal, the College reserves the right to continue to process the allegations as Non-Title IX Prohibited Conduct allegations if the allegations, if true, would constitute Non-Title IX Prohibited Conduct, or to proceed under another applicable College policy.

The College may also (but is not required to) dismiss the complaint, or specific allegations within the complaint, under the following circumstances:

- the 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 or employed by the College; or
- specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If the College dismisses the complaint in whole or in part and/or discontinues the formal resolution process, the College will inform both parties of the decision, the reason for the action, and whether the College intends to proceed under this Policy or another College Policy. A decision to dismiss a complaint, or an allegation of Title IX Prohibited Conduct in a complaint, is immediately appealable pursuant to the applicable process specified in Section I.

B. Overall Time Frame for Investigation and Complaint Resolution

1. Formal Resolution Process

The College has established time frames with the goal of addressing and reaching a determination about all complaints in a timely and efficient manner. In general, the College will endeavor to conclude all reports of Sexual Misconduct within ninety (90) days (exclusive of any appeal) and, in general, parties can expect that the process will proceed according to this and other time frames provided in this Policy. However, because circumstances may arise that require the extension of time frames—including possibly beyond the overall ninety (90) day timeline— all time frames expressed in this Policy are meant to be guidelines rather than rigid requirements. Such circumstances may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break, or vacation or other unforeseen circumstances. The College will provide written notice to all parties of the reason for any delay and the expected adjustment in time frames. The College will make its best efforts to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

2. Appeals

The College will seek to resolve any appeals within a reasonably prompt time frames as appropriate for the nature of the appeal. The College will endeavor to complete the appeals process in two (2) weeks, subject to extension based on the complexity of the investigation and/or appeals materials.

3. Informal Resolutions

The College will seek to resolve informal resolution processes within a reasonably prompt time frames as appropriate for the resolution process. The College will provide written notice to all parties of the reason for any delay and the expected adjustment in time frames.

C. Advisors

Each party in a formal or informal resolution process may have their advisor of choice present at any interview or other meeting related to the investigation and resolution process in which the party participates. Except as provided in the hearing procedures described in Section H, advisors can only advise the Complainant or Respondent privately and cannot act as speaking advocates in the investigation, adjudication, or informal resolution process. If an advisor does not adhere to these or other applicable ground rules, the advisor will be dismissed from the interview or other meeting or proceeding, which will continue without opportunity for the advisee to secure a new advisor (except as provided in the hearing procedures described in Section H). If an advisor is going to accompany a party, that party must advise the Title IX Coordinator of the identity of the advisor upon making that decision. Neither members of the HSMB nor the Appeals Board may serve as advisors. The College will determine its own schedule for interviews and other meetings, and it is incumbent upon each party to ensure that the party's advisor is available.

The role of an advisor in the Hearing Process is discussed in detail below.

D. Multiple Parties/Charges

When multiple charges and/or parties are involved, including charges by and against individuals with different statuses (e.g. faculty and student), the Title IX Coordinator, in consultation with the HSMB Chair, will determine the appropriate procedures to be used, including varying from these procedures as may be necessary. Normally, multiple contemporaneous charges against the same Respondent, even when brought by multiple Complainants, will be investigated by a single Investigator(s). Absent the consent of the Respondent, the Title IX Coordinator will convene separate Review Panels to hear complaints by different Complainants against the same Respondent. Otherwise, the Title IX Coordinator may determine that cases where the allegations arise out of the same set of facts should be consolidated for purpose of the investigation and/or adjudication. Instances where consolidation of complaints may occur include but are not limited to cross-complaints filed by the parties against each other, multiple complaints by a single Complainant against a Respondent, or multiple complaints by a single Complainant against multiple Respondents.

E. Respondent Acceptance of Responsibility

The Respondent, with the Senior Staff Member's agreement, may accept responsibility for alleged conduct. A Respondent choosing this path must provide the Senior Staff Member and the Title IX Coordinator a written statement accepting responsibility for the alleged conduct and waiving any further process under this Policy. In such cases, the appropriate Senior Staff Member – in consultation with the Chair and Title IX Coordinator – will determine a sanction, which may range from a warning to permanent separation from the College. The full range of sanctions is listed below in Section H. By accepting responsibility, the Respondent waives any right to appeal the finding of Responsibility. The Respondent may appeal the imposed sanction pursuant to the process below in Section I. If the Respondent does not agree to accept responsibility and disputes the description of alleged conduct, the process below will proceed.

F. Respondent Withdrawal

Should a student Respondent choose to withdraw from the College with knowledge that a formal complaint against the Respondent has been made under this Policy and prior to the Hearing Panel's final decision, the Respondent's transcript will note that a complaint had been made at the time of withdrawal as described below in Section H. The College reserves the right, notwithstanding a withdrawal, to proceed with consideration of any complaint to completion and, if appropriate, impose a sanction.

G. Investigation of Formal Complaint

1. General

Hamilton College uses an investigation and hearing model to resolve complaints of Title IX and Non-Title IX Sexual Misconduct that are not appropriate for voluntary mediation or a restorative justice process, or where either party does not want to pursue an informal resolution process.

A trained Investigator(s) will interview the parties and witnesses and collect relevant information. The Investigator(s) is authorized to contact any relevant people and to access any relevant and available records not otherwise prohibited by legal protections of privilege or confidentiality. It is the responsibility of the Investigator(s) to take custody of, and arrange safekeeping for, any physical or electronic records, documents, or other tangible items obtained during the investigation.

The Investigator(s) will make every effort to conclude a thorough investigation, including submission of the written report, within sixty (60) days (absent circumstances such as school breaks and examination periods) of delivery of the notice of investigation. Should a Respondent choose not to participate in the investigative process, the investigation may proceed, a decision will be made, and, if appropriate, a sanction may be imposed based on available information.

The Complainant and Respondent may have an advisor of choice present at any interview or other meeting related to the investigation and resolution process in which the party participates. In all cases, except to the extent provided in the hearing procedures described below in Section H, advisors can only advise the Complainant or Respondent privately and cannot act as speaking advocates. If an advisor does not adhere to these or other applicable ground rules, the advisor will be dismissed from the interview or other meeting, which will continue without opportunity for the advisee to secure a new advisor (except as provided in the hearing procedures).

2. Procedures for Submitting and Accessing Information Collected During College's Investigation

The Complainant and Respondent will be invited to offer and/or identify all information they would like the Investigator(s) to review, and both may recommend witnesses and submit information for consideration, including proposed questions to be posed by the Investigator(s) to parties and witnesses. Decisions about interviews and collection and evaluation of relevant information, physical or electronic documents, and other tangible items, however, are ultimately at the discretion of the Investigator(s) in the context of impartial treatment of both parties. In the course of conducting interviews, the Investigator(s) will ask the interviewed individual to sign a statement attesting to, or otherwise verifying, the veracity of the information provided.

Once the investigation is complete, the Investigator will prepare a draft investigation report. The Complainant and Respondent will then be provided an equal opportunity to review the draft investigation report and to inspect and review any evidence obtained in the investigation that is directly related to the allegations, and regardless of whether the information will be relied on in reaching a determination. The parties and their advisors will be provided a copy (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform) of the draft investigation report and the evidence, subject to redaction permitted and/or required by law. Both parties will have an opportunity to respond to this information, in writing, within ten (10) days, and the Investigator(s) will consider the parties' responses prior to completion of the final investigative report. If following the submission of these responses the Investigator(s) determine(s) that additional investigation is necessary and new information is gathered that is directly related to the allegations, it will be shared with the Complainant and Respondent and their advisors, and the parties will again have the opportunity to submit a written response as described above.

Following the review and response process described above, the Investigator(s) will complete their final written report and meet with the Chair and Title IX Coordinator to deliver that final written report. The Investigator(s) need not include information in the investigative report that the Investigator(s) determine(s) not relevant or otherwise excludable. The Title IX Coordinator will notify the Complainant and Respondent of the completion of the investigative report. The Complainant and Respondent, and their respective advisors, will be provided a copy of the final investigative report (which may be sent in hard copy or electronic format or made available through an electronic file sharing platform), subject to redaction permitted and/or required by law, for review and (if desired) written response.

H. Hearing Procedures General

A hearing will be convened not less than ten days after the parties have been provided access to the final investigative report, for the purpose of determining whether the Respondent is responsible or not responsible for the charge(s). In matters involving student Respondents, a Hearing Officer will preside over the hearing and the Review Panel, comprised of HSMB members and the Hearing Officer, will determine whether the Respondent is responsible or not responsible. In matters involving employee Respondents, a Hearing Officer will preside over the hearing and determine whether the Respondent is responsible or not responsible.

The Title IX Coordinator will notify the parties in writing of the date, time, and location of the hearing, the name[s] of the Review Panel members and/or Hearing Officer, and how to challenge participation by any Review Panel member and/or Hearing Officer for bias or conflict of interest.

Participants in the hearing will include the members of the Review Panel, where relevant, the Hearing Officer, the Complainant and the Respondent, their respective advisors, the HSMB Chair, and witnesses (solely during their own testimony). Hearings are private. Observers or additional support personnel, other than the parties' advisors, are not allowed unless deemed necessary by the Title IX Coordinator for purposes such as accommodation of a disability. The hearing will be recorded by the College. Cell phones and recording devices may not be used by the parties or their advisors in the hearing room(s).

The parties and their advisors will be required to participate in a pre-hearing conference, convened by the Hearing Officer, to review applicable procedures and ground rules and to address any questions in advance of the hearing.

Hearings may be conducted with all parties physically present in the same location or, at the Title IX Coordinator's discretion, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling the Review Panel, where relevant, Hearing Officer and the parties to simultaneously see and hear any party or witness providing information or answering questions. If either party so requests, the hearing will be conducted with the parties located in separate rooms using technology as described in the preceding sentence.

The Title IX Coordinator may postpone the hearing for good cause as determined by the Title IX Coordinator. Good causes may include, without limitation, unavailability of one or more participants due to unanticipated events or circumstances, the timing of academic breaks or holidays, or other extenuating circumstances.

Procedural Matters

The Hearing Officer is in charge of organizing the presentation of information to be considered at the hearing. Generally, the hearing will proceed in the following order:

1. Opportunity for Opening Statement by the Complainant
2. Opportunity for Opening Statement by the Respondent
3. If requested by the Hearing Officer, the Investigator may provide a summary of the results of the investigation by the investigator(s)
4. If the investigator is called as a witness, questions for the investigator(s) by the Review Panel and/or Hearing Officer and, if desired, on behalf of Complainant and the Respondent (as described below)
5. Questions for the Complainant by the Review Panel and/or Hearing Officer and, if desired, on behalf of the Respondent (as described below)
6. Questions for the Respondent by the Review Panel and/or Hearing Officer and, if desired, on behalf of the Complainant (as described below)
7. Questions for each witness by the Review Panel and/or Hearing Officer and, if desired, on behalf of Complainant and the Respondent (as described below)
8. Opportunity for Closing Statement by the Complainant
9. Opportunity for Closing Statement by the Respondent

Formal rules of evidence will not apply. Except as otherwise expressly prohibited by this Policy, any information that the Hearing Officer determines is relevant may be considered, including hearsay, history and information indicating a pattern of behavior, and character evidence. All evidence previously made available to the parties for inspection and review prior to completion of the investigative report as described above in Section G will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of questioning. Absent extraordinary circumstances as determined by the Hearing Officer, no party may seek to introduce at the hearing any evidence not previously made available in accordance with the preceding sentence, other than the investigative report itself and any responses to the investigative report submitted by the parties pursuant to Section G.

The Hearing Officer will address any concerns regarding the consideration of information prior to and/or during the hearing and may exclude irrelevant information. Subject to the terms of this Policy, the Hearing Officer will have discretionary authority to determine all questions of procedure, to determine whether particular questions, evidence or information will be accepted or considered, to call breaks or temporary adjournments of the hearing, to alter the order of the proceedings from that described above, and/or to recall parties or witnesses for additional questions as the Hearing Officer deems necessary or appropriate. The Hearing Officer may impose additional ground rules as the Hearing Officer may deem necessary or appropriate for the orderly and efficient conduct of the hearing, which will apply equally to both parties.

Advisors

The Complainant and the Respondent may each have present with them during the hearing an advisor of their choice (at the party's expense, if the advisor is a paid advisor). If a party does not have an advisor present at the hearing, the College will provide, without fee or charge to that party, an advisor of the College's choice. Where the College provides the advisor, the College will do so in advance of the hearing in order to provide the party and their advisor a reasonable opportunity to prepare for the hearing. The advisor will work with the party throughout the hearing and then after the hearing as necessary (i.e. in the appeal process).

Except with respect to questioning as described below, the advisor's role is limited to consulting with their advisee, and the advisor may not present evidence, address the Review Panel, where relevant, or the Hearing Officer during the hearing, object to any aspect of the proceeding, or disrupt the hearing in any way, and any consultation with the advisee while the hearing is in progress must be done in a quiet nondisruptive manner or in writing. The advisor may consult with the advisee verbally outside the hearing during breaks, when such breaks are granted by the Hearing Officer. An advisor's questioning of the other party and any witnesses must be conducted in a respectful, nonintimidating, and non-abusive manner. If the Hearing Officer determines that an advisor is not adhering to these or other ground rules, the advisor may be required to leave the hearing, and the hearing will proceed without an opportunity for the party to obtain a replacement advisor; provided, however, that the College will assign an advisor of the College's choosing, without charge, for the purpose of conducting questioning on behalf of the party as provided below.

Witnesses are not permitted to bring an advisor or other person to the hearing, absent an approved disability accommodation. The Hearing Officer, and the Review Panel in matters involving the Review Panel, may be advised by and/or consult with the College's legal counsel as the Hearing Officer deems necessary or appropriate.

Questioning Procedures

The Hearing Officer 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; provided that questions that seek disclosure of information protected under a legally recognized privilege will not be permitted unless the person or entity holding the privilege has waived the privilege in writing. Questioning must be conducted by the party's advisor in a respectful, nonintimidating, and non-abusive manner, and never by a party personally. If a party does not have an advisor present at the hearing, the Title IX Coordinator will arrange for the College to provide, without fee or charge to that party, an advisor of the College's choice to conduct questioning on behalf of that party.

Only relevant questions may be asked by a party's advisor to a party or witness. Before the party or witness answers a question posed by an advisor, the Hearing Officer will first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The advisor posing the question may request that the Hearing Officer reconsider any decision to exclude a question and the Hearing Officer, after soliciting the other party's advisor's opinion, will render a final determination. Such decisions by the Hearing Officer are final and not subject to further objection or reconsideration during the hearing.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, other than questions and evidence about the Complainant's prior sexual behavior that (a) are offered to prove that someone other than the Respondent committed the alleged misconduct, or (b) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

If a party or witness does not submit to questioning by a party's advisor at the hearing, the hearing panel may nevertheless rely on statements of that party or witness, during the hearing or otherwise, in reaching a determination regarding responsibility, but may also determine what (if any) significance to afford those statements in view of the lack of cross examination (for example, the hearing panel may determine whether the statements are sufficiently reliable in the absence of cross examination). The hearing panel will not, however, draw an inference as to responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions posed by the other party's advisor.

Hearing Determinations

Following conclusion of the hearing, the decision maker(s) (either the Review Panel including the Hearing Officer or, in matters involving employees, the Hearing Officer individually) will deliberate and render a determination (by majority vote, if the decision is made by the Review Panel) as to whether the Respondent is responsible or not responsible for the alleged violation(s). The decision maker (either the Review Panel or Hearing Officer) will use "preponderance of the evidence" as the standard of proof to determine whether each alleged violation of the Policy occurred. "Preponderance of the evidence" means that the decision maker (either the Review Panel or Hearing Officer) must determine whether, based on the evidence presented, it is more likely than not that the Respondent engaged in the conduct charged.

If the decision maker (either the Review Panel or Hearing Officer) determines that the Respondent is responsible for one or more violations, the Complainant and Respondent will be invited by the Title IX Coordinator to submit a personal impact statement that will be provided to the decision maker (either the Review Panel or Senior Staff Member) for consideration in determining appropriate recommended sanctions. The Title IX Coordinator will set the time frame for the submission of personal impact statements which normally will be no less than 3 days. The Title IX Coordinator will provide each of the parties an opportunity to review any statement submitted by the other party.

In addition to the impact statement(s), if any, factors considered when determining sanctions may include:

- the nature and severity of, and circumstances surrounding, the violation(s);
- the Respondent's state of mind at the time of the violation(s) (intentional, knowing, bias-motivated, reckless, negligent, etc.);
- the Respondent's previous disciplinary history;
- the need for sanctions to bring an end to the conduct; and/or to prevent the future recurrence of similar conduct;
- the need to remedy the effects of the conduct on the Complainant and/or the community;
- the impact of potential sanctions on the Respondent;

- sanctions imposed by the College in other matters involving comparable conduct; and
- any other lawful factors deemed relevant by the decision maker.

In cases involving student Respondents, the Review Panel will assess sanctions for any violations. The following are the sanctions that may be imposed upon students or organizations singly or in combination:

- Warning: Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- Mandatory educational workshop or service.
- Loss of status in housing lottery.
- Status of probation: To be assigned for a specified period of time. Terms of the probation shall be specified, and may include denial of specified social or other campus privileges, exclusion from extracurricular activities, exclusion from study abroad or other off campus programs, and other measures deemed appropriate. Violation of this Policy or the College's Code of Conduct during the period of probation may result in suspension or expulsion from the College.
- Suspension: Separation from the College, and exclusion from college premises, and from other privileges and activities. Readmission to the College after the term of suspension is not automatic, but requires application to the Dean of Students.
- Expulsion: Permanent termination of student status, and exclusion from college premises, privileges, and activities. An application for readmission shall not be considered. Students who have been expelled are expected to leave the campus within 48 hours unless the Dean of Students grants a special extension.
- Other Actions: In addition to or in place of the above actions, the Review Panel may recommend, and/or the Senior Staff Member may assign, such other penalties as deemed appropriate.

Transcript Notation: For those crimes of violence that the College is required by federal law to include in its Annual Security Report, the transcripts of suspended or expelled students found responsible after a hearing and appeal, if any, will include the notation "Suspended after a finding of responsibility for a code of conduct violation" or "Expelled after a finding of responsibility for a code of conduct violation." A student who has been suspended may request to have the notation removed no sooner than one year after the conclusion of the suspension. Requests should be submitted in writing to the Dean of Students. Transcript notations for expulsion may not be removed. In pending cases that could result in suspension or expulsion, the Dean of Students will normally place a temporary encumbrance on a student's transcript. If a student withdraws with such charges pending and does not participate through completion in any College process, the notation "Withdrew with code of conduct charges pending" will appear on the student's transcript.

In cases involving faculty or staff Respondents, the Hearing Officer will share the finding of responsibility with the Senior Staff Member, who will impose the sanction. The following are the sanctions that may be imposed upon faculty or staff:

- Warning
- Required counseling as a condition of continued employment or return to employment
- Implementation of a performance improvement plan
- Loss of annual pay increase
- Demotion
- Suspension with pay
- Suspension without pay
- Termination
- Other lawful actions deemed appropriate.

Notice of Outcome

The decision maker (either the Review Panel or Hearing Officer) will issue a written determination including the following information:

- A description of the charges that were adjudicated;
- A description of the procedural steps taken from the submission of the formal complaint through the determination, including notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions to be imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the College's educational programs or activities will be provided to the Complainant; and
- The procedures and permissible bases for the Complainant and Respondent to appeal.

The Senior Staff Member, and the Title IX Coordinator, will provide the written determination, and final sanction if relevant, to the parties simultaneously.

I. Appeals

1. When the Respondent is a Student

Either party may appeal the findings as to responsibility and/or the sanction (if applicable), or a decision to dismiss the complaint or specific allegations in the complaint, within seven (7) days of being informed in writing of the determination to be appealed. Grounds for an appeal are limited to:

- a sanction inconsistent with the severity of the violation or otherwise inappropriate;
- procedural irregularity that affected the Review Panel's determination or the determination regarding dismissal (the Appeals Board is not to substitute its judgments on the merits for that of the Review Panel);
- conflict of interest or bias (generally for or against complainants or respondents or individually for or against a party) on the part of the Title IX Coordinator, investigator(s), Hearing Officer, or Review Panel member(s) that affected the Review Panel's determination or the determination regarding dismissal; and/or
- the discovery of new evidence that was not reasonably available at the time the determination regarding responsibility, sanction, or dismissal was made that could affect the Review Panel's determination or the determination regarding dismissal.

Either party may submit a written request for an appeal to the Chair of the Appeals Board. The Appeals Board will not consider submissions from anyone other than the parties themselves. In the request, the party must identify the specific grounds upon which the appeal is based and must provide all of the detail the party wants considered in support of the appeal. Within one week of receipt of the appeal or as soon as practicable thereafter, the Chair shall convene the Appeals Board to determine whether there are grounds for hearing the appeal.

If the Appeals Board decides that there are acceptable grounds for appeal, the Chair of the Appeals Board will inform the Title IX Coordinator and Chair of the HSMB that an appeal request has been made. The Title IX Coordinator will provide the Appeals Board access to the Investigation Report and any other written materials that were made available to the Review Panel. The Chair of the Appeals Board will invite the Chair of the HSMB, the Hearing Officer, and the Title IX Coordinator to review the appeal request and respond in writing, if warranted, ordinarily within seven days of that invitation.

Where the Appeals Board agrees to consider an appeal by the Respondent, the Complainant will be provided with a copy of the Respondent's appeal and invited to respond. Where the Appeals Board agrees to consider an appeal by the Complainant, the Respondent will be provided a copy of the Complainant's appeal and invited to respond. In either case, the Title IX Coordinator and HSMB Chair will review the appeal statement to determine whether the information contained therein is relevant and material to the determination of the appeal and, in general, the Title IX Coordinator and the HSMB Chair may redact information that is irrelevant or otherwise violative of this Policy.

The Chair of the Appeals Board will schedule meetings for consideration and disposition of the appeal after all materials are received, which should be within one week of the Board's decision, or as soon as practicable thereafter, to hear the appeal. In considering the appeal, the Appeals Board may request additional information from the Title IX Coordinator, the Hearing Officer, or the Chair of the HSMB. Normally, the parties, Title IX Coordinator, the Hearing Officer, and Chair of the HSMB will not appear before the Appeals Board, though they may be summoned at the discretion of the Chair of the Appeals Board.

The Appeals Board may:

- uphold the original decision as to responsibility, sanction, or dismissal;
- alter the decision as to responsibility, sanction or dismissal;
- remand the matter to the Review Panel. The Appeals Board may (but is not required to) take this action when there is a procedural irregularity that could be corrected in a review or the presentation of previously unavailable relevant information that could significantly impact the result of the Review Panel's determination;
- remand the matter to the Review Panel with a recommendation that the sanction be modified, together with an explanation of why the original sanction is deemed inappropriate;
- remand the matter to the Title IX Coordinator for reinstatement of a dismissed complaint or allegation, together with an explanation of why the dismissal is deemed inappropriate; or
- remand the matter to an ad hoc Review Panel composed of a new Hearing Officer and members of the HSMB not previously involved in the matter. This will be done only in cases in which the Appeals Board has concluded that bias exists, or otherwise when, in the considered opinion of the Appeals Board, the matter would be best addressed by a newly-constituted panel.

Any determination made following a remand of a matter is subject to appeal to the Appeals Board utilizing this same process.

The appeal will be decided by a majority vote. The Appeals Board will provide the parties, the Chair of the Harassment and Harassment and Sexual Misconduct Board, and the Title IX Coordinator written notice of its decision, including grounds for the decision, normally within ten days of concluding its review process. The record of the appeal will consist of the letter of appeal; any written statements from the parties, Chair of the HSMB and/or the Title IX Coordinator, and the outcome of the appeal. This record will be appended to the written record of the original decision and will be kept with it as part of the case file maintained by the Title IX Coordinator.

Decisions of the Appeals Board are final.

2. When the Respondent is a Faculty Member

Either party may request an appeal of the findings as to responsibility and/or the sanction (if applicable), or a decision to dismiss the complaint or specific allegations in the complaint, within seven (7) days of being informed in writing of the determination to be appealed. Grounds for appeal are limited to:

- a sanction inconsistent with the severity of the violation or otherwise inappropriate;
- procedural irregularity that affected the Hearing Officer's or Senior Staff Member's determination or the determination regarding dismissal (the President's and Vice President's judgment on the merits should not be substituted for that of the Hearing Officer and Senior Staff Member);
- Conflict of interest or bias (generally for or against complainants or respondents or individually for or against a party) on the part of the Title IX Coordinator, Investigator(s), Hearing Officer, or Senior Staff Member that affected the Hearing Officer's or Senior Staff Member's determination or the determination regarding dismissal; and/or
- the discovery of new evidence that was not reasonably available at the time the determination regarding responsibility, sanction, or dismissal was made that could affect the Hearing Officer's or Senior Staff Member's determination or the determination regarding dismissal.

The appeal will be considered by the President and a Vice President not otherwise involved in the matter, as selected by the Title IX Coordinator. On appeal, the President and Vice President may uphold the original determination, remand the matter for either further consideration by the Hearing Officer, the Senior Staff Member and/or Investigator(s), or modify or reject the determination. The President and Vice President's decision is final, subject to the rights of the parties to appeal any proceedings ordered on remand. In the event the President and Vice President do not agree, the Title IX Coordinator will appoint to the panel another Vice President not involved in the matter.

3. When the Respondent is a Staff Member

Either party may request an appeal of the findings as to responsibility and/or the sanction (if applicable), or a decision to dismiss the complaint or specific allegations in the complaint, within seven (7) days of being informed in writing of the determination to be appealed. Grounds for an appeal are limited to:

- a sanction inconsistent with the severity of the violation or otherwise inappropriate;
- a procedural irregularity that affected the Hearing Officer's or Senior Staff Member's determination or the determination regarding dismissal (the President's and Vice President's judgment on the merits should not be substituted for that of the Hearing Officer and Senior Staff Member);
- Conflict of interest or bias (generally for or against complainants or respondents or individually for or against a party) on the part of the Title IX Coordinator, Investigator(s), Hearing Officer or Senior Staff Member that affected the Hearing Officer's or Senior Staff member's determination or the determination regarding dismissal; and/or
- the discovery of new evidence that was not reasonably available at the time the determination regarding responsibility, sanction, or dismissal was made that could affect the Hearing Officer's or Senior Staff Member's determination or the determination regarding dismissal.

The appeal will be heard by the President and a Vice President not otherwise involved in the matter, as selected by the Title IX Coordinator. On appeal, the President and Vice President may uphold the original determination, remand the matter for either further consideration by the Hearing Officer, the Senior Staff Member and/or Investigator(s), or modify or reject the determination. The President and Vice President's decision is final, subject to the rights of the parties to appeal any proceedings ordered on remand. In the event the President and Vice President do not agree, the Title IX Coordinator will appoint to the panel another Vice President not involved in the matter.

XII. Guests and Non-College Community Members

The College expects all guests to be able to participate in its programs and offerings (to the extent otherwise appropriate) without experiencing Sexual Misconduct related to those programs and offerings. The College also expects guests and other non-community members to not engage in such conduct towards others in the context of those programs and offerings.

If guests or other non-community members believe they have been subjected to Sexual Misconduct by a member of the College community in connection with a college program or offering, they may request that the conduct be addressed pursuant to the applicable process under this Policy.

If College community members believe they have been subjected to Sexual Misconduct by a guest or other non-community member in connection with a college program or offering, they should make a report to the Title IX Coordinator, who will work with Campus Safety or other College officials to conduct an appropriate investigation. The officials will report their findings to the Title IX Coordinator for action. The decision of the Title IX Coordinator in such matters will be final.

XIII. Conflicts

If the Title IX Coordinator determines that a legitimate conflict of interest exists between an Investigator(s), Hearing Officer, or a member of the Review Panel and a party to a complaint, the Title IX Coordinator, in consultation with the Chair of the HSMB, will appoint a replacement. In the event the Complainant, Respondent, Chair of the HSMB, or Title IX Coordinator identifies a conflict of interest involving the Chair or the Title IX Coordinator, the appropriate Senior Staff Member will appoint another member of the HSMB to oversee the process.

If a complaint is made against the President, or a member of the Board of Trustees, it will go to the Chair of the Board of Trustees (or the Vice Chair of the Board of Trustees if the charge is against the Chair), who may appoint different individuals to any role under this Policy as the Chair (or Vice Chair) deems appropriate to ensure a fair and appropriate process.

XIV. Coordination with Other Policies

A particular situation may potentially invoke one or more College policies or processes. The Title IX Coordinator, in consultation with other College officials, reserves the right to determine the most applicable policy or process and to utilize that policy or process.

XV. Records

The Title IX Coordinator shall keep on file in the Title IX office for seven years the following written documentation:

- Each Sexual Misconduct investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript made in connection with a formal resolution, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant designed to restore or preserve equal access to the College's education program or activity;

- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- Any materials used to train the Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process. The College will make these training materials publicly available on its website.

For each report of potential Sexual Misconduct made to the Title IX Coordinator, the College will create records of any actions, including any supportive measures, taken in response to a report or formal complaint of Sexual Misconduct. In each instance, the College will document the reason for actions taken, and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity. If the College does not provide a party with requested supportive measures, then the College will document the reasons for that decision. The College will maintain these records for seven (7) years.

XVI. Training

The College will ensure that Title IX Coordinator, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the following aspects of the Policy:

- The definitions of prohibited conduct;
- The scope of the College's education program or activity;
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable;
- The effects of trauma;
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- The rights of the Respondent (including the right to a presumption that the Respondent is "not responsible" until a finding of responsibility is made).

The College will ensure that decision-makers receive training on

- any technology to be used at a live hearing, and
- issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

The College will ensure that investigators receive training on:

- conducting investigations of Sexual Misconduct, and
- issues of relevance to create an investigative report that fairly summarizes relevant evidence.

XVII. Annual Report

At the end of each academic year, the Title IX Coordinator shall prepare a report that will include the number of notices of alleged Sexual Misconduct, the kinds of behaviors that gave rise to complaints during that academic year, and the final resolution of those complaints. The Title IX Coordinator will make the annual report public at the beginning of the next academic year. The report shall not mention the name of any individual or contain identifying details of any case.

XVIII. Counsel

Any College administrator or official when involved in the implementation of this policy (e.g., HSMB member, Senior Staff Member, Director of Human Resources, etc.) may seek the advice of, and share information with, the College's legal counsel through the Title IX Coordinator.

XIX. Policy Amendment

Members of the community may suggest Policy changes to members of the HSMB or the Title IX Coordinator. Final policy changes, other than updates to contact information included in this policy, are to be approved by the President of the College. Unless otherwise provided in the amendment, amendments to this Policy will become effective upon approval.

XX. Inquires Related to This Policy and Title IX

The College encourages members of the Hamilton community to bring any and all questions or concerns about this Policy and/or Title IX to the Title IX Coordinator: Debbie Owens, at 315- 859-4896 or dowens@hamilton.edu or titleix@hamilton.edu.

Members of the Hamilton community may submit inquiries or complaints concerning Title IX to the U.S. Department of Education's Office for Civil Rights:

OCR National Headquarters
U. S. Department of Education
Office of Civil Rights, Customer Service Team Mary
E. Switzer Building
330 C. Street, S.W. Washington, D.
C. 20202 Phone: 800-421-3481
Fax: 202-205-9862

Inquiries involving employees may also be referred to:

New York State Division of Human Rights Office of
Sexual Harassment
55 Hanson Place, Suite 347 Brooklyn,
New York 11217
Phone: 718.722.2060 or 1.800.427.2773
Fax: 718.722.4525

U.S. Equal Employment Opportunity Commission National Headquarters 131
Main Street NE Fourth Floor Suite 4NW02F
Washington, D.C. 20507
Phone: 202.663.4900
Fax: 202.663.4912

U.S. Equal Employment Opportunity Commission New
York District Office
33 Whitehall Street, 5th Floor New
York, New York 10004 Phone:
1-800-669-4000
Fax: 212-336-3790
TTY: 1-800-669-6820

XXI. Options for Immediate Assistance On-Campus Support Resources

The Counseling Center (315-859-4340) is a confidential resource, available 24-hours a day/7 days a week, whose staff can provide students emotional support and information about reporting options.

The Health Center (315-859-4111) is a confidential resource for students whose staff provides medical assistance, and can share information about reporting options. After hours, Emergency Medical Technicians (EMTs) are available (reached through Campus Safety at 315-859-4000).

The Chaplains (315-859-4130) are confidential resources for students and employees whose staff can provide pastoral counsel, emotional support, and information about reporting options. Visit the Chaplaincy site (<http://www.hamilton.edu/chaplain/office-hours>) to learn how to contact individual staff in the Chaplaincy.

Employee Assistance Program (EAP) (1-800-834-3947) through BRiDGES is a confidential resource for employees regarding issues ranging from alcohol and drug abuse to financial and legal concerns. Appointments with a BRiDGES EAP professional are available 8:00 am until

5:00 pm Monday through Friday with evening hours on Tuesday. Call 315-697-3949 or 1-800-834-3947 during working hours and a staff member will assist in booking an appointment and/or answering any of your questions. A 24-hour answering machine is also available after hours to provide callers with the numbers for crisis services or to take messages. An employee or a family member may attend up to five sessions unless a referral to a community provider is recommended.

Campus Safety (315-859-4000) is available to students and employees 24 hours a day, 7 days a week to respond to any community concern. Campus Safety will notify the Title IX Coordinator after responding to a call related to alleged Sexual Misconduct. Campus Safety is not a confidential resource; however, every effort will be made to maintain privacy.

The College's Title IX Coordinator, Debbie Owens, is also available to students and employees as a resource. Talking with the Title IX Coordinator about a specific incident of Sexual Misconduct constitutes a report under this Policy to which the College must respond, although this does not necessarily mean that the College will take action if the Complainant does not wish for action to be taken (see Article IV, Privacy and Confidentiality). However, general conversations or questions about Hamilton's processes can remain private. The Title IX Coordinator can provide information about all resources available to individuals who have experienced Sexual Misconduct, including where to obtain emergency mental health services and health care. The Title IX Coordinator can review and determine the immediate academic and administrative accommodations that can be made to protect a Hamilton community member who has experienced Sexual Misconduct. The Title IX Coordinator can also advise about options for reporting, including the option to report to local law enforcement, to initiate the on-campus resolution procedures, to do both, or to do neither. The Title IX Coordinator will provide guidance and assistance through the process of reporting on- and/or off-campus. She can be reached at 315-859-4896 or after hours for emergencies through Campus Safety at 315-859- 4000.

Off Campus Support Resources

YWCA Rape Crisis Services (315-797-7740) is an anonymous hotline available to provide counsel as well as in-person assistance getting to a hospital or the police. If requested, YWCA Rape Crisis Service may also provide victim advocacy services.

Help Restore Hope Center (855-966-9723) coordinates Sexual Assault Nurse Examiner (SANE) services for medical attention (injuries from a sexual assault are not always immediately apparent) and collecting physical evidence (a “rape kit”) at a regional hospital. The College strongly encourages any individual who has experienced sexual violence to obtain a rape kit, which is critical: (1) to diagnose and treat the full extent of any injury or physical effect and (2) to properly collect and preserve evidence. There is a limited window of time (typically up to 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Gathering such evidence does *not* commit an individual to pursuing legal action against the assailant, but does preserve that option. Although it may be difficult following a sexual assault, individuals who are considering or may consider legal action should try not to shower, rinse mouth, brush teeth or change clothes to allow for the maximum possible collection of evidence by a SANE nurse or other health care provider.

Hospitals are confidential resources and are not required to report any non-identifying information to the College or to anyone else. However, hospitals providing care to individuals reporting sexual assault are required to:

- collect and maintain the chain of custody of sexual assault evidence for not less than 30 days *unless* the patient signs a statement directing the hospital not to collect it;
- advise the individual seeking medical treatment related to sexual assault of the availability of the services of a local rape crisis or victim assistance organization to accompany the individual through the sexual offense examination;
- contact a rape crisis or victim assistance organization providing assistance to the geographic area served by that hospital to establish the coordination of non-medical services to individuals reporting sexual assault who request such coordination and services; and
- provide emergency contraception upon the patient’s request.

Even if an individual who has experienced sexual violence does not have injuries requiring emergency attention, the College encourages that individual to seek medical care as soon as possible, whether at the Health Center or another health care provider or hospital. A medical evaluation is still important to check for physical injuries, reduce risk of complications from sexually transmitted diseases as a result of the assault, and/or (if appropriate) reduce risk of pregnancy.

In most instances, any health care provider will encourage an individual reporting Sexual Misconduct to authorize collection of evidence. For individuals who seek initial medical treatment at the Health Center and decide to proceed with evidence collection, the individual may be escorted to Oneida Health or Community Memorial Hospital (as designated by Help Restore Hope) by Campus Safety or may choose to travel by taxi (the College will provide a voucher) to any chosen medical provider. A Complainant can receive follow-up health care at the Health Center or the chosen health care provider or hospital.

Law Enforcement

The College encourages anyone who is a victim of Sexual Misconduct to pursue criminal action for incidents that may also be crimes under applicable criminal statutes. The New York State Police Campus Sexual Assault Victim Unit’s 24-hour Hotline (1-844-845-7269) or the Oneida County Sheriff (315-736- 0141) can assist with pressing criminal charges following an incident in New York.

**The above policy was in place January 1, 2024 - August 1, 2024. With the change in the Title IX Regulations set forth by the Biden Administration, the College followed a slightly amended policy from August 1, 2024 through December 31, 2024 in order to abide by the 2024 regulations. As the 2024 regulations were vacated by the new administration in January 2025, they are not included in this report.*

Members of the Hamilton community may submit inquiries or complaints concerning Title IX to the U.S. Department of Education's Office for Civil Rights:

OCR National Headquarters
U. S. Department of Education
Office of Civil Rights, Customer Service
Team Mary E. Switzer Building
330 C. Street, S.W.
Washington, D. C. 20202
Phone: 800-421-3481
Fax: 202-205-9862

Inquiries involving employees may also be referred to:

New York State Division of Human Rights
Office of Sexual Harassment
55 Hanson Place, Suite 347
Brooklyn, New York 11217
Phone: 718.722.2060 or 1.800.427.2773
Fax: 718.722.4525

U.S. Equal Employment Opportunity Commission National
Headquarters 131 Main Street NE Fourth Floor Suite 4NW02F
Washington, D.C. 20507
Phone: 202.663.4900
Fax: 202.663.4912

U.S. Equal Employment Opportunity
Commission New York District Office
33 Whitehall Street, 5th Floor

New York, New York 10004
Phone: 1-800-669-4000
Fax: 212-336-3790
TTY: 1-800-669-6820

ADDENDUM A RESOURCES

On Campus Support Resources

The **Counseling Center** (315-859-4340) is a **confidential** resource, available 24-hours a day/7 days a week, whose staff can provide students emotional support and information about reporting options.

The **Health Center** (315-859-4111) is a **confidential** resource for students whose staff provides medical assistance, and can share information about reporting options. After hours, **Emergency Medical Technicians** (EMTs) are available (reached through Campus Safety at 315-859-4000).

The **Office of Spiritual and Religious Life** (315-859-4130) is a **confidential** resource for students and employees whose staff can provide pastoral counsel, emotional support, and information about reporting options. Visit the [Chaplaincy site \(http://www.hamilton.edu/chaplain/office-hours\)](http://www.hamilton.edu/chaplain/office-hours) to learn how to contact individual staff in the Office of Spiritual and Religious Life..

Employee Assistance Program (EAP) (1-800-834-3947) through BRiDGES is a **confidential** resource for employees regarding issues ranging from alcohol and drug abuse to financial and legal concerns. Appointments with a BRiDGES EAP professional are available 8:00 am until 5:00 pm Monday through Friday with evening hours on Tuesday. Call 315-697-3949 or 1-800-834-3947 during working hours and a staff member will assist in booking an appointment and/or answering any of your questions. A 24-hour answering machine is also available after hours to provide callers with the numbers for crisis services or to take messages. An employee or a family member may attend up to five sessions unless a referral to a community provider is recommended.

Campus Safety (315-859-4000) is available to students and employees 24 hours a day, 7 days a week to respond to any community concern. Campus Safety will notify the Director of Title IX and Civil Rights Compliance after responding to a call related to alleged Sexual Misconduct. Campus Safety is not a confidential resource; however, every effort will be made to maintain privacy.

The College's **Director of Title IX and Civil Rights Compliance**, Debbie Owens, is also available to students and employees as a resource. **Talking with the Director of Title IX and Civil Rights Compliance about a specific incident of Sexual Misconduct constitutes a report under this Policy to which the College must respond, although this does not necessarily mean that the College will take action if the Complainant does not wish for action to be taken (see Section VII Confidentiality).** However, general conversations or questions about Hamilton's processes can remain private [see "Privacy of Resources"]. The Director of Title IX and Civil Rights Compliance can provide information about all resources available to individuals who have experienced Sexual Misconduct, including where to obtain emergency mental health services and health care. The Director of Title IX and Civil Rights Compliance can review and determine the immediate academic and administrative accommodations that can be made to protect a Hamilton community member who has experienced Sexual Misconduct. The Director of Title IX and Civil Rights Compliance can also advise about options for reporting, including the option to report to local law enforcement, to initiate the on-campus resolution procedures, to do both, or to do neither. The Director of Title IX and Civil Rights Compliance will provide guidance and assistance through the process of reporting on- and/or off-campus. She can be reached at 315-859-4020 or after hours for emergencies through Campus Safety at 315-859-4000.

Off Campus Support Resources

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- advise the individual seeking medical treatment related to sexual assault of the availability of the services of a local rape crisis or victim assistance organization to accompany the individual through the sexual offense examination;

- contact a rape crisis or victim assistance organization providing assistance to the geographic area served by that hospital to establish the coordination of non-medical services to individuals reporting sexual assault who request such coordination and services; and
- provide emergency contraception upon the patient's request.

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In most instances, any health care provider will encourage an individual reporting Sexual Misconduct to authorize collection of evidence. For individuals who seek initial medical treatment at the Health Center and decide to proceed with evidence collection, the individual may be escorted to Oneida Health by Campus Safety or may choose to travel by taxi (the College will provide a voucher) to any chosen medical provider. A Complainant can receive follow-up health care at the Health Center or the chosen health care provider or hospital.

Law Enforcement

The College encourages anyone who is a victim of Sexual Misconduct to pursue criminal action for incidents that may also be crimes under applicable criminal statutes. The **New York State Police Campus Sexual Assault Victim Unit's 24-hour Hotline** (1-844-845-7269) or the Oneida County Sheriff (315-736-0141) can assist with pressing criminal charges following an incident in New York.

Bias Crimes Compliance Statement

Hamilton College seeks to prepare all students to thrive as fully engaged citizens of a diverse and increasingly complex world. In keeping with this goal, Hamilton is duly committed to distinguishing itself as a living and learning community that values and exemplifies the inclusion of diverse persons and perspectives. However, no college or community is immune to problems that arise as a result of various forms of bias. As part of the College's commitment to an inclusive campus community, a Bias Incident Response Team and protocol has been developed to address incidents that occur on-campus or at any Hamilton-sponsored off-campus event. We urge all community members to familiarize themselves with the reporting protocol found at : [Dean of Students - Bias Incident Resources - Hamilton College](#) and to promptly report any incidents that violate the standards that we as a community seek to uphold. Reports of bias crimes and Hate crimes can made to any college official, Campus Safety or the link to the on-line report form found further in this page.

What is a bias incident?

A bias incident is an action that violates college policy and is motivated, in whole or in part, by the perpetrator's bias or attitude against an individual or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. Examples of bias incidents include harassment, intimidating or threatening comments or messages, vandalism of personal or college property, and defacing posters or signs. Bias incidents affect not only the individual victim or target of a specific action, but often make an entire group or community feel vulnerable and unwelcome. This is unacceptable at Hamilton College and will be treated as a serious offense that could include separation from the College.

What is a hate crime?

A hate crime, also called a bias crime or bias-related crime, is criminal activity motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability. In addition to the victim, members of the victim's group and the community as a whole can feel victimized by a hate crime.

Hate/bias crimes have received renewed attention in recent years, particularly since the passage of the federal Hate/Bias Crime Reporting Act of 1990 and the New York Penal Law 485.05 ([Penal Law Article 485](#)).

A person commits a hate crime when he or she commits a specified offense and either:

- intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
- intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Examples of specific crimes identifiable as hate crimes include murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property in which the victim is intentionally selected because of the actual or perceived protected category.

What are the penalties for committing hate crimes?

For most crimes, when a person is convicted of a hate crime, the crime is deemed to be one category higher than the specified offense the defendant committed, and the person is sentenced accordingly. Penalties for hate crimes are very serious and range from fines to imprisonment for lengthy periods, depending on the nature of the underlying criminal offense, the use of violence or previous convictions of the offender. For specific information on sentencing, refer to [Penal Law Article 485](#).

Hate crimes are prohibited, in separate ways, by New York State law and Hamilton College policy. Thus, offenders may be prosecuted under New York State criminal statutes and subject to disciplinary action by the Hamilton College. The College may pursue disciplinary action while criminal action is pending, or even if criminal justice authorities choose not to prosecute. In addition to any criminal penalties, students found responsible for a hate crime are subject to disciplinary action and penalties, which may include, among other penalties, separation from the College.

Reporting a Bias Incident or Hate Crime

All members of the Hamilton community are urged to promptly report any bias incident directed against a Hamilton community member or group that occurs on-campus or at any Hamilton-sponsored off-campus event.

To report an incident or crimes in progress call the Campus Safety emergency line at 315-859-4000 immediately.

To report a bias incident or hate crime, please complete the Bias Incident Report Form. A Bias Incident Report may be filed via an [on-line form](#) which, upon submission, is automatically directed to the Director of Campus Safety and other stakeholders on campus. Alternatively, the report form may be printed and submitted to the Office of Campus Safety, the Dean of Students, or any member of the Bias Incident Response Team. Upon receipt of a report, the Director of Campus Safety (or designee) will contact the Dean of Students or appropriate college officer, depending upon whether the complainant is a student or college employee, and the Bias Incident Response Team will be convened.

Prior to and during the process of filing a bias complaint, the complainant may receive the counsel and support of an advisor of his or her choice. The advisor may be any member of the Hamilton community (faculty, staff, coach or peer) and will provide support and guidance throughout the process. Neither Bias Incident Response Team members nor attorneys may serve as advisors.

The Bias Incident Response Team (BIRT) is a group of administrators from across the institution who are committed to creating a proactive response to instances of hate and bias. When a student reports a bias and/or hate incident, the BIRT will support the student, connect them with the appropriate resources, and follow-up with them until the situation has been resolved.

The BIRT is:

Committed and organized to assist students who report instances of hate and/or bias
Dedicated to fostering a welcoming and inclusive campus community for all students
Action oriented initiatives that will provide early intervention and education on acts of bias and hate for the campus community

The BIRT is not:

An investigative unit or punitive body (BIRT will connect students with the Student Conduct Office or Community Standards, as appropriate)

Crisis or emergency services. Any student in need of campus safety, police intervention or immediate assistance should call Campus Safety at (315) 859-4000 or, if the student is not on campus, local police at 911.

The Bias Response Team will respond in the following ways:

- review the report and ensure that an investigation is initiated in a timely manner
- a member of the team will be designated to ensure that the complainant is provided with appropriate support and referrals to resources on and off-campus and relevant updates concerning the investigation and resolution.
- work with college administrators, to determine how best to mitigate campus tensions arising from a complaint, whether or not that incident rises to the level of a policy violation
- collect and disseminate to the campus community information about reported bias incidents

Resources Hamilton College

- Counseling and Psychological Services – 315-859-4340
- Dean of Students Office – 315-859-4020
- Student Health Services – 315-859-4111
- Community Living Office – 315-859-4023
- Harassment and Sexual Misconduct Board – 315-859-4334
- Campus Safety – 315-859-4141 or 315-859-4000 if an emergency

Off-Campus

- Kirkland Police – 911 or 315-853-2924 for general information
- New York State Police – 315-366-6000
- Oneida County Sheriff 315-768-7804
- Hospitals and Urgent Care facilities
 - o Wynn Hospital 315-917-9966

Crime Statistics policy and procedures

Policy and Procedures for preparing the annual disclosure of crime statistics can be found as Appendix 1 of this document.

General Definitions for Reported Statistics

The following definitions are used to report crimes listed in accordance with the Federal Bureau of Investigation Uniform Crime Reporting Guidelines.

- **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** The killing of another person through gross negligence.
- **Robbery:** The taking or attempting to take anything of value from the care, custody or control of another person or persons by force or threat of force or violence and/or 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. Some examples of severe or aggravated bodily injury are wounds requiring stitches, broken bones and internal injuries.
- **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.
- **Reportable Hate Crimes:** Any of the above crimes and any other crime involving bodily injury if the crime is motivated by hate. Hate crimes are defined as being those crimes that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.
- **Illegal Weapons Possession Violations:** The violations of laws and ordinances dealing with weapons offenses.
- **Drug Abuse Violations:** Violations of Federal, State and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs or marijuana.
- **Liquor Law Violations:** The violations of State laws or local ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor, maintaining unlawful drinking places, furnishing liquor to a minor; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned.

Sexual Assault: “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

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

Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined a non-forcible sexual intercourse with a person who is under the statutory age of consent.

Hate Crime Statistics

The College reports hate crimes precipitated against individuals or groups when the motivating reason, in whole or part, can be attributed to race, gender, religion, sexual orientation, national origin/ethnicity, gender identity or disability bias. In addition to murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson, the College also reports hate crimes attributed to larceny, simple assault, intimidation, and criminal mischief.

A **hate crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. **Bias** is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or national origin/ethnicity, or gender identity.

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.
- **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

- **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.
- **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in

**For Clery purposes, hate crimes include any offense in the following two groups that is motivated by bias.*

Categories of hate crime offenses

Murder and Non-negligent manslaughter
 Sex offenses (Rape, Fondling, Incest, Statutory Rape)
 Robbery
 Aggravated assault
 Burglary
 Motor vehicle theft
 Arson
 Larceny-theft
 Simple assault
 Intimidation
 Destruction/damage/vandalism of property

This information was taken directly from the U.S. Department of Education, Office of Postsecondary Education, *The Handbook for Campus Safety and Security Reporting*, Washington D.C., 2011.

Hamilton Campus Hate Crime Statistics

2024 Clery Act Reportable Offenses	Category of Hate Crime						National Origin	Gender Identity
	Race	Gender	Religion	Sexuality	Ethnicity	Disability		
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	1	0	0	0	0	0
Totals	0	0	1	0	0	0	0	0

2023	ON CAMPUS	Category of Hate Crime						National Origin	Gender Identity
		Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity		
MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0	0
SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0	0
SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0	0
SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0	0
SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0	0
ROBBERY	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0	0
BURGLARY	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0	0
ARSON	0	0	0	0	0	0	0	0	0
ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0	0
SIMPLE ASSAULT	0	0	0	0	0	0	0	0	0
INTIMIDATION	0	0	0	0	0	0	0	0	0
LARCENY	0	0	0	0	0	0	0	0	0
DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0	0
Totals		0	0	0	0	0	0	0	0

2022	ON CAMPUS	Category of Hate Crime							National Origin	Gender Identity
		Clery Act Reportable Offenses	Race	Gender	Religion	Sexuality	Ethnicity	Disability		
		MURDER/NONNEGLIGENT	0	0	0	0	0	0	0	0
		NEGLIGENT MANSLAUGHTER	0	0	0	0	0	0	0	0
		SEX OFFENSE: FONDLING	0	0	0	0	0	0	0	0
		SEX OFFENSE: INCEST	0	0	0	0	0	0	0	0
		SEX OFFENSE: RAPE	0	0	0	0	0	0	0	0
		SEX OFFENSE: STATUTORY	0	0	0	0	0	0	0	0
		ROBBERY	0	0	0	0	0	0	0	0
		AGGRAVATED ASSAULT	0	0	0	0	0	0	0	0
		BURGLARY	0	0	0	0	0	0	0	0
		MOTOR VEHICLE THEFT	0	0	0	0	0	0	0	0
		ARSON	0	0	0	0	0	0	0	0
		ANY OTHER CRIME INVOLVING	0	0	0	0	0	0	0	0
		SIMPLE ASSAULT	0	0	0	0	0	0	0	0
		INTIMIDATION	0	0	0	0	0	0	0	0
		LARCENY	0	0	0	0	0	0	0	0
		DESTRUCTION OF PROPERTY	0	0	0	0	0	0	0	0
		Totals	0	0	0	0	0	0	0	0

Hamilton Campus Crime Statistics Clinton, NY

OFFENSE (REPORTED BY HIERARCHY)	YEAR	ON-CAMPUS PROPERTY	NON- CAMPU S PROPERTY	PUBLIC PROPERT Y	ON-CAMPUS RESIDENTIAL FACILITIES	Unfounded Crimes
MURDER/NON-NEGLIGENT MANSLAUGHTER	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
NEGLIGENT MANSLAUGHTER	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
RAPE	2022 2023 2024	5 8 6	0 0 0	0 0 0	0 3 3	0 0 0
FONDLING	2022 2023 2024	0 4 6	0 0 0	0 0 0	0 1 5	0 0 0
INCEST	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
STATUTORY RAPE	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
ROBBERY	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
AGGRAVATED ASSAULT	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
BURGLARY	2022 2023 2024	1 1 1	0 0 0	0 0 0	1 1 1	0 0 0
MOTOR VEHICLE THEFT	2022 2023 2024	0 0 1	0 0 0	0 0 0	0 0 0	0 0 0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
ARRESTS: DRUG LAW VIOLATIONS	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
DISCIPLINARY REFERRALS: DRUG LAW VIOLATIONS	2022 2023 2024	61 18 40	0 0 0	0 0 0	52 18 11	0 0 0
ARRESTS: LIQUOR LAW VIOLATIONS	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2022 2023 2024	1 9 0	0 0 0	0 0 0	0 2 0	0 0 0

*Crimes reported in the residential facilities are also included in the on-campus category.

Hamilton Campus Crime Statistics Clinton, NY

OFFENSE (NOT REPORTED BY HIERARCHY)	YEAR	ON-CAMPUS PROPERTY	NON- CAMPUS PROPERTY	PUBLIC PROPERTY	ON-CAMPUS RESIDENTIAL FACILITIES	Unfounded Crimes
ARSON	2022 2023 2024	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
DOMESTIC VIOLENCE	2022 2023 2024	0 1 0	0 0 0	0 0 0	0 1 0	0 0 0
DATING VIOLENCE	2022 2023 2024	1 9 4	0 0 0	0 0 0	0 0 0	0 0 0
STALKING	2022 2023 2024	0 7 6	0 0 0	0 0 0	0 0 4	0 0 0

**Crimes reported in the residential facilities are also included in the on-campus category.

2024 Annual Fire Safety Report



Fire safety is one of the most important "safety" considerations on any college/university campus, in part because it is not just some minor program managed by a single administrative department. Rather, it is a complex system that concerns itself with both the design/maintenance of the many structures that make up the Hamilton College campus proper, as well as the behaviors of every student, employee and visitor. While the January 2000 Seton Hall dormitory fire was a momentous tragedy, the tangible result of this incident in New York State was new legislation and inspection/enforcement activities to hold all NYS colleges/universities accountable to full conformance with the fire code on an annual basis.

The New York State Division of Homeland Security and Emergency Services, Office of Fire Prevention & Control (OFPC) conducts annual "wall- to-wall" inspections of the entire Hamilton College campus each September, and assists the College with a number of student and employee training programs. While an effective fire safety program is not necessarily measured by the College successfully getting through an annual inspection without having to pay monetary penalties, it is nonetheless important for the Hamilton College community to understand what the OFPC is looking for. The following document is provided as an education tool to communicate the most frequent issues found during these annual inspections, and it also lays out some of the most noteworthy policy obligations that apply in our residences and work stations.

Fire Drills

Conducting fire drills is one of the College's many fire safety obligations. By NYS law, Hamilton must conduct at least 4 fire drills in each residence hall and 3 fire drills in all other non-residential facilities on an annual basis. Additional fire drills are required during the summer months for student and camp housing. Cumulatively, that's more than 200 fire drills Hamilton College must perform on an annual basis. Please be sure to evacuate your space promptly for **every** fire alarm signal you detect, and know the location of your initial gathering points. Employees should contact their respective Building Coordinators and students should contact their respective Community Advisors for initial gathering point information. See the Emergency Planning & Preparedness link for additional information.

Fire Safety Systems in Student Housing

X=equipped

Hamilton College Residence Hall	Proprietary Fire Alarm Systems	Full Sprinkler Systems	Smoke Detection	Fire Extinguishers	Evacuation Plans posted	Number of evacuation (Fire) drills each academic year
Dunham *	X	X	X	X	X	4
South *	X	X	X	X	X	4
Kirkland *	X	X	X	X	X	4
North *	X	X	X	X	X	4
Carnegie *	X	X	X	X	X	4
Eells *	X	X	X	X	X	4
Ferguson *	X	X	X	X	X	4
Woolcott *	X	X	X	X	X	4
Rogers *	X	X	X	X	X	4
Skenandoa *	X	X	X	X	X	4
Wertimer *	X	X	X	X	X	4
Wallace Johnson *	X	X	X	X	X	4
Bundy East *	X	X	X	X	X	4
Bundy West *	X	X	X	X	X	4
Milbank *	X	X	X	X	X	4
Babbitt *	X	X	X	X	X	4
Major *	X	X	X	X	X	4
McIntosh *	X	X	X	X	X	4
Minor *	X	X	X	X	X	4
Root *	X	X	X	X	X	4
Keehn *	X	X	X	X	X	4
Saunders *	X	X	X	X	X	4
Griffin Rd Apt 1000	X	X	X	X	X	4
Griffin Rd Apt 2000	X	X	X	X	X	4
Griffin Rd Apt 3000	X	X	X	X	X	4
Morris House	X	X	X	X	X	4
95 College Hill Rd	X	X	X	X	X	4
120 College Hill Rd	X	X	X	X	X	4
4002 Campus Rd	X	X	X	X	X	4
Glenview A**	X	X	X	X	X	2
Glenview B**	X	X	X	X	X	2

*= have an address of 198 College Hill Road

** = Glenview A and Glenview B were closed and removed in the Spring of 2024.

Fire Safety at Hamilton College

Effective fire safety is a collective effort that extends beyond the services of the local Fire Department or on-campus offices. It is also more than the passive safety measures incorporated into a building's design, such as smoke detectors, sprinklers, and fire extinguishers.

True fire safety is a combination of these elements and the active participation of every employee and student in controlling and minimizing fire hazards. While policies, engineering designs, and drills are essential components, their effectiveness is contingent on the responsible behavior of the entire Hamilton College community.

This document serves not as a formal policy but as a communication tool. It is intended to connect compliance obligations with individual and collective behaviors, with the dual purpose of minimizing susceptibility to fire hazards and improving our performance during the state-mandated campus-wide fire safety inspections conducted each September.

Procedures for Student Housing Evacuation in Case of Fire

In the event of a fire alarm in any campus building College policy is that all occupants of the building must evacuate, closing doors as they leave. In the event of a fire the College expects all campus community members will evacuate the building via the nearest exit, closing all doors and if not already activated, activate the building fire alarm. At no time will closing doors or activating the fire alarm system delay an individual from exiting the building. Once safely outside the building students and staff are expected to gather at their designated primary muster point and wait for further instructions from a member of the Campus Safety Department. No training is provided to students related to suppression activity as firefighting is inherently dangerous and there is no expectation by the College any member of the community will engage in such activity.

1. **Building Detection/Suppression/Protection Equipment** Individual buildings on campus, and their occupants, are protected from fires through strategies such as the equipment designed to detect and suppress fires, including smoke, heat, and carbon monoxide detectors, as well as sprinkler systems and fire extinguishers. Beyond the incredible amount of effort that goes into maintaining the thousands of detectors and hundreds of sprinkler/extinguisher systems on campus, there is much that the community can also do to keep these systems maximally operable:

Smoke/Heat Detectors

These devices must be free to monitor ambient air conditions without obstruction. They should never be touched or tampered with, in a fashion that impairs their monitoring capabilities. Be careful when generating dust (like vacuuming) or mists (like using hairspray or taking long showers) since detectors may interpret fine aerosols as smoke.

Sprinkler Systems/Heads

These devices—heads and associated piping—must not be obstructed in any fashion (like by hanging objects); Further, nothing should be stored (like boxes/papers on shelving) within 18” of a sprinkler head.

Fire Extinguishers

These devices must not be obstructed in any fashion (like by staged objects in front of cases, or on the extinguisher itself).

Further, these devices should only be used by properly trained personnel, and are only intended to respond to “incipient” fires, not full scale firefighting.

The 2nd type of fire protection equipment maintained by college buildings includes those devices which serve to 1—notify occupants that a potential fire/fire condition exists, 2—direct occupants to their evacuation routes, and 3—control the spread of the fire/fire conditions. These include fire alarm pull stations, audible/visual alarms, exit/egress signage, and fire/smoke doors.

Audible/Visual Fire Alarms

These devices must not be obstructed in any fashion (like by staged/hanging objects). Evacuate whenever the alarm system is initiated.

Fire Alarm Pull Stations/Panels

These devices must not be obstructed in any fashion (like by staged/hanging objects). Use the pull station if you see or suspect that there is a fire or fire condition, or in any other circumstance where emergency responders (Campus Safety) is needed, and other means of communication are unavailable.

Exit/Egress Signage

It is critically important (especially to those not familiar with a building) for exit/egress signage to be visible, unobstructed, and not tampered with, as they direct evacuating personnel to a means of egress.

Fire Doors

Fire doors are normally on self-closing devices, and they may or may not have magnetic hold opening devices that keep the doors open during non-emergency conditions. You can also tell if your door is a fire door by a small metal template on the inside door jamb. Never prop or obstruct a fire door, thereby impairing its ability to close during a fire.

Smoke Doors

Unlike fire doors, smoke doors exist merely to minimize the spread of smoke during a fire. Smoke doors are usually signified by the presence of a self-closing device, and sometimes a magnetic hold open as well. Similar to fire doors, smoke doors may not be propped or otherwise obstructed from closing.

1. **Combustible/Other Storage Practices** Anything that can burn, from clothing to books to boxes on a shelf, is considered combustible. While no one expects every dorm room, office space and storage area to be neat and completely devoid of “clutter” at all times, a number of practices routinely result in fire safety violations, as follows:

Office Practices

Offices which store combustible material (like paper work, books, boxes, etc.) beyond the capacity of existing shelving space, are citable fire safety violations if such practices either: constitute an excessive fire load to the space, or would impede an occupant’s ability to evacuate in the event of a fire/alarm signal. Minimize combustible storage on office floors, or find more suitable storage locations outside of your office.

Dorm Room Practices

Decorative wall or ceiling hangings (like tapestries, tie-dye fabrics, flags, cloth articles, beer banners, etc.) that are combustible in nature, are forbidden from being staged in a student’s living quarters or common spaces.

The only acceptable decorative wall/ceiling hangings include simple paper posters, or any of the articles from above which are either non-combustible by design (with a stamp/label to prove it) or those that are made non-combustible by shielding within a glass picture case.

Other Storage Practices

Miscellaneous materials, whether they are combustible or not, may never be stored in such a way as they obstruct or block an emergency exit/egress. Further, combustible materials may never be stored in mechanical spaces, such as boiler rooms, electrical panel closets, and attics with air handling equipment/ductwork.

2. **Electrical Equipment/Devices/Appliances**

While saying that all electrical equipment/devices/appliances must be UL listed and otherwise in good working condition is generally sufficient in many commercial/industrial settings, the unique nature of the academic world (especially in NYS) obligates the college to restrict a number of items for either code compliance or policy reasons. Although the examples/lists that follow are not exhaustive, they do address the most routine fire safety considerations relative to equipment/devices/appliances that arise at Hamilton.

Electrical Power/Connection Equipment—Extension Cords

To the greatest extent possible, electrical power should be drawn directly from existing AC power outlets. Where this is not possible or is otherwise not feasible, consider the following:

Light Duty Extension Cords

Light duty extension cords (typically yellow, white or brown) that are either single plug varieties or multi-plug adapters are forbidden on campus in any venue or location. It does not matter how long they are in use, or whether they are personally owned or owned by the college. If they run a radio in an office or student residence, they are a fire safety violation.

Heavy Duty Extension Cords

Heavy duty extension cords (typically orange or yellow) are permissible **ONLY** if they are for temporary purposes. Examples of approved uses of this type of cord are to run power tools or a fan to clean up a spill. It is not appropriate to use this type of cord for a computer workstation, desk lamp, TV or stereo equipment. These items are intended to be stationary, and the use of heavy duty cords in this manner will result in a fire violation.

Protected Outlet Strips

Protected outlet strips (with “trip” breakers) are the only approved device to provide electrical connection power on a less than temporary basis. These devices should never be “piggy-backed” one to another, and care should be taken to ensure they are not overloaded. Only 1 outlet strip is permitted per duplex outlet. Outlet strips with 15-20 foot cords are available as needed.

Electrical Devices/Appliances

Electrical Devices

The following devices are restricted from use in living and working spaces, as specified: Small air conditioning units (unless specifically approved/installed by the Facilities Management); Space heaters (again, unless specifically approved by the Facilities Management for a heat related problem associated with the facility/building). Electric blankets; Multi-plug adapters/gang boxes; and Specialty lighting, including halogen lights, lava lamps, and sun/heat lamps;

**Special note on multi-colored lamps—see pictures/box below:*

Multi-Colored Lamps

These lamp types may only be used with bulbs at approved/UL listed wattages.

Electrical Appliances (Related to Food Cooking/Cooling/Preparation)

All students and employees are encouraged to eat and/or prepare food in established dining halls or other building/dormitory kitchenettes specifically designed for food preparation. The types of approved/unapproved devices in this category are dependent upon location, as follows:

Student Suites and Administrative Buildings with Kitchenettes:

- Since these locations are “designed” for food cooking activities, the only additional electrical appliances that are approved for use (beyond those that are provided for and maintained by the college) include blenders, coffeemakers, griddles, popcorn poppers, toaster ovens, and toasters. These approved devices **MUST** be used and staged in the kitchenettes themselves **AT ALL TIMES**.

Student Living Quarters and All Other Building/Facility Locations:

- The only other approved electrical appliances for locations without kitchenettes include small combination micro-fridges/microwaves (as in the picture below), and coffeemakers/coffee pots with automatic shutoffs. These devices are approved since they are food “warming/cooling” appliances, as opposed to food cooking appliances.

Other Generally Approved Electrical Appliances (If UL Listed):

The following appliances/devices are generally approved if UL listed and used safely:

- Radios, stereos, electric razors, small portable televisions with self-contained antennas, personal computers, clocks, portable hair dryers, small fans and desk lamps. Electric hair curlers and hot combs should be used with caution (only one should be plugged in at a time).

Restricted Electrical Appliances Regardless of Location

The following appliances are restricted from use in any college dormitory, or academic/administrative facility whatsoever:

- Broilers, crock pots, electric frying pans, griddles, heating coils, hot plates, large microwave ovens (over 1000 watts), large refrigerators, deep fryers and George Foreman grills.

3. Other Hazardous Articles/Materials

Restricted Hazardous Articles

The following hazardous articles are restricted from use/storage in all living and working spaces on campus: Candles or incense (whether lit or for decorative purposes only);

Real Christmas trees;

Holiday lights (the kinds that can be plugged in); and

Excessive combustible material (as per the above).

Restricted Hazardous Materials

Restricted hazardous materials generally include those materials which are flammable and/or explosive by their very nature, or are otherwise regulated by the NYS fire code. The specific types of hazardous materials which are restricted from use/storage in all living and working spaces on campus include the following:

Fireworks;

Firearm ammunition;

Flammable/combustible liquids associated with cooking/painting/fuels, such as gasoline, kerosene, propane, aerosol paint cans, paint thinner, varnish, sterno, and camping fuels:

- Any of these chemicals must be used/stored in designated areas, such as academic labs/studios or cooking areas;

Exception—Personal care products with flammable propellants (hair spray) are permissible.

Propane/charcoal grills:

- Regarding propane powered grills with attached propane tanks:
- Such devices are forbidden from being used or stored within any living/working space, or upon covered porches/balconies/patios;
- They should be both used and stored at least 10 feet away from any building structure, or upon uncovered decks external to a building.

Regarding charcoal fired grills:

- Small, portable charcoal grills (with legs less than 12 inches in length and a cooking surface no larger than 250 square inches) may be used external to buildings upon covered porches/balconies/patios so long as there is a non-combustible surface underneath (like a brick or stone catchment).

- For charcoal grills larger than the above, they are forbidden from use upon covered porches/balconies/patios, and should observe the same 10 foot building clearance that applies to propane powered grills during use.
- The use and possession of lighter fluid is prohibited. Only EZ-light type charcoal is permitted with a maximum of one bag allowed to be stored by residents. Charcoal must always be kept dry to prevent spontaneous combustion, and should only be stored indoors or in a dry, enclosed area.
- All spent coals/embers must be thoroughly extinguished prior to disposal.
- Charcoal grills that are free of charcoal, coals, and ashes, may be stored indoors, upon covered porches/balconies/patios, or uncovered decks. Smoking is prohibited inside all campus buildings/facilities by NYS law.

4. Responses to Fire Alarms (In General)

Although the college spends considerable time and resources to maintain and upgrade its fire detection and suppression equipment on campus, errant alarms will occur. They may be false alarms (where a detector or pull station is accidentally or purposefully activated), or they may be true alarms for errant reasons (where a smoke detector activates following exposure to steam). Further, the college is required to perform up to 4 fire drills every year, depending upon the building design and its occupancy type.

While the departments of Campus Safety and Facilities Management work very hard to minimize the number of false and errant alarms, it is very important for all students and employees to react to each and every fire alarm as if it's the "real thing". For fire alarms where the cause is not known, adhere to the guidance contained in this section. If the fire alarm is for a true fire or smoke condition, follow the guidance in the next section.

Community Advisors and Students

CA's must communicate to the students they are advising as to where their respective "initial gathering points" are (building specific) so that a common muster point is identified for accountability purposes.

Building Coordinators and Employees

Similarly, Building Coordinators must communicate to the employees they represent as to where their respective initial gathering points are (building specific) so that a common muster point is identified for accountability purposes.

Students/Employees Occupying Spaces Other Than Where They Principally Live/Work

Faculty teaching classes of students, and faculty/administrators/staff supervising students or other employees, frequently perform such activities in buildings/facilities other than where all involved parties are principally accounted for as per the above. It is incumbent upon the employees in charge of the academic or administrative function to determine the building's initial gathering point and communicate the location accordingly to those students/employees in their care/supervision.

5. Responses to Actual Fires or Smoke Conditions Indicative of a Fire

Immediately report the fire to Campus Safety—x4000 by on-campus phone, 859-4000 by cell phone—or activate a nearby fire alarm pull station if one is accessible.

Remain calm, turn lights on,
and dress appropriately. If your
door is cool to the touch:

- First close any open windows in your room, then open the door slowly.
- Evacuate the building via designated emergency egress routes. Do not use elevators!
- If there is smoke or heat, crawl on your hands and knees.
- Proceed to the INITIAL MUSTERING POINT to await further instructions.

- If the door is warm, DO NOT OPEN IT!
- Seal the space under the door with a towel.
- Open the window, hang a sheet or towel out of the window, and close it.
- Open the window at regular intervals to announce your location, and then close it.

6. Responsibility for Fire Safety, and Conclusions

As alluded to above, fire safety at Hamilton College is the responsibility of every student and employee. Adherence to no one single fire safety strategy is capable of eliminating every fire hazard. Only by a combination of design/engineering controls, safe working/learning/living practices, and appropriate student/employee behaviors, may the greater Hamilton College community minimize its collective risks to fire hazards in the first place.

Failure to follow the guidance contained in this document puts your lives and the lives of your fellow students and co-workers at risk. Additionally, non-conformance with the NYS Fire Code may result in formal violations/citations against the college. While the purpose of this document, again as noted, is to be educational and informative regarding fire safety considerations, every employee and student should realize that the college is legally and morally obligated to promote and manage fire safety accordingly. While “engineering and education” is the preferred methodology for achieving this goal, the college must take appropriate action against those who purposefully or willfully disregard fire safety, including but not limited to the following:

Disciplinary action up to and including expulsion for students and termination for employees who tamper with or otherwise disregard the fire safety equipment, policies and training they are afforded;

Departmental, professional, and personal financial responsibility for fire safety citations and penalties in certain situations where the violations in their living/working areas were easily correctable and communicated, but were not corrected within the time frames granted by NYS.

Reporting Fires

Federal law requires the College to disclose statistical data on all fires that occur in on-campus student housing annually. Therefore, if you encounter evidence of a fire that has been extinguished and you are uncertain if Campus Safety is aware of the incident you should immediately notify Campus Safety at 315-859-4141 to investigate and document the incident for disclosure in the College’s annual fire statistics.

Improvement Plans for Fire Safety

We can always improve our fire safety education and awareness. It’s a continuous process, not a one-time event.

Smoking Policy

Smoking, defined as the burning of a lighted cigar, cigarette or pipe, is not permitted in any campus facility or entranceway. This policy applies to all student residences, including all rooms, lounges, and public spaces. By the NYS Indoor Air Quality Act, smoking is **prohibited** in all College buildings and facilities. As a further courtesy, smokers should stay at least 20 feet from any building entrance or air intake manifold.

Open Flame

Sources of open flame such as incense and candles are not permitted in residence hall rooms at any time.

Statistics and Related Information Regarding Fires in Residential Facilities for 2022

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Dunham *	0	0	NA	NA	NA	NA
South *	0	0	NA	NA	NA	NA
Kirkland *	0	0	NA	NA	NA	NA
North *	0	0	NA	NA	NA	NA
Carnegie *	0	0	NA	NA	NA	NA
Eells *	0	0	NA	NA	NA	NA
Ferguson *	0	0	NA	NA	NA	NA
Woolcott *	0	0	NA	NA	NA	NA
Rogers *	0	0	NA	NA	NA	NA
Skenandoa *	0	0	NA	NA	NA	NA
Wertimer *	0	0	NA	NA	NA	NA
Wallace Johnson *	0	0	NA	NA	NA	NA
Bundy East *	0	0	NA	NA	NA	NA
Bundy West *	0	0	NA	NA	NA	NA
Milbank *	0	0	NA	NA	NA	NA
Babbitt *	0	0	NA	0	0	NA
Major *	0	0	NA	NA	NA	NA
McIntosh *	0	0	NA	NA	NA	NA
Minor *	0	0	NA	NA	NA	NA
Root *	0	0	NA	NA	NA	NA
Keehn *	0	0	NA	NA	NA	NA
Saunders *	0	0	NA	NA	NA	NA
Griffin Rd Apt 1000	0	0	NA	NA	NA	NA
Griffin Rd Apt 2000	0	0	NA	NA	NA	NA
Griffin Rd Apt 3000	0	0	NA	NA	NA	NA
Morris House*	0	0	NA	NA	NA	NA
95 College Hill Rd	0	0	NA	NA	NA	NA

* have an address of 198 College Hill Road 1
 Values are in dollars

Statistics and Related Information Regarding Fires in Residential facilities for 2023

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Dunham *	0	0	NA	NA	NA	NA
South *	0	0	NA	NA	NA	NA
Kirkland *	0	0	NA	NA	NA	NA
North *	0	0	NA	NA	NA	NA
Carnegie *	0	0	NA	NA	NA	NA
Eells *	0	0	NA	NA	NA	NA
Ferguson *	0	0	NA	NA	NA	NA
Woolcott *	0	0	NA	NA	NA	NA
Rogers *	0	0	NA	NA	NA	NA
Skenandoa *	0	0	NA	NA	NA	NA
Wertimer *	0	0	NA	NA	NA	NA
Wallace Johnson *	0	0	NA	NA	NA	NA
Bundy East *	0	0	NA	NA	NA	NA
Bundy West *	0	0	NA	NA	NA	NA
Milbank *	0	0	NA	NA	NA	NA
Babbitt *	0	0	NA	NA	NA	NA
Major *	0	0	NA	NA	NA	NA
McIntosh *	0	0	NA	NA	NA	NA
Minor *	0	0	NA	NA	NA	NA
Root *	0	0	NA	NA	NA	NA
Keehn *	0	0	NA	NA	NA	NA
Saunders *	0	0	NA	NA	NA	NA
Griffin Rd Apt 1000	0	0	NA	NA	NA	NA
Griffin Rd Apt 2000	0	0	NA	NA	NA	NA
Griffin Rd Apt 3000	0	0	NA	NA	NA	NA
Morris House*	0	0	NA	NA	NA	NA
95 College Hill Rd	0	0	NA	NA	NA	NA
100 College Hill Rd	0	0	NA	NA	NA	NA
4002 Campus Rd	0	0	NA	NA	NA	NA
Glenview A	0	0	NA	NA	NA	NA
Glenview B	0	0	NA	NA	NA	NA

* have an address of 198 College Hill Road 1
 Values are in dollars

Statistics and Related Information Regarding Fires in Residential facilities for 2024

Residential Facilities	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
Dunham *	1	0	Dryer overfilled and overheated	NA	NA	\$1000
South *	0	0	NA	NA	NA	NA
Kirkland *	0	0	NA	NA	NA	NA
North *	0	0	NA	NA	NA	NA
Carnegie *	0	0	NA	NA	NA	NA
Eells *	0	0	NA	NA	NA	NA
Ferguson *	1	0	Dumpster Fire	NA	NA	NA
Woolcott *	0	0	NA	NA	NA	NA
Rogers *	0	0	NA	NA	NA	NA
Skenandoa *	0	0	NA	NA	NA	NA
Wertimer *	0	0	NA	NA	NA	NA
Wallace Johnson *	0	0	NA	NA	NA	NA
Bundy East *	0	0	NA	NA	NA	NA
Bundy West *	0	0	NA	NA	NA	NA
Milbank *	0	0	NA	NA	NA	NA
Babbitt *	0	0	NA	NA	NA	NA
Major *	1	0	Food in a microwave overcooked	NA	NA	NA
McIntosh *	0	0	NA	NA	NA	NA
Minor *	0	0	NA	NA	NA	NA
Root *	0	0	NA	NA	NA	NA
Keehn *	0	0	NA	NA	NA	NA
Saunders *	0	0	NA	NA	NA	NA
Griffin Rd Apt 1000	0	0	NA	NA	NA	NA
Griffin Rd Apt 2000	0	0	NA	NA	NA	NA
Griffin Rd Apt 3000	0	0	NA	NA	NA	NA
Morris House*	0	0	NA	NA	NA	NA
95 College Hill Rd	0	0	NA	NA	NA	NA
100 College Hill Rd	0	0	NA	NA	NA	NA
4002 Campus Rd	0	0	NA	NA	NA	NA
Glenview A	0	0	NA	NA	NA	NA
Glenview B	0	0	NA	NA	NA	NA

* have an address of 198 College Hill Road
 Values are in dollars

Violence Against Women Act (VAWA)

Hamilton College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Hamilton College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College official. In this context, Hamilton College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

For a complete copy of Hamilton College's policy governing sexual misconduct, visit <https://www.hamilton.edu/hymb/harassment-and-sexual-misconduct-policy>

A. Definitions

There are numerous terms used by Hamilton College in our policy and procedures.

Affirmative Consent is defined in New York State as:

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, do not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

Lack of Consent is defined in New York as:

1. Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.
2. Lack of consent results from:
 - Forcible compulsion; or
 - Incapacity to consent; or
 - Where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct; or
3. Where the offense charged is rape in the third degree as defined in the New York State Penal Law, subdivision three of section 130.25, or criminal sexual act in the third degree as defined in subdivision three of section 130.40, in addition to forcible compulsion, circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances.
4. A person is deemed incapable of consent when he or she is:
 - less than seventeen years old;
 - or mentally disabled; or
 - mentally incapacitated; or
 - physically helpless; or

- committed to the care and custody or supervision of the state department of corrections and community supervision or a hospital, as such term is defined in subdivision two of section four hundred of the correction law, and the actor is an employee who knows or reasonably should know that such person is committed to the care and custody or supervision of such department or hospital. For purposes of this paragraph, "employee" means (i) an employee of the state department of corrections and community supervision who, as part of his or her employment, performs duties: (A) in a state correctional facility in which the victim is confined at the time of the offense consisting of providing custody, medical or mental health services, counseling services, educational programs, vocational training, institutional parole services or direct supervision to inmates; or (B) of supervising persons released on community supervision and supervises the victim at the time of the offense or has supervised the victim and the victim is still under community supervision at the time of the offense; or (ii) an employee of the office of mental health who, as part of his or her employment, performs duties in a state correctional facility or hospital, as such term is defined in subdivision two of section four hundred of the correction law in which the inmate is confined at the time of the offense, consisting of providing custody, medical or mental health services, or direct supervision to such inmates; or (iii) a person, including a volunteer, providing direct services to inmates in a state correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the state department of corrections and community supervision or, in the case of a volunteer, a written agreement with such department, provided that the person received written notice concerning the provisions of this paragraph; or
- committed to the care and custody of a local correctional facility, as such term is defined in subdivision two of section forty of the correction law, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such a facility. For purposes of this paragraph, "employee" means an employee of the local correctional facility where the person is committed who performs professional duties consisting of providing custody, medical or mental health services, counseling services, educational services, or vocational training for inmates. For purposes of this paragraph, "employee" shall also mean a person, including a volunteer or a government employee of the state department of corrections and community supervision or a local health, education or probation agency, providing direct services to inmates in the local correctional facility in which the victim is confined at the time of the offense pursuant to a contractual arrangement with the local correctional department or, in the case of such a volunteer or government employee, a written agreement with such department, provided that such person received written notice concerning the provisions of this paragraph; or
- committed to or placed with the office of children and family services and in residential care, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to or placed with such office of children and family services and in residential care. For purposes of this paragraph, "employee" means an employee of the office of children and family services or of a residential facility in which such person is committed to or placed at the time of the offense who, as part of his or her employment, performs duties consisting of providing custody, medical or mental health services, counseling services, educational services, vocational training, or direct supervision to persons committed to or placed in a residential facility operated by the office of children and family services; or

- a client or patient and the actor is a health care provider or mental health care provider charged with rape in the third degree as defined in the New York State Penal Law, section 130.25, criminal sexual act in the third degree as defined in section 130.40, aggravated sexual abuse in the fourth degree as defined in the New York State Penal Law, section 130.65-a, or sexual abuse in the third degree as defined in section 130.55, and the act of sexual conduct occurs during a treatment session, consultation, interview, or examination; or a resident or inpatient of a residential facility operated, licensed or certified by (i) the office of mental health; (ii) the office for people with developmental disabilities; or (iii) the office of alcoholism and substance abuse services, and the actor is an employee of the facility not married to such resident or inpatient. For purposes of this paragraph, "employee" means either: an employee of the agency operating the residential facility, who knows or reasonably should know that such person is a resident or inpatient of such facility and who provides direct care services, case management services, medical or other clinical services, rehabilitative services or direct supervision of the residents in the facility in which the resident resides; or an officer or other employee, consultant, contractor or volunteer of the residential facility, who knows or reasonably should know that the person is a resident of such facility and who is in direct contact with residents or inpatients; provided, however, that the provisions of this paragraph shall only apply to a consultant, contractor or volunteer providing services pursuant to a contractual arrangement with the agency operating the residential facility or, in the case of a volunteer, a written agreement with such facility, provided that the person received written notice concerning the provisions of this paragraph; provided further, however, "employee" shall not include a person with a developmental disability who is or was receiving services and is also an employee of a service provider and who has sexual contact with another service recipient who is a consenting adult who has consented to such contact.

Affirmative Consent is defined in the Hamilton College Sexual Misconduct Policy as:

Affirmative Consent: Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity.

Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Coercion: For purposes of this Policy, coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they impair another individual's ability to choose whether or not to engage in sexual activity.

Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity. Coercing an individual into engaging in sexual activity violates this Policy in the same way as physically forcing someone into engaging in sexual activity.

Capacity to give consent: Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because the individual lacks the ability to knowingly make that decision. In assessing capacity, the college will consider whether the individual had the ability to understand the nature of the act (e.g., to understand the who, what, when, where, why or how of the sexual interaction) and/or is physically helpless. Incapacitation may result from the use of alcohol and/or drug, but consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments; and
- capacity to appreciate the nature and the quality of the act.

Persons who have sexual activity with someone who lacks the mental or physical capacity to consent (including being substantially impaired by alcohol or other drug use or unconscious) are in violation of this Policy, and any consent perceived to have been obtained is presumptively invalid. Possession, use and/or distribution of any of the so-called “date rape” drugs (including Rohypnol, Ketamine, GHB, Burundanga and others) is prohibited, and administering any of these drugs to another is a violation of this Policy.

Further information regarding Hamilton College’s sexual misconduct policy can be located at: [Harassment and Sexual Misconduct Resources - Sexual Misconduct Policy - Hamilton College](#).

On Campus and Off Campus Resources for Sexual and Relationship Violence can be found at: [Sexual and Relationship Violence - Hamilton College](#).

Dating Violence: The term “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.

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 and section 668.41 of the CFR, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

New York State Law includes incidents of dating violence within its domestic violence laws. They are not categorized separately under New York State Law.

Stalking: The term “stalking” means

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, course of conduct means two or more acts, including, but not limited to, acts 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. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

For the purposes of complying with the requirements of this section and section 668.41 of the CFR, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Education and Prevention Programs

The College engages in comprehensive, intentional, 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, responsive to community needs, and informed by research, or assesses for values, effectiveness, or outcome; and consider environmental risks and protective factors as they occur on the individual, relationship, institutional, and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students that participate in Varsity Sports, club leaders, Community Advisors and Orientation Leaders.

Personal Safety Tips

- Park in well-lit heavily populated areas
- Trust your instincts when something doesn't feel right
- Be aware of your surroundings
- If you have a cellular phone have it turned on and easily accessible
- Do not leave valuable items visible in your vehicle
- Walk with others whenever possible
- Check the back seat of your vehicle before entering
- Report all suspicious behavior to local law enforcement authorities

In the Event of Fire

- Remain calm
- Dress warmly, get your keys, and evacuate the building promptly
- Activate the building fire alarm or notify Campus Safety immediately
- If a door is warm, do not open it
- If you are trapped in a room, seal the door and signal from a window.

PREVENT System

- **P**revention is the most effective means of fighting crime
- **R**ecord the description of suspicious persons, do not confront them yourself
- **E**scape is the primary objective if you are in a dangerous situation
- **V**alue your safety and the safety of others
- **E**mploy common sense and awareness in your day-to-day activities
- **N**otify Campus Safety if you are the victim of a crime or witness one
- **T**elephone x4000 for any on-campus emergency

The College is committed to educating and promoting community awareness about the prevention of sex discrimination and harassment, sexual harassment, sexual violence, stalking, domestic violence, dating violence, and sex- and gender-based harassment that does not involve conduct of a sexual nature. The Director of Title IX and Civil Rights Compliance and others designated by the Director of Title IX and Civil Rights Compliance oversee the development and implementation of the College's education and prevention programs, which are based on campus needs and climate. Incoming first-year students and new employees will receive primary prevention and awareness programming as part of their orientation. Returning students and employees will receive ongoing training on a periodic basis. All educational programs include a review of resources and reporting options.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

The following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.

- b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

² Bystander intervention strategies adapted from Stanford College's Office of Sexual Assault & Relationship Abuse

Available Resources :

NYC Gay and Lesbian Anti-Violence Project

212-714-1141 (24-hour English and Spanish Hotline) NYS Domestic and Sexual Violence Hotline Numbers:
English: 1-800-942-6906

TTY: 1-800-818-0656

Spanish: 1-800-942-6908

TTY: 1-800-780-7660

In NYC: 1-800-621-HOPE (4673) or
dial 311 TTY: 1-866-604-5350

For further help and information regarding what to do in a situation of domestic violence:

- go to the Help page of the [About Us | Office for the Prevention of Domestic Violence](#)
- [NYS Coalition Against Domestic Violence \(CADV\)](#) (maintains list of available resources by county)
- [Office on Violence Against Women \(OVW\) | Office on Violence Against Women \(OVW\)](#)

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network
[Office on Violence Against Women \(OVW\) | Sexual Assault](#)- Department of Justice
[Office for Civil Rights \(OCR\) | U.S. Department of Education](#) - Department of Education, Office of Civil Rights

Sex Offender Registration

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

Informational questions about local laws or reports of civil crimes can be directed to the Town of Kirkland Police Department by telephone. KPD will not respond to a campus call without informing the Department of Campus Safety. Campus Safety officers may request additional support from KPD. As the local police authority, KPD is the contact agency for questions relating to our local sex offender registry. Community members may also access the New York State Sexual Offender Registry at the following web address: [The Official New York State Sex Offender Registry - NY DCJS](#)