



## 2024 Annual Security and Fire Safety Report

**RWU** Roger Williams  
UNIVERSITY

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## INTRODUCTION

Roger Williams University (RWU) presents the 2024 Annual Security and Fire Safety Report that fulfills the requirements of the Higher Education Act and to comply with the required reporting under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). Statistical data reported in this document reflect reports to RWU officials and campus security authorities. Statistics are also compiled from law enforcement agencies in jurisdictions where RWU owns property, leases property, or those with jurisdiction on adjacent property.

This Annual Security and Fire Safety Report provides vital information to prospective and current students and employees about campus safety and security along with campus crime and fire prevention and safety awareness programs. It includes crime and fire statistics for 2021, 2022, and 2023 and reports all crimes by Uniform Crime Report (UCR) definition and Clery Act definition broken down by geographic location; to include the Bristol Campus (including the Main Campus, School of Law, Almeida Apartments, and Baypoint Residence Hall) and Providence Campus. Statistics also include any public property that is immediately within or immediately adjacent to and accessible from campus and non-campus buildings and properties that are university owned or controlled. We encourage members of the RWU community to use this report as a guide for safe practices on and off campus.



Each member of the RWU community receives an email that describes the report, attached as a PDF document, and provides its web address. The printed report is available upon request or may be printed from RWU's Department of Public Safety (DPS) website. All prospective students and employees may obtain a copy of the report by contacting DPS or accessing their website at <https://www.rwu.edu/who-we-are/administrative-offices/public-safety>. RWU's DPS strives to provide high quality security, safety, and crime prevention services that meet the needs and standards of a progressive academic institution.

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



## I. SAFETY AND SECURITY ON CAMPUS

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

DPS officers are not sworn officers and do not possess arrest powers; however, within the jurisdictional boundaries of the campus they have the inherent right and authority to detain persons for alleged misconduct and search backpacks and/or on-campus rooms and apartments with reasonable suspicion and/or probable cause. They may detain and/or restrain persons who create disorder. Officers can also refuse admittance to the campus and/or ask persons who become disorderly, violate Rhode Island laws, campus policies and regulations, and/or who demonstrate improper behavior to leave. The DPS is responsible for monitoring activities 24 hours a day, 7 days a week, and 365 days a year on RWU property including the Bristol campus, the School of Law, Almeida Apartments, and Baypoint Residence Hall. DPS also provides security for the Providence Campus during classroom hours.

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

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

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



## II. REPORTING A CRIME OR EMERGENCY

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

There are emergency telephone locations throughout the campus designated by blue lights for easy identification at night. Simply press the button to activate. They are directly connected to the DPS Dispatch Center, which is staffed 24 hours a day, 7 days a week, and 365 days a year. The location of the activated telephone is automatically identified to the DPS Dispatch Officer. When calling, provide the Dispatch Officer with the following information:

- Your identity;
- If medical attention needed;
- The nature of your call; and
- When the event occurred.

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

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

## CAMPUS SECURITY AUTHORITIES:

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

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

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

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

## POLICY ADDRESSING PROFESSIONAL COUNSELORS:

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



- **Professional Counselor** – An employee of an institution whose official responsibilities include providing mental health counseling to members of the community and who also functions within the scope of their license or certification.

### III. TIMELY WARNING POLICY

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

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

- A succinct statement regarding the circumstances surrounding the incident;
- Possible connection to previous incidents, if applicable;
- Physical description of the suspect, to include the identity and/or photo;
- Composite drawing of the suspect, if available;
- Date, time, and general location where the incident occurred; and
- Other relevant crime prevention tips and information.

When applicable, updates to the Timely Warning notice will be widely distributed throughout the campus. Once the threat is over, the Timely Warning notice will be cleared. Timely Warnings do not disclose victims’ personally identifiable information.



## IV. EMERGENCY RESPONSE AND EVACUATION PROCEDURES

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

### **EMERGENCY RESPONSE PLANNING AND OPERATIONAL COMMITTEE:**

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

- President;
- Executive Vice President for Finance and Administration;
- Provost;
- Chief of Staff;
- Vice President for Student Life;
- Vice President for Enrollment Management;
- Dean of the School of Law;
- Director of Environmental Health and Safety;
- Dean of University College (Providence);
- Assistant Dean of Experiential Education and Professor, School of Law (Providence);
- Associate Dean of Students/Dir. Operations, School of Law;
- Director of Public Safety;
- Chief Information Officer;
- Chief Marketing Officer;
- AVP for Communications and Media Relations;
- AVP for Facilities and Capital Projects; and
- AVP for Student Life and Dean of Students.

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

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

The Core Emergency Response Team (CERT), which convenes (in person or telephonically) in the event that the incident occurs at a time outside of a normal workday (e.g., evenings, nighttime, weekends, holidays, or snow days) shall consist of the following members of the university:

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

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







### **SPECIAL CONSIDERATIONS FOR PROVIDENCE CAMPUS AND FACILITIES IN OTHER MUNICIPALITIES:**

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

### **EMERGENCY COMMUNICATIONS:**

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

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

- Verbal Notification;
- Emergency Information Hotline: (401) 254-4400;
- RWU Alert (Mass Notification System);
- RWU Siren Warning System;
- RWU Website: <https://www.rwu.edu/>; and/or
- Local Television and Radio Station Broadcasts.



### **4400 EMERGENCY INFORMATION HOTLINE:**

The RWU campus emergency hotline allows the university to record a message with details, information, and updates related to any campus emergency or crisis situation.

### **RWU ALERT (MASS NOTIFICATION SYSTEM):**

RWU community members must heed all warnings/emergency messages promulgated via "RWU Alert." RWU provides a secure web-based program and fully hosted emergency communication system that sends prerecorded or incident specific

emergency messages to thousands of RWU community subscribers via voicemail, email and text messaging. Upon receipt of any RWU Alert message, all University members should follow emergency instructions until further notice. It is the responsibility of all RWU students, staff, and faculty to maintain current emergency contact information through the Emergency Information section of Roger Central at <https://rogercentral.rwu.edu/> to ensure receipt of all RWU Alert communications.

### **EMERGENCY SIREN WARNING SYSTEM:**

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



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

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

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

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

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

### **EMERGENCY RESPONSE TRAINING REQUIREMENTS:**

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

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

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

### **UNIVERSITY-WIDE TRAINING EVENTS:**

The RWU Alert and Siren Warning systems are tested during the fall and spring semesters of each academic year to ensure system operability and campus familiarity with RWU emergency communication systems. All RWU Live-In Staff and Resident Assistants (RAs) receive emergency response and fire safety training prior to the start of each new academic year.

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

To obtain a copy of the emergency egress plan for a particular building and floor, please contact Kathy Souza, Director of Environmental Health and Safety, at [ksouza@rwu.edu](mailto:ksouza@rwu.edu), or Cat Conley, Associate Director of Environmental Health and Safety, at [cconley@rwu.edu](mailto:cconley@rwu.edu).

**OPERATING LEVELS:**

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

Level	Caption	Description
1	All Operations Normal	All university operations functioning as planned; no known impending events that could impact the university’s operations.
2	All Operations Normal; Emergency Planning in Process	All university operations functioning as planned; however, there exists the possibility of an emergency event in the near future and efforts are underway to prepare for that event (e.g., hurricane or substantial snowstorm).
3	All Campus Classes & Significant Events Cancelled; Classes will shift to remote delivery whenever possible; other operations open as usual	Conditions exist that warrant the cancellation of in-person classes and other significant in-person events on campus (e.g., sporting events, theatre productions, etc.). Classes that can be held remotely may proceed at the discretion of the instructor. If class is not held, or where it is impractical or impossible to deliver a class remotely (e.g., lab, performance), instructors will make alternative arrangements for class meetings. All other operations remain open and functioning; all employees scheduled to work should report as usual.
4	All Campus Operations Cancelled; Essential Services Personnel Only. Classes will shift to remote delivery whenever possible; all other staff shift to remote work whenever possible	Conditions exist that warrant the suspension/closure of all campus operations; Essential Services Personnel are required to report for duty. Employees working remotely should continue to work remotely. Employees who typically work on-site but are not critical during a weather-related emergency reduction in operations should also work remotely, if they are able to do so. Employees who are not critical during a weather-related emergency reduction in operations and who cannot perform their jobs from home should not report to work. They will not lose pay if they cannot work remotely during a short-term emergency reduction in operations. Classes that can be held remotely may proceed at the discretion of the instructor. If class is not held, or where it is impractical or impossible to deliver a class remotely (e.g., lab, performance), instructors will make alternative arrangements for class meetings.
5	All University Operations Cancelled; Essential Services Personnel Only	Conditions exist that warrant the suspension/closure of all university operations; Essential Services Personnel are required to report for duty.
6	University Evacuated	All university operations are suspended/closed and the university is evacuated; a sub-set of the Essential Services Personnel may be required to remain.

The above applies to all university operations and campuses (e.g., Bristol (including the Main Campus, School of Law, Almeida Apartments, and Baypoint Residence Hall) and Providence). It is recognized that Levels 3, 4, 5, and 6 may be localized to a building, area, or part thereof, and/or it may be functional to a specific group, operation, or event. The designation of a specific level will be assumed to apply to all operations, campuses, and facilities absent instructions to the contrary in any announcement.

## **EMERGENCY EVACUATION PROCEDURES:**

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

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

- Safely stop all work in your area;
- If safe to do so, gather your personal belongings (necessities only – such as keys, wallet/purse, cellphones, and medications), in the event you cannot return to your building;
- Proceed to the nearest exit;
- Do not use the elevator;
- Proceed to the designated Emergency Assemble Area and try to account for those that were in your area;
- If you have information to offer in regards to the emergency, call Public Safety at (401) 254-3333 once you are in a safe location;
- Wait for instructions from Emergency Personnel; and
- Never re-enter the building or work area until you have been instructed to by Emergency Personnel.

### **It is recommended that each department/business unit in a building identify a few department members who will act as evacuation coordinators. These evacuation coordinators should:**

- Assist other department members, including those needing assistance, in evacuating the building;
- If safe to do so, check restrooms while exiting; and
- Do a “head-count” of evacuated personnel to provide to Emergency Personnel.

In addition, all students and employees must be aware of the locations of alternate exits and keep exit routes free and clear of obstructions. The Department of Environmental Health and Safety has updated egress maps for all buildings on campus. To obtain a copy of the emergency egress maps for a particular building and floor, please contact Kathy Souza, Director of Environmental Health and Safety, at [ksouza@rwu.edu](mailto:ksouza@rwu.edu), or Cat Conley, Associate Director of Environmental Health and Safety, at [cconley@rwu.edu](mailto:cconley@rwu.edu). For residence halls, please refer to the egress maps located within your housing unit.

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



## V. LOCAL POLICE AGENCIES

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

## VI. SECURITY AND ACCESS TO CAMPUS FACILITIES



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

### SECURITY CAMERAS:

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

### POLICY FOR ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS:

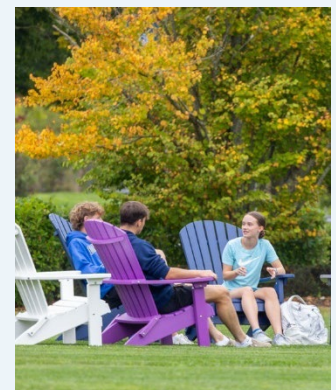
Off-campus apartment complexes, townhouses/condominium communities, and other multi-family homes pose unique challenges. Because of the natural turnover of many residents in rental property, students must make an extra effort to be aware of their surroundings. This includes knowledge of the measures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

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

## VII. MAINTENANCE OF CAMPUS FACILITIES

The Department of Facilities Management works with the Department of Public Safety and the Department of Environmental Health and Safety to maintain and minimize hazards related to facilities on campus. Public Safety Officers patrol the campus and communicate potentially hazardous problems, such as burned-out lights or broken door locks to Facilities Management for immediate attention and repair.

RWU community members are encouraged to report any non-emergency facility maintenance concerns to RWU Facilities Management at 401-254-3136 during routine business hours, or by submitting a Facilities Work Order at any time using this link: <https://www.rwu.edu/who-we-are/administrative-offices/facilities>. Urgent facility safety or maintenance needs, and all campus emergencies, should be immediately reported to RWU Public Safety at 401-254-3333. Examples of urgent facility safety or maintenance needs include: gas odors, fire or smoke, electrical appliance issues, water pipe break, blood or bodily fluid spill, etc.



## VIII. UNIVERSITY EDUCATIONAL AND TRAINING PROGRAMS

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

### Examples of security awareness programs and procedures are as follows:

- RWU has a Safety Committee that meets monthly and a Risk Management Committee that meets every other month to assist in reviewing, recommending, and implementing policies, procedures, and practices to promote campus safety. These Committees review things such as lighting surveys and occupational safety hazards.
- The Department of Environmental Health and Safety distributes regular email Safety Notices with safety tips to employees and students.
- DPS and EHS, in collaboration with the Student Senate, conduct a campus Safety Walk each year to review on-scene campus safety options and possible needs for enhancement. The Safety Committee also conducts an annual Safety Walk.
- During summer orientation, students and family members meet with the Director of Public Safety who discusses safety resources, including downloading the Rave Guardian application.
- Students are provided safety tips annually, with information advising them of precautions to help avoid becoming a victim of crime on or off campus.
- Employees receive campus safety information at new employee orientation, held once monthly.
- During Welcome Week, first year students attend Health and Safety training sessions conducted by Public Safety, Health Services, Title IX, Environmental Health and Safety, Student Conduct and Conflict Resolution, and Alcohol and Other Drug Education. The Title IX portion consists of risk reduction education, procedures, programs, and policy information regarding sexual misconduct, dating violence, domestic violence, sexual assault, stalking, and sex-based discrimination. The Public Safety portion consists of an overview of learning to live independently and being responsible for oneself and personal belongings. Emergency Alert systems, Rave Alert, and Rave Guardian are discussed as are learning the alternate exits in whatever buildings students are in.
- Emergency evacuation training, including active intruder training, is completed for first-year students and made available for returning students.
- DPS and EHS have a joint training presentation on workplace emergency evacuation and hostile intruder procedures. All employees are encouraged to complete the video training session, which is distributed through an All-University email and is made available online via the following link: <https://www.rwu.edu/who-we-are/administrative-offices/environmental-health-safety/emergency-response-evacuation>. Employees also have in-person training on this module since it is used during new employee orientation.
- The university tests its Emergency Notification System and Siren Warning System during the year and completes a campus wide lockdown drill during the year.

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

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

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

## IX. ALCOHOL AND DRUG POLICY

Roger Williams University and Roger Williams University School of Law (collectively, the “University”), established an Alcohol and Drug-Free School and Workplace Policy (the “Policy”) in response to and in conformity with the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701) and the Drug-Free Schools and Communities Act Amendments of 1989 (20U.S.C. § 1011i). Students and employees of the University receive a copy of this Policy on an annual basis. This Policy also includes a description of University drug and alcohol abuse education programs. Additional policy information is made available online via the following link: <https://www.rwu.edu/student-handbook/alcohol-and-drug-policy>.

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



In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, University regulations and laws pertaining to alcoholic beverages and the possession, use, distribution, and sale of illicit drugs shall be strictly and consistently enforced. Any violation of the University’s Student Code of Conduct or violation of federal, state, or local laws shall subject the responding party to the University disciplinary process and/or criminal prosecution.

### **MEDICAL AMNESTY POLICY:**

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

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

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

Roger Williams University Medical Amnesty Policy is applicable to:

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

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

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

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

### **ALCOHOL QUANTITY POLICY:**

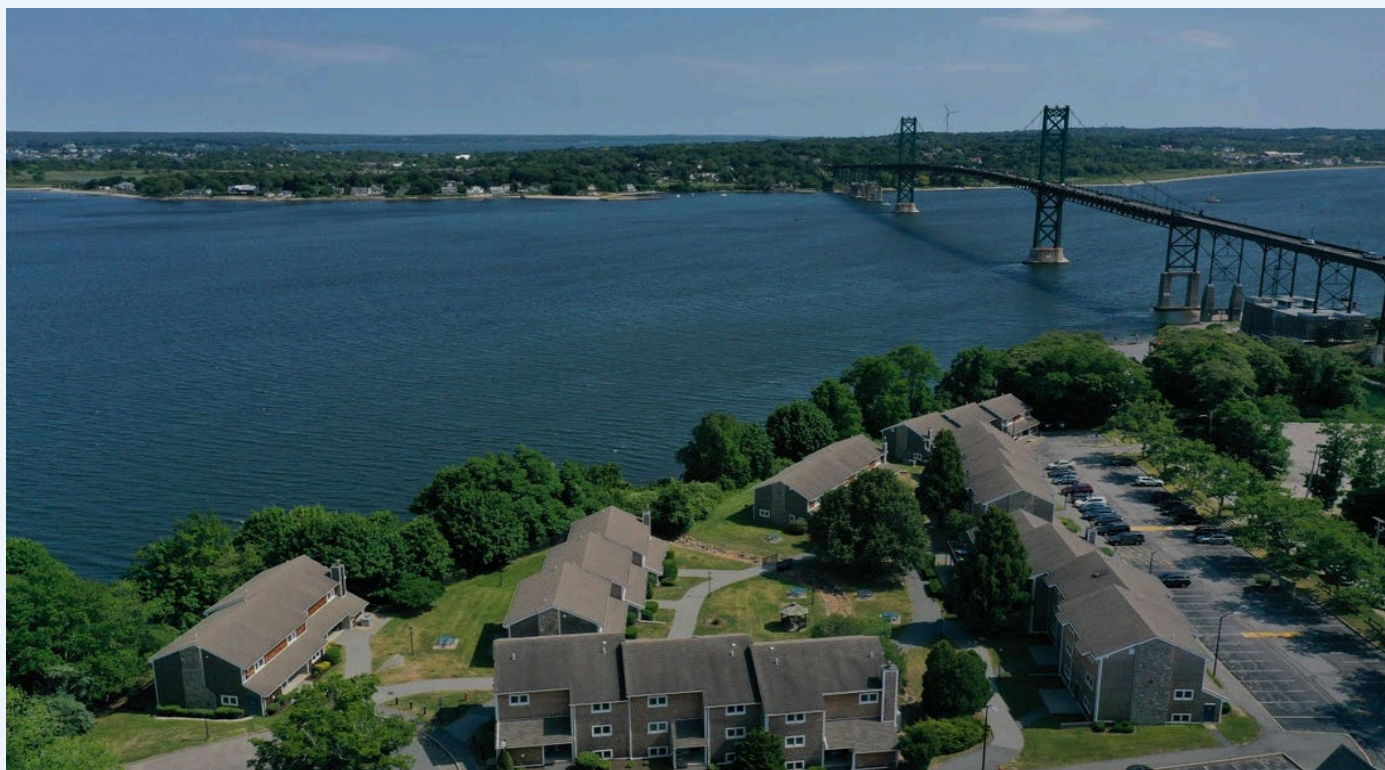
Students who are 21 years of age or older are permitted to possess and consume alcohol in specified quantities, in designated University housing rooms in a manner that does not lead to incapacitation or abuse. Students who are legal drinking age may not share or provide alcohol to any persons who are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

### **STATEMENT ON MARIJUANA:**

While Rhode Island has legalized the use of marijuana for adults aged 21 and over, marijuana remains illegal under federal law, and the Rhode Island law includes an exception for institutions that receive federal funding, such as RWU. Accordingly, marijuana possession or use remains prohibited in any form or amount on RWU premises, in RWU vehicles or transportation services, and at any site or location where an activity or event is sponsored by RWU.

### **Medical Marijuana**

The Rhode Island Medical Cannabis Law and program allows Rhode Islanders who are registered users to use medical marijuana to treat certain conditions. However, the possession and use of marijuana remains illegal under the federal law to which the college is subject, including the Drug-Free Schools and Communities Act, the Controlled Substances Act, and the Campus Security Act. Therefore, the use, possession, production, manufacture, and distribution of marijuana – medical or otherwise – continues to be prohibited while a student is on University owned or controlled property or at any function authorized or controlled by the University. Questions concerning medical marijuana should be directed to the Office of Student Life at [rwustudentlife@rwu.edu](mailto:rwustudentlife@rwu.edu) or (401) 254-3042.





## X. CRIME STATISTICS POLICIES AND DEFINITIONS

### PROCEDURES FOR GATHERING CRIME STATISTICS:

The Director of Student Conduct and Conflict Resolution, in collaboration with the Directors of Public Safety and Environmental Health and Safety, are charged with the responsibility of collecting data, preparing the Annual Security and Fire Safety Report, and distributing the annual report. Questions about the report can be directed to the following administrators:

- Mark Porter, Director of Public Safety: (401) 254-3667, [mporter@rwu.edu](mailto:mporter@rwu.edu);
- Diana Proto, Director of Student Conduct and Conflict Resolution: (401) 254-3533, [dproto@rwu.edu](mailto:dproto@rwu.edu);
- Kathy Souza, Director of Environmental Health and Safety: (401) 254-3494, [ksouza@rwu.edu](mailto:ksouza@rwu.edu); and
- Hannah Ilagan, Student Life Compliance Officer/Title IX & Title VI Investigator: (401) 254-3020, [hilagan@rwu.edu](mailto:hilagan@rwu.edu).



The Director of Student Conduct and Conflict Resolution completes an analysis of all crimes reported to the department. Crime statistics that occurred on or within Roger Williams University's Clery geography are gathered. The statistics can be found in Sections XVIII through XX. Data is collected from the following:

- Bristol Police Department;
- Portsmouth Police Department;
- Providence Police Department; and
- RWU Campus Security Authorities.

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

### CLERY GEOGRAPHY DEFINITIONS:

- **On-campus:**
  - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
  - Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).
- **On-campus Student Housing Facility:**
  - Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.
- **Public Property:**
  - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- **Non-campus Buildings or Property:**
  - Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
  - Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

## CLERY REPORTABLE OFFENSES AND DEFINITIONS:

- **Criminal Homicide** is separated into two categories:
  - **Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another; and
  - **Manslaughter by Negligence:** The killing of another person through gross negligence.
- **Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. This is further separated into four categories:
  - **Rape:** The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim;
  - **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity;
  - **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; and
  - **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence, and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or means likely to produce death or great bodily harm.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
- **Arson:** Willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Hate Crimes:** A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Bias categories under the Clery Act include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. Institutions must compile crime statistics for all crimes listed above plus the following crimes:
  - **Larceny/Theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another;
  - **Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness;
  - **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack;
  - **Destruction/Damage/Vandalism of Property** (with the exception of arson): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner of the person having custody or control of it.
- **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with consideration of:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- **Domestic Violence:** A felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For this definition:
  - **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.
  - **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
  - **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- **Arrests and Referrals for Disciplinary Action:** Under the Clery Act, institutions must also report arrests and referrals for disciplinary action for liquor law violations, drug abuse violations, and weapons law violations.
  - **Weapons: Carrying, Possessing, etc., Violations:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
  - **Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
  - **Liquor Law Violations:** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence or drunkenness.
- **Definition of the term "Unfounded":** A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.



### STUDENT HANDBOOK AND UNIVERSITY POLICIES:

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

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

## XI. FIRE SAFETY REPORT

In accordance with the Higher Education Opportunity Act of 2008 and its implementing regulations, Roger Williams University, including Roger Williams University School of Law (collectively, “University”), is providing mandatory fire safety information for the three most recent calendar years (2021, 2022 and 2023) in this report.

### FIRE STATISTICS: 2021

Residential Facilities	Total Fires in each Building	Fire Number	Cause of Fire	Number of Injuries Related to a Fire that Result in Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire
Almeida Apartments	0	0	n/a	n/a	n/a	n/a
Baypoint Residence Hall	0	0	n/a	n/a	n/a	n/a
Bayside Apartments	0	0	n/a	n/a	n/a	n/a
Cedar Hall	0	0	n/a	n/a	n/a	n/a
Maple Hall	0	0	n/a	n/a	n/a	n/a
North Campus Residence Hall	0	0	n/a	n/a	n/a	n/a
Stonewall Terrace	0	0	n/a	n/a	n/a	n/a
Willow Residence Hall	1	1	Faulty light ballast	0	0	\$500

### FIRE STATISTICS: 2022

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

## FIRE STATISTICS: 2023

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

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

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

#### **REGULAR MANDATORY SUPERVISED FIRE DRILLS:**

The University conducted four mandatory supervised fire drills at each on-campus student housing facility in each of the above calendar years. During 2021, some of the drills were modified with education and walk-throughs due to COVID-19. We followed the recommendation and direction of local authorities having jurisdiction.

## **POLICIES/RULES ON PORTABLE ELECTRICAL APPLIANCES, SMOKING, AND OPEN FLAMES IN STUDENT HOUSING FACILITIES:**

- **Portable Electrical Appliances:** Electrical appliances such as space heaters, air conditioners, electric blankets, and immersion heater coils which are extreme fire hazards or appliances that are not suitable for a residence hall environment are prohibited. Microwaves, toaster ovens, hot plates, fry pans, indoor grills, and other cooking appliances are only allowed in the private kitchens at Almeida Apartments, Bayside Apartments, and North Campus Residence Hall. The University reserves the right to confiscate and dispose of any appliance deemed hazardous. It is the student's responsibility to check with Residence Life and Housing to determine whether or not appliances other than those listed above are allowed.
- **Smoking:** Smoking is prohibited in all residence halls and apartments. All residence hall rooms and apartments are smoke-free. Smoking, including e-cigarettes, is only permitted in designated gazebos located near the residence halls. A map of these locations can be found on the [RWU website](#). Hookahs, vaporizers, and other smoking devices are not permitted in any residence halls or apartments. Students who are found smoking in residence halls or apartments may be assessed a fine and/or conduct review from the Roger Williams University Office of Student Conduct and Conflict Resolution or the School of Law Dean of Students Office.
- **Open Flames:** Open flames, incense, candles, or oil lamps are prohibited at all times in all residence halls and apartments. Possession of these items may result in a fine and/or conduct review from the Roger Williams University Office of Student Conduct and Conflict Resolution or the School of Law Dean of Students Office. A grill procedures document is available on the [RWU website](#) designating proper use of grills.

### **PROCEDURES FOR STUDENT HOUSING EVACUATION IN THE CASE OF A FIRE:**

Procedures for student housing evacuation in the case of a fire are found on fire safety instruction sheets which are located in each on-campus student housing facility and on the [RWU website](#).

### **POLICIES REGARDING FIRE SAFETY EDUCATION AND TRAINING PROGRAMS PROVIDED TO STUDENTS AND EMPLOYEES:**

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

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

### **PROCEDURES FOR EVACUATION IN THE EVENT OF A FIRE IN A CAMPUS BUILDING:**

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

### **REPORTING FIRES:**

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

### **PLANS FOR FUTURE IMPROVEMENT IN FIRE SAFETY:**

The University plans to continue campus-wide fire alarm system upgrades.

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



## XII. MISSING STUDENT POLICY

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

### **POLICY:**

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

### **PROCEDURE:**

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

The University shall take the following steps when the DPS or local law enforcement determines that a student is missing in accordance with this policy: The University will notify the contact person(s) designated by the student no later than 24 hours after the student is determined to be missing. If the student is under 18 years of age and not an emancipated individual, the University will notify the custodial parent or guardian of the student and the contact person(s) designated by the student (if different from the student’s custodial parent or guardian) no later than 24 hours after the student is determined to be missing. If the DPS has determined that a student is missing, the University will notify local law enforcement no later than 24 hours after a student is determined to be missing.

### **STUDENTS LIVING IN OFF-CAMPUS HOUSING:**

While this policy by law only applies to students residing in on-campus student housing facilities, anyone who believes that a student who resides in off-campus housing might be missing should immediately report their concern to the Department of Public Safety and/or law enforcement. If reported to Public Safety, the DPS shall promptly notify law enforcement and provide any requested assistance to them with regards to their investigation. Students should maintain current emergency contact information on file with the University, via the Emergency Information section of Roger Central, to assist in such an event.

## XIII. HIGHER EDUCATION OPPORTUNITY ACT VICTIM NOTIFICATION

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

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

The CSCPA provisions appear in subsection (j) of the Wetterling Act [42 U.S.C. § 14071(j)]. As provided in subsection (j), any person required to register under a state sex offender registration program must notify the state concerning each institution of higher education in the state at which the person is a student or works, and of each change in enrollment or employment status of the person at such an institution. State procedures must also ensure that information concerning a registrant enrolled or working at an institution of higher education is promptly made available to a law enforcement agency having jurisdiction where the institution is located, and entered into the appropriate state records or data system. In accordance with requirements of the CSCPA as well as under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. § 16911), information concerning registered sex offenders employed, enrolled as a student, or carrying on a vocation at this institution can be obtained, to the extent permitted by law, by contacting the Sex Offenders Community Notification Unit within the Rhode Island Parole Board at (401) 462-0905, or online at [https://www.sheriffalerts.com/cap\\_main.php?office=56404](https://www.sheriffalerts.com/cap_main.php?office=56404). In Massachusetts, information can be found online at <https://www.mass.gov/information-about-sex-offenders>.

## XV. POLICIES AND PROCEDURES RELATED TO DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

Roger Williams University prohibits dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. The university's Title IX Sex-Based Discrimination & Harassment Policy and Procedures can be found online at <https://www.rwu.edu/student-handbook/title-ix>. Non-Title IX sexual misconduct policies and procedures are found at <https://www.rwu.edu/student-handbook/student-code-conduct>. These are RWU's policy statements in compliance with the Clery Act.

### **PURPOSE OF THE TITLE IX SEX-BASED DISCRIMINATION & HARASSMENT POLICY AND PROCEDURES**

On August 1, 2024, the United States Department of Education and the Office for Civil Rights implemented Title IX regulations that govern how institutions of higher education that receive federal funding must respond to allegations of sex-based discrimination and harassment.<sup>1</sup>

This document describes Roger Williams University's ("RWU") Title IX Sex-Based Discrimination and Harassment policy and procedures. Incidents that do not meet the definitions of prohibited conduct described herein or other criteria outlined in this Title IX policy will be referred to other University departments as appropriate (e.g., Office of Student Conduct and Conflict Resolution, Human Resources, etc.).

### **PROHIBITION AGAINST SEX-BASED DISCRIMINATION AND HARASSMENT**

RWU prohibits all forms of discrimination on the basis of sex in its education programs and activities and is required by Title IX of the Education Amendments of 1972 ("Title IX") and its implementing regulations not to discriminate in such a manner. According to Title IX, "*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*"<sup>2</sup>

This prohibition against discrimination on the basis of sex applies to incidents of sex-based harassment as defined by 34 C.F.R. § 106.2, as well as dating violence, domestic violence, sexual assault, and stalking as defined by the Violence Against Women Reauthorization Act of 2013 (VAWA). Sex-based harassment, including sexual violence, is a form of sex discrimination that is illegal under both federal and Rhode Island state law, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 28-51-2 of the General Laws of Rhode Island.

### **APPLICABILITY AND SCOPE**

This Policy is only applicable to alleged incidents that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sex-based harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available upon request to the Title IX Coordinator.

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

<sup>2</sup> See 20 U.S.C. § 1681(a).



This Policy applies to all RWU community members, including faculty, adjunct faculty, staff, students, and other individuals participating in or attempting to participate in RWU's program or activities, including education and employment.

The policy and procedures described herein only apply to allegations of sex-based harassment that meet the Title IX regulatory definition of sex-based harassment and conduct that has occurred under the University's education programs or activities (defined as including locations, events, or circumstances in which the University exercises substantial control over both the Respondent and the context in which the Title IX sex-based harassment occurred), circumstances where the University has disciplinary authority, and to misconduct occurring within any building owned or controlled by a student organization that is officially recognized by the University. This Policy may also apply to the extent off-campus misconduct may limit or deny a person's access to the University's education program or activities.

For disciplinary action to result under this Policy, the Respondent must be a RWU student or employee at the time of the alleged incident.

This Policy prohibits all forms of sex discrimination and may be applied to incidents, patterns, and/or institutional culture/climate, all of which may be addressed in accordance with this Policy.

### **ONLINE HARASSMENT AND MISCONDUCT**

RWU's policies are written and interpreted broadly to include online manifestations of any of the behaviors prohibited below, when those behaviors occur in or have an effect on the University's education program and activities, or when they involve the use of University networks, technology, or equipment.

Although RWU may not control websites, social media, and other venues through which harassing communications may be made, when such communications are reported to the University, it will attempt to address and mitigate the effects to the extent possible.

### **INCLUSION RELATED TO GENDER IDENTITY/EXPRESSION**

RWU strives to ensure that all individuals are safe, included, and respected in their education and employment environments, regardless of their gender identity or expression, including intersex, nonbinary, transgender, agender, two-spirit, and gender-diverse students and employees.

Discrimination and harassment on the basis of gender identity, expression, or sex stereotypes are not tolerated by RWU. If a member of the RWU community believes they have been subjected to discrimination under this Policy, they should follow the appropriate reporting process described herein.

In upholding the principles of equity and inclusion, RWU supports the full integration and healthy development of those who are gender diverse and seeks to eliminate any stigma related to gender identity and expression.

RWU is committed to fostering a climate where all identities are valued, contributing to a more vibrant and diverse community. To the extent possible, RWU will administratively address issues that some students and employees, including those identifying as intersex, transgender, agender, nonbinary, and gender diverse, may confront as they navigate systems originally designed around the assumption that gender is binary. As our society's understanding of gender evolves, so do the University's processes and policies.

Concepts like misgendering and deadnaming may not be familiar to all, but understanding them is essential to University's goal of being as welcoming and inclusive a community as possible.

**Misgendering** is the intentional or unintentional use of pronouns or identifiers that are different from those used by an individual. Unintentional misgendering is usually resolved with a simple apology if someone clarifies their pronouns for you. Intentional misgendering may constitute a Policy violation if the effect is greater than *de minimis* harm.<sup>3</sup>

**Deadnaming** means using someone's birth-assigned (cisgender) name, rather than the name they have chosen. Intentional deadnaming could be a form of bullying, outing, or otherwise harassing an individual and may constitute a Policy violation.

RWU uses a number of interventions to address concerns that are raised related to gender-based harassment or discrimination, including problem-solving, intervention, confrontation, investigation, and policy enforcement. RWU will always strive to balance the interests of community members who may have different and seemingly conflicting perspectives or identities and seek to find mutually agreeable outcomes or compromises. When that is not possible, RWU will offer remedial solutions or enforce its Policies while also respecting the interests of all members of its community.

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<sup>3</sup> *De minimis* harm is that which is not significant enough to rise to the level of requiring response or remedial action.

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

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

- Oversee compliance with the Title IX statute and implementing regulations, and review University Title IX policies and procedures accordingly;
- Receive and assess reports of sex-based harassment in violation of this Policy made by any person through the reporting means described herein;
- Respond to reports of sex-based harassment, when the University has notice/knowledge;
- Coordinate and oversee the administration of all Title IX complaints, alternate/informal resolution processes, grievance processes, and appeals processes described herein;
- Oversee the effective implementation of supportive measures, remedies, and disciplinary sanctions;
- Monitor for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX and take steps reasonably calculated to address such barriers;
- Coordinate and develop programming and informational initiatives that enable individuals to understand sex-based harassment as a form of sex discrimination; and
- Educate community members about the University Title IX Policy and Procedures.

The Title IX Coordinator reserves the right to delegate some of the aforementioned responsibilities to other appropriately trained University employees.

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

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

## **PROHIBITED CONDUCT DEFINED**

### **Title IX Sex Discrimination**

Sex discrimination is different treatment with respect to a person's employment or participation in an education program or activity based, in whole or in part, upon the person's actual or perceived sex.

### **Title IX Sex-Based Harassment**

Title IX Sex-Based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex<sup>4</sup>, including sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity; sexual assault, dating violence, domestic violence, and stalking.

1. **Quid Pro Quo** occurs when an employee, agent, or other person authorized by RWU to provide an aid, benefit, or service under the University's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.
2. **Hostile Environment Sexual Harassment** occurs when unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
  - The degree to which the conduct affected the Complainant's ability to access the University's education program or activity;
  - The type, frequency, and duration of the conduct;
  - The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
  - The location of the conduct and the context in which the occurred; and
  - Other sex-based harassment in the University's education program or activity.

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<sup>4</sup> Throughout this Policy, "on the basis of sex" means conduct that is sexual in nature, or that is directed to the Complainant because of his/her/their actual or perceived sex or gender identity.

Please note that a sex-based hostile environment must be addressed, even when some conduct alleged to be contributing to the hostile environment occurred outside the University's education program or activity or outside the United States.

### 3. Clery Act Offenses<sup>5</sup>

- **Sexual Assault**<sup>6,7</sup> is any sexual act directed against the Complainant, without their consent, including instances where the Complainant is incapable of giving consent. Offenses include Rape, Fondling, Incest, and Statutory Rape.
  - **Rape** is 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 Complainant.
  - **Fondling**<sup>8</sup> is the touching of the private body parts (e.g., breasts, buttocks, groin) of the Complainant for the purpose of sexual gratification without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - **Incest** is nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Rhode Island law.
  - **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent of 16, as per Rhode Island law.<sup>9</sup>
- **Dating Violence** means violence<sup>10</sup>, on the basis of sex, committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and where the existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

For purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- **Domestic Violence**<sup>11</sup> includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Rhode Island, **or** by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Rhode Island.
- **Stalking** means engaging in a course of conduct, on the basis of sex, 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 purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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.

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<sup>5</sup> OCR has consulted with FSA's Clery Office and advises that to prevent unnecessary confusion and for ease of use, recipients that must comply with Title IX and the Clery Act can use the definitions in the Clery Act regulations for these purposes.

<sup>6</sup> This would include having another person touch you sexually, forcibly, and/or without their consent.

<sup>7</sup> This definition set is not taken from the FBI Uniform Crime Reporting (UCR) system verbatim. This Policy substituted Complainant for "victim," has removed references to his/her throughout, and has defined "private body parts."

<sup>8</sup> 2024 Federal Title IX Regulations also includes "causing the Complainant to touch the Respondent's private body parts" as part of this definition.

<sup>9</sup> R.I. Gen. Laws § 11-37-6

<sup>10</sup> For purposes of this Policy, violence is defined as intentionally or recklessly causing another person physical, emotional, or psychological harm. Legitimate use of violence for self-defense is not chargeable under this Policy because the purpose is safety, not harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

<sup>11</sup> To categorize an incident as Domestic Violence under this Policy, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

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

4. **Sexual Exploitation**<sup>12</sup> means a person taking non-consensual or abusive sexual advantage of another, that does not constitute Sex-Based Harassment as defined above, for their own benefit or for the benefit of anyone other than the person being exploited.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom, or engaging in sexual acts, without the consent of the person being observed);
- Taking pictures, video, or audio recording of another person in a sexual act without their consent when there is a reasonable expectation of privacy during the activity. This includes dissemination or posting of such materials; and
- Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually transmitted disease (STD) or infection (STI), without informing the other person of the virus, disease, or infection.<sup>13</sup>

### **Title IX Retaliation**

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

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

Complaints alleging retaliation may be filed according to this Policy.

### **RELEVANT DEFINITIONS**

**Consent** is a clear, informed, knowing and voluntary agreement, by word or action, to engage in specific sexual activity. Consent to one type of sexual activity does not equal consent to other types of sexual activity. Consent can be withdrawn at any point during sexual activity, wherein the sexual activity must stop immediately. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected. A verbal “no” establishes lack of consent. Silence, without clear actions demonstrating permission, cannot be assumed to indicate consent—the absence of “no” does not equal “yes.” Consent cannot be obtained by coercion, force, intimidation, or threat. Consent cannot be given by someone if they are mentally or physically incapacitated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

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

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

**Complainant** is any individual who is alleged to have been subjected to sex-based discrimination or harassment that is prohibited under this Policy.

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

<sup>12</sup> This offense is not classified under Title IX as “Sex-Based Harassment,” but it included here in this Policy as a tool to address a wider range of behaviors.

<sup>13</sup> RI Gen Laws § 23-11-1

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

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

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

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

**Respondent** is any individual who is alleged to have violated the University’s prohibition of sex-based discrimination or harassment.

### **ACADEMIC FREEDOM**

The University is committed to the principles of Academic Freedom as found in the RWU Faculty Contract.<sup>14</sup> This Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane, but controversial or sensitive, subject matters protected by academic freedom. Reported conduct that is deemed protected under the Academic Freedom policy would not qualify as a Title IX violation, though supportive measures may be offered to those impacted.

### **CONFIDENTIALITY**

The University must keep confidential the identity of any individual who has made a report or complaint of sex-based discrimination or harassment, and any Complainant, Respondent, and Witness, except as may be permitted by federal or Rhode Island state law and the execution of this Policy, including the details of any investigation, hearing, or judicial proceeding arising thereunder.

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

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

Parties and Advisors are prohibited from disclosing information obtained by the University through the Resolution Process, to the extent that such information has been produced, compiled, or written by RWU for purposes of its investigation and resolution of a complaint, without RWU’s prior authorization. It is also a violation of this Policy to publicly disclose institutional work product that contains a Party or Witness’s personally identifiable information without RWU’s prior authorization or such Party’s or Witness’s consent.

Certain types of sex-based harassment are considered crimes for which the University must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public.<sup>15</sup> In these instances, the University will continue to complete publicly available recordkeeping in accordance with relevant laws, including the Clery Act reporting and disclosures, without the inclusion of personally identifying information about the parties. In addition, RWU will issue “Timely Warnings” in compliance with the Clery Act to alert the campus community about crimes that pose a serious or continuing threat to safety. Timely Warnings may be issued for ongoing or imminent threats, both on- and off-campus, and will aid in the prevention of similar occurrences. The decision to issue a Timely Warning is decided on a case-by-case basis in light of all the facts surrounding an incident, including factors such as the nature of the crime, the continuing threat to the campus community, and the possible risk of compromising law enforcement efforts, and are not limited to crimes being committed by persons not known to the victim.<sup>16</sup>

### **AMNESTY FOR STUDENTS**

The health and safety of every student at RWU is of utmost importance. RWU recognizes that students who have been

<sup>14</sup> For the RWU Faculty Contract, see Appendix B of the following link:

[RWU-RWUFA 2022-2026 CBA \(FINAL\)](#)

<sup>15</sup> This includes VAWA-based crimes, such as sexual assault, domestic violence, dating violence, and stalking. 42 U.S.C. Sections 13701 through 14040.

<sup>16</sup> For more information about timely warnings, see the following link: <https://www.rwu.edu/who-we-are/administrative-offices/public-safety/clery-reports/timely-warning>

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

## **OPTIONS FOR REPORTING SEX-BASED DISCRIMINATION AND HARASSMENT**

### **Title IX Reporting Procedure**

Any person (whether or not the person reporting is the person alleged to be the Complainant) may report sex-based discrimination or harassment, in person, by mail, by telephone, by video, or by electronic mail, using the contact information listed for the Title IX Coordinator in Appendix A, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, by mail to the office address, listed for the Title IX Coordinator, or through the [online reporting form](#). For purposes of this Policy, RWU is deemed to have notice of allegations when such notice of said allegations is made to the Title IX Coordinator or to a Mandated Reporter.<sup>17</sup>

Reporting, as described above, provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. While anonymous reporting is an option, it typically limits the University's ability to investigate, respond, and provide remedies, depending on what information is shared.

A reporting party may request that RWU not investigate and/or adjudicate the report under the complaint procedures described herein. RWU will make all reasonable efforts to honor a reporting party's request in this regard. However, in certain circumstances, the University may decide to pursue a complaint. These circumstances include, but are not limited to, instances when the University has received multiple reports of misconduct by the same individual or when the conduct reported poses a compelling risk to the health and safety of the University community. Prior to initiating a complaint, the Title IX Coordinator must make a fact-specific determination by considering, at a minimum, the following factors:

- The Complainant's request not to proceed with initiation of a complaint;
- The Complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the Respondent is an employee of the University;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impact multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether the University could end the alleged sex discrimination and prevent its recurrence without initiating the grievance procedure.

Upon receiving a report, if the Title IX Coordinator is made aware of the identity of a Complainant, the Title IX Coordinator will make all reasonable efforts to promptly contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a complaint, and explain to the Complainant the process for filing a complaint.

Upon receiving a report, if the Respondent is unknown or is not a member of the University, the Title IX Coordinator will make all reasonable efforts to provide the Complainant with supportive measures, as well as information and options regarding potential criminal processes. The Title IX Coordinator may also take appropriate actions to protect the Complainant, such as providing assistance in obtaining no-trespass and no-contact orders. If requested, the University will assist in filing/applying for orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

### **Option of Confidential Reporting**

Individuals have the option to report confidentially through the [RWU Confidential Reporting Form](#) and/or to speak confidentially with the RWU Counseling Center employees, with RWU Health Services employees, or with other off-campus resources in accordance with law.<sup>18</sup>

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

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

<sup>17</sup> See Appendix A.

<sup>18</sup> See Appendix A for reporting resources.

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

The University can provide Complainants with information and support in the process of reporting criminal conduct to law enforcement.

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

## **INTERIM ACTIONS**

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

Upon receiving a report that a Respondent engaged in prohibited conduct described in this Policy, RWU reserves the right to remove the Respondent on an emergency basis,<sup>19</sup> provided that it conducts an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any individual arising from the allegations justifies removal, and provides the Respondent with notice and an opportunity to appeal the decision immediately following the removal.

### **Supportive Measures**

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

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures upon receiving notice/knowledge or a complaint. At the time that supportive measures are offered, if a complaint has not been filed, the Title IX Coordinator will inform the Complainant, in writing, that they may file a complaint with a Title IX Coordinator either at that time or in the future. The University will work with a Party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

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

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

Supportive measures include, but are not limited to:

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

Violations of no contact orders or other restrictions may be referred to appropriate student or employee conduct processes for enforcement or included as collateral misconduct allegations (as defined below) to an ongoing complaint under this Policy.

Parties are provided with a timely opportunity to seek modification or reversal of the University's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so must be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the Title IX regulatory definition of supportive measures. The University will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances materially change. The University typically renders decisions on supportive measures within seven (7) business days of receiving a request and provides a written determination to the impacted party(ies) and the Title IX Coordinator.

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<sup>19</sup> When the Respondent is a non-student employee, RWU reserves the right to place the non-student employee on an emergency paid or unpaid administrative leave.

## **REQUIREMENT FOR TITLE IX PERSONNEL**

### **Training**

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s),<sup>20</sup> and Facilitator(s) of alternate/informal resolution processes receive training on:

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

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

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

The Investigator(s) receive additional training on:

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

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

All Title IX training materials can be made available upon request as a part of its recordkeeping in accordance with law.<sup>21</sup>

In addition to the aforementioned trainings, RWU also offers primary prevention and awareness programs, as well as educational programs and campaigns for students and employees to promote the awareness of discrimination and harassment, including dating violence, domestic violence, sexual assault and stalking.

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

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

The Title IX Coordinator(s), Investigator(s), Decision-Maker(s), and Facilitator(s) of alternate/informal resolution processes will make all reasonable efforts to ensure that the complaint grievance process is facilitated in an impartial manner.

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

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

## **ALTERNATE/INFORMAL RESOLUTION PROCESS**

### **Overview of Process**

Alternate/informal (hereafter simply referred to as "informal") resolution does not involve a full investigation and adjudication like the grievance process. Rather, the informal resolution process uses restorative justice, mediation, educational conversation, shuttle diplomacy, or other forms of dispute resolution with the goal that the Parties will arrive at a mutually agreed-upon outcome. The informal resolution process cannot be used for cases involving allegations that an employee sexually harassed a student.

In order to engage in an informal resolution process, the Complainant must first file a complaint with the Title IX Coordinator,<sup>22</sup> the process must be deemed appropriate for informal resolution by the Title IX Coordinator, and the Complainant and Respondent must voluntarily consent in writing to participate in the process.

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<sup>20</sup> For purposes of this Policy, the Appeal Officer is a Decision-Maker.

<sup>21</sup> See the "Recordkeeping" section below.

<sup>22</sup> See Filing a Complaint described in the "Complaint Overview" section.



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

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

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

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

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

## **COMPLAINT OVERVIEW**

### **Filing a Complaint**

A complaint is an oral or written request by a Complainant or Title IX Coordinator that can objectively be understood as a request for the University to investigate and make a determination about the alleged Policy violation(s).<sup>23</sup> At the time of the alleged misconduct, a Complainant must be participating in or attempting to participate in the education program or activity of the University. For purposes of this Policy, employment by the University constitutes participation in the education program or activity.

A complaint may be filed with the Title IX Coordinator in person, by mail, by telephone, by video, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.<sup>24</sup> Where the Title IX Coordinator initiates a complaint, the Title IX Coordinator is not a Complainant or otherwise a Party.

### **Consolidation of a Complaint**

RWU may consolidate complaints against more than one Respondent, or by more than one Complainant against one or more Respondents under this Policy when allegations arise out of the same facts or circumstances, or implicate a pattern, collusion, and/or other shared or similar actions. In addition, a complaint of retaliation described herein may be consolidated with a complaint of sex-based discrimination or harassment under Title IX. Where the resolution process involves more than one Complainant or more than one Respondent, references made to the singular "Party," "Complainant," or "Respondent" include the plural, as applicable.

### **Collateral Misconduct**

Collateral misconduct is defined to include potential violations of other University policies that arise through the course of the investigation, for which it makes sense to provide one resolution for all allegations. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these procedures. In such circumstances, the Title IX Coordinator may consult with University officials who typically oversee such conduct (e.g., Human Resources, Student Conduct, Academic Affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of the Title IX Coordinator.

### **Counter-complaint**

Counter-complaints will be processed using the resolution process outlined herein. In RWU's discretion, investigation of such claims may take place after resolution of the underlying initial complaint, in which case a delay may occur, or alternatively, counterclaims may be resolved through the same investigation as the underlying complaint.

The grievance process may not be used for retaliatory purposes. Counter-complaints made with retaliatory intent or with false and/or misleading information will not be permitted and may constitute a violation of this Policy and be subject to discipline.

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

Upon receipt of a complaint, the Title IX Coordinator will evaluate whether the alleged conduct, if proven, would reasonably constitute a Title IX violation because it meets or could meet the definition of Title IX Sex-Based Discrimination or

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<sup>23</sup> Unless the Parties have met the requirements described in the "Alternate/Informal Resolution Process" section and chosen to proceed with an informal resolution process as described herein, the University will evaluate the request for an investigation.

<sup>24</sup> See Appendix A for contact information.

Harassment and occurred or could have occurred within the jurisdiction and scope required by Title IX as described herein.<sup>25</sup> If the Title IX Coordinator determines that the conduct alleged in the complaint, if proven, would meet the aforementioned requirements, then the complaint will be investigated and adjudicated in accordance with the procedures outlined in this Policy. If the Title IX Coordinator determines that the conduct alleged in the complaint, if proven, would not meet the aforementioned requirements, then the complaint will follow the dismissal process described below and may, if appropriate, be referred to another University office.

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

The University **may** dismiss a complaint if, at any time during the investigation or resolution process, one or more of the following grounds are met:

- RWU is unable to identify the Respondent after taking reasonable steps to do so;
- RWU no longer enrolls or employs the Respondent;
- A Complainant voluntarily withdraws any or all of the allegations in the complaint, and the Title IX Coordinator declines to initiate a complaint; and/or
- RWU determines the conduct alleged in the complaint would not constitute a Policy violation, if proven.

A dismissal of a complaint under Title IX may be resolved through other means outside of Title IX, including the University's conduct process and procedures. Upon the decision to dismiss a complaint, Parties will be notified in writing and will be given the opportunity to appeal the dismissal.<sup>26</sup>

Upon any dismissal, the Complainant will receive written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, they will also be notified.

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-Maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would waive the Respondent's right to appeal. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the resolution process continues to its conclusion. The Complainant retains their right to appeal a determination when a Respondent admits responsibility.

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

Once a complaint (as defined above) is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX policy, the grievance process will commence.<sup>27</sup> The grievance process will include written notice of allegations, an investigation with interviews of all Parties and relevant Witnesses, a live hearing that includes all Parties and relevant Witnesses led by a Decision-Maker, a written determination of responsibility, and the option for appeal.

RWU will make all reasonable efforts to provide a prompt, equitable, fair and impartial resolution of student and employee complaints,<sup>28</sup> including providing a grievance process that treats Complainants and Respondents equitably by providing remedies to a Complainant where a determination of responsibility has been made against the Respondent, and by following its grievance process before imposition of any disciplinary sanctions or other actions that are not supportive measures. Remedies will be designed, where possible, to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services offered as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

### **Witnesses**

Employees (not including Complainant and Respondent) are required to cooperate with and participate in the University's investigation and grievance process. Student Witnesses and Witnesses from outside the RWU community cannot be required to participate but are encouraged to cooperate with the University's investigations and to share what they know about a complaint.

Interviews may be conducted in person, via online video platforms, or, in limited circumstances, by telephone. The University will take appropriate steps to ensure the security/privacy of remote interviews.

Parties and Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

<sup>25</sup> If circumstances require, a designee may oversee the resolution process should an allegation be made about the Title IX Coordinator or the Title IX Coordinator is otherwise unavailable, unable to fulfill their duties, or has a conflict of interest.

<sup>26</sup> Please see "Appeals" section below.

<sup>27</sup> Unless the Parties have met the requirements to proceed with an alternate/informal resolution process as described herein.

<sup>28</sup> As defined under Title IX and in the Clery Act.

## Advisors

The Complainant and the Respondent are entitled to the same opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice, who may be, but is not required to be, an attorney; and the University may not limit the choice or presence of an Advisor for either the Complainant or Respondent in any meeting or grievance proceeding. The Title IX Coordinator will offer to assign a trained Advisor to any Party, if they choose.

Parties may elect to change Advisors during the process, and a Party is not obligated to use the same Advisor throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change Advisors. If a Party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

The University may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator's sole discretion and will be granted equitably to all Parties.

Notwithstanding the foregoing, the Advisor is expected to advise ethically, with integrity, and in good faith, and must comply with the restrictions established by the University regarding the extent to which the Advisor may participate in the proceedings. The restrictions are set forth below.

- *Meetings and Investigation Interviews:* Advisors may not speak for or on behalf of any Complainant or Respondent during any meetings and/or investigation interviews. While an Advisor cannot speak for or on behalf of the Complainant or Respondent during any meetings and/or investigation interviews, time will be granted for the Advisor and the Party to confer, if deemed appropriate, by the Investigator or University personnel facilitating any meeting. The Investigator and University personnel reserve the right to exclude an Advisor from any meeting or investigation interview for failure to abide by these restrictions.
- *Live Hearings:* Parties may have an Advisor present at the Title IX live hearing. If a Complainant or Respondent does not have an Advisor present at the live hearing, the University will provide one if requested. The University reserves sole discretion to select the Advisor to provide under these circumstances. The Advisor selected by the University will be provided without cost to the Complainant or Respondent. It is the expectation of the University that the Advisor will at all times act in a respectful and non-aggressive manner. The Decision-Maker reserves the right to exclude an Advisor from the live hearing for failure to abide by these restrictions. Should an Advisor be excluded from the live hearing, the Party will be able to choose a new Advisor, or one will be provided by the University.

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

## Privileged Information

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

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

## Evidentiary Considerations

The Investigator(s) and the Decision-Maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of this Policy.

Impermissible evidence is defined as evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless:

- Evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or

- Evidence about specific incidents of the Complainant’s prior sexual conduct with the Respondent is offered to prove consent.

The fact of prior consensual sexual conduct occurred between the Complainant and Respondent does not by itself demonstrate or imply the Complainant’s consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

### **Written Notice of Allegations**

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

- The University’s grievance process, including any alternate/informal resolution process;
- The allegations alleged by the Complainant, including sufficient details known at the time, and allowing sufficient time for a Respondent to prepare a response before any initial interview. “Sufficient details” include the identities of the Parties involved, if known; the conduct allegedly constituting the sex-based discrimination or harassment, if known; and the date and location of the alleged incident(s), if known;
- A statement that the Respondent is presumed not responsible for the alleged conduct unless and until the evidence supports a different determination at the conclusion of the grievance process;
- Information regarding the Parties’ right to have an Advisor of their choice who may accompany them through all steps of the grievance process, who may be, but is not required to be an attorney;
- A statement that the Parties may inspect and review evidence as described in the “Investigation” section of this Policy;<sup>29</sup>
- A statement that retaliation is prohibited; and
- A statement that RWU prohibits knowingly making false statements or knowingly submitting false information at any point in the grievance process. Individuals who engage in this misconduct may be subject to disciplinary actions.<sup>30</sup> Disciplinary action pursued against a Party for knowingly making false statements or submitting false information does not constitute retaliation prohibited under this Policy; provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any Party made a materially false statement or provided materially false information.

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

## **GRIEVANCE PROCESS: INVESTIGATION**

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

Once a complaint is filed, and the Title IX Coordinator has conducted the initial assessment and determined that the alleged conduct may proceed under this Title IX Policy, the Title IX Coordinator will appoint an Investigator to conduct a thorough, reliable, impartial, prompt, and fair investigation into the allegations.<sup>31</sup>

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

After an interview, Parties and Witnesses will be asked to verify the accuracy of their interview summary with the Investigator. At that time, they may make changes, edits, or clarifications.

The Investigator will make all reasonable efforts to complete the investigative report within sixty (60) business days, though some investigations may take longer depending on issues such as the nature, extent, and complexity of the allegations, Witness availability, law enforcement involvement, and other factors. The Parties will receive regular updates on the progress of the grievance process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the overall process. In the event of a delay, the University will implement and maintain supportive measures for the Parties as deemed appropriate.

If a Party or Witness chooses not to participate in the grievance process or becomes unresponsive, the University reserves the

<sup>29</sup> See the “Investigation” section below.

<sup>30</sup> See Code 9. “Dishonesty” of the Student Code of Conduct at the following link: <https://www.rwu.edu/student-handbook/student-code-conduct>

<sup>31</sup> The appointed Investigator will meet standards set out in the “Requirements for Title IX Personnel” section above.

right to continue without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the grievance process.

The Parties and their Advisors are not authorized to disseminate any portion of the investigative report provided to them to any other person or entity, through any electronic or hardcopy means. Doing so is prohibited under this Policy.

Unauthorized video or audio recordings of investigative interviews are not permitted by the Parties or their Advisors.

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

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

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

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

Both the Complainant and the Respondent are permitted to provide other relevant evidence to the Investigator. For instance, evidence may include any facts or information presented in support of or opposition to an allegation, including, but not limited to, text messages, email exchanges, timelines, receipts, photographs, etc. The Investigator may also consider additional documents, items, or other relevant information.

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

### **Review of Evidence**

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

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

Each Party will be given a review and comment period of seven (7) days so that each Party may meaningfully respond to evidence, which the Investigator will consider prior to completion of the investigative report. The Parties may elect to waive all or part of that review period.

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

Either after the Investigator receives the Parties' written responses or after the seven (7) day time limit has expired, the Investigator will create an investigative report that fairly summarizes the relevant evidence.

Prior to the live hearing, the Investigator will send a copy of the investigative report in an electronic or hardcopy format to each Party, their Advisors, and the Title IX Coordinator. The Parties will be given the opportunity to review the investigative report and provide a written response.

## **GRIEVANCE PROCESS: LIVE HEARING**

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

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

The Decision-Maker(s) will be provided electronic and/or hardcopy versions of the final investigative report, including all relevant but not impermissible evidence, including the names of all Parties, Witnesses, and Advisors, in advance of the hearing.

The Complainant and Respondent will be notified of the identity/identities of the Decision-Maker(s) prior to the live hearing. If any Party has concern(s) of potential bias or conflict of interest in regard to a particular Decision-Maker, the Party must alert the Title IX Coordinator of said concern(s) no later than two days prior to the live hearing. Decision-Maker(s) must recuse themselves if such bias or conflict of interest exists. Upon receiving a report of bias or conflict of interest, the

University will evaluate the report, and if it is determined that a conflict of interest or bias exists, the University will appoint another individual to serve in the role. Perceptions of bias or conflict are not sufficient to cause removal and replacement of a Decision-Maker.

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

The Decision-Maker will offer to convene a pre-hearing meeting(s) with the Parties and their Advisors and invite them to submit the questions or topics they wish to ask or discuss at the hearing. This allows the Decision-Maker to consider their relevance ahead of time. However, this advance review opportunity does not preclude the Parties from submitting a question at the hearing for the first time.

The Decision-Maker will work with the Parties to finalize a Witness list for the hearing, and the Title IX Coordinator will notify any Witnesses of the hearing's logistics. The Decision-Maker, only with the agreement of all Parties, may decide in advance of the hearing that certain Witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the final investigation report, and their presence is not essential to assess their credibility.

Pre-hearing meeting(s) will not be recorded. The pre-hearing meetings will typically be conducted as separate meetings with each Party/Advisor, and can be done remotely, or as a written communication exchange.

### **Live Hearing Scheduling and Notice**

Promptly after receiving the Parties' written responses, a Decision-Maker (who will be the Hearing Chair when more than one Decision-Maker is appointed) will provide the Parties, their Advisors, and Witnesses with written notice of the live hearing date, time, and location. Typically, the live hearing will take place no sooner than five (5) business days from delivery of this notice.<sup>32</sup> Parties will be asked to inform the Decision-Maker right away if there is a scheduling conflict that would make it impossible to attend the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term, including during the summer, as needed, to meet the University's resolution timeline and ensure a prompt resolution. Employees, including Parties and Witnesses, who do not work on a twelve-month schedule may be expected to participate in grievance processes that occur during the interim periods between employment.

If any Party or Witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Title IX Coordinator or Decision-Maker may reschedule the hearing at their discretion.

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

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

The only persons permitted to attend the live hearing are the Parties, their Advisors, the Witnesses, anyone providing authorized accommodations, interpretation, and/or assistive services, designated University personnel, and anyone else deemed necessary by the Decision-Maker or Title IX Coordinator. Witnesses are only to be in attendance at the live hearing during the time in which they are offering information or answering questions. Otherwise, the Witnesses are to be waiting in a designated room (or virtual room) until called upon.

### **Recording of Live Hearing**

The University will create an audio or audiovisual recording, or transcript of any live hearing (not deliberations). The choice of whether it is an audio or audiovisual recording, or transcript is made in the sole discretion of the University. No unauthorized audio or video recording of any kind is permitted.

The Parties, Decision-Makers, and other appropriate University officials will be permitted to review the recording or transcript upon request to the Title IX Coordinator. In compliance with applicable disability laws, the University will ensure that all Parties are properly accommodated with respect to use of technology and reliance on visual, audio, or written communication. No unauthorized disclosure, including sharing, copying, or distribution of the recording or transcript is permitted.

### **Standard of Proof**

Preponderance of the evidence is the standard of proof to be used to determine whether a Policy violation occurred. This is

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<sup>32</sup> Once mailed, emailed, and/or received in person, notice will be presumptively delivered.

the standard of proof that will be applied to all complaints of prohibited conduct described in this Policy, regardless of whether the Respondent is a student or employee of the institution.

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

At the Title IX live hearing, the Decision-Maker(s) will engage in questioning of the Parties and Witnesses.

Parties may suggest questions to be posed by the Decision-Maker during the pre-hearing meetings or by submission of written questions during the hearing. The method of submitting questions to the Decision-Maker will be specified by the Decision-Maker during the pre-hearing meetings.

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

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

### **Introduction of New Witnesses**

Any Witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s), unless:

- All Parties and the Decision-Maker assent to the new Witness's participation in the hearing without remanding the complaint back to the Investigator;
- The Decision-Maker deems the evidence presented by the new Witness to be relevant, not impermissible, and not information already established in the record; and
- The Witness's late involvement was not the result of bad faith by the Witness, the Parties, or others.

If the above criteria are not met, but the Witness's evidence is deemed relevant, not impermissible, and not duplicative, the Decision-Maker may, at their discretion, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties with at least five (5) business days to review the relevant portions of the new Witness's statements, if such statements are submitted.
- Remand the complaint back to the Investigator for further investigation or verification.
- Allow the Parties to review and comment on the testimony of the new Witness.

If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing absent the new witness's participation.

### **Introduction of New Evidence**

The Parties must provide all evidence to the Investigator(s) prior to completing the final investigation report. Evidence offered after that time will be evaluated by the Decision-Maker for relevance. If deemed relevant and not impermissible, the evidence will be admitted into the record. If the evidence is deemed not relevant or impermissible, the Decision-Maker may proceed with the hearing absent the new evidence.

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

At the conclusion of the live hearing, the Decision-Maker(s) will deliberate in closed session to determine whether the Respondent is responsible for the alleged Policy violation(s) based on the preponderance of the evidence standard described herein. In addition, the Decision-Maker(s) will not make any credibility determinations based on a person's status as a Complainant, Respondent, or Witness. If a panel is used, a simple majority vote is required to determine the finding.

When there is a finding of responsibility for one or more of the allegations, the Decision-Maker may then consider any previously submitted impact and/or mitigation statement(s) provided by the Parties in determining appropriate sanction(s).<sup>33</sup> The Title IX Coordinator will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-Maker. Impact/mitigation statements do not influence the finding, they only potentially influence the sanctions.

Upon a determination of responsibility, the Decision-Maker(s) simultaneously issue a written determination regarding responsibility to both Parties.

The written determination regarding responsibility will include:

- Identification of the allegations potentially constituting prohibited conduct;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the Parties, interviews with Parties and Witnesses, site visits, methods used to gather other

<sup>33</sup> See "Impact Statements" section below.

- evidence, and live hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of relevant policies to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed, where possible, to restore or preserve equal access to the University's education program or activity will be provided by the University to the Complainant; and
- The University's procedures and permissible bases for the Complainant or Respondent to appeal.

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

- If an appeal is filed, the date that the Appeal Officer<sup>34</sup> provides the Parties with the written determination of the result of the appeal; or
- If an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **Impact Statements**

Parties may submit an impact and/or mitigation statement to the Title IX Coordinator that the Decision-Maker(s) will review during any sanction determination. Upon receipt of an impact and/or mitigation statement, the Title IX Coordinator will review to determine whether any immediate needs exist. The Title IX Coordinator will only provide the impact statements to the Decision-Maker(s) if they determine that there is a Policy violation. When the Title IX Coordinator shares the impact statements with the Decision-Maker(s), they will also be shared with the Parties.

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

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

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

Possible remedies and disciplinary sanctions are described in Appendix B.

### **GRIEVANCE PROCESS: APPEALS**

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

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

All appeals must be submitted in writing and authored by the Complainant or Respondent, not their Advisor, to the Appeal Officer within five (5) days of receiving the written determination of responsibility.

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

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

Either after receiving the other Party's written response to the appeal, or after the time for the other Party to submit a written response has expired, the Appeal Officer will make a determination regarding the outcome of the appeal within seven (7)

<sup>34</sup> The Appeal Officer will be the Vice President for Student Life or designee, as indicated in the written determination of responsibility. See Appendix A for contact information.



business days.

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

The University will ensure that the Appeal Officer is not the Investigator, Title IX Coordinator, or the Decision-Maker(s) who made the decision regarding responsibility and/or sanctioning.<sup>35</sup>

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

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

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

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

### **TIME LIMITS**

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

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

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

### **RECORDKEEPING**

RWU will document and maintain in University records for a period of seven (7) years the following:

- All materials used to train Title IX Coordinator(s) and designees, Investigator(s), Decision-Maker(s), Appeal Officer(s), Facilitator(s) of alternate/informal resolution processes, and any person who is responsible for implementing the University's resolution or grievance process, or who has the authority to modify or terminate supportive measures. The University will make these training materials publicly available upon request;
- All materials used to train all employees consistent with the requirements in the Title IX regulations;
- Any alternate/informal resolution and the results therefrom;
- Any actions, including any supportive measures, taken in response to a report or complaint of sex-based discrimination or harassment. In each instance of actions taken in response to Title IX reports or complaints, the University will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the University's education program or activity. If the University does not provide a Complainant in Title IX cases with supportive measures, then the University must document the reasons why such a response was not clearly unreasonable in light of the known circumstances;
- Each sex-based discrimination or harassment grievance process, including any determination regarding responsibility and any audio or audiovisual recording, or transcript of the live hearing;
- Any disciplinary sanctions imposed on the Respondent, and/or any remedies provided to the Complainant designed, where possible, to restore or preserve equal access to the University's education program or activity; and
- Any appeal and the result therefrom.

### **ACCOMMODATIONS AND SUPPORT DURING THE INFORMAL RESOLUTION AND GRIEVANCE PROCESSES**

Parties should contact the Title IX Coordinator at least five (5) business days prior to the hearing to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, if possible.

#### **Disability Accommodations**

RWU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the University's resolution and grievance processes.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will work with Student Accessibility

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<sup>35</sup> The Appeal Officer will abide by the procedures described in the "Requirements for Title IX Personnel" section above.

Services (SAS), as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

### **Other Support**

RWU will also address reasonable requests for support for the Parties and Witnesses, including:

- Language services/Interpreters;
- Access and training regarding use of technology throughout the resolution or grievance process; and
- Other support as deemed reasonable and necessary to facilitate participation in the process.

### **FAILURE TO COMPLY WITH SANCTIONS, RESPONSIVE ACTIONS, AND/OR RESOLUTION TERMS**

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or informal resolution terms within the timeframe specified by the final Decision-Maker(s), including the Appeal Panel or Decision-Maker or the informal resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or for any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from the University.

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved by the Title IX Coordinator's satisfaction.

### **ADDITIONAL INFORMATION**

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

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

**Preserving Evidence:** In cases of sexual violence, including sexual assault, dating and domestic violence, and stalking, as defined herein, it is critical that the Complainant preserve evidence because doing so may assist in proving that the alleged behavior occurred and/or may be helpful in obtaining a protective order.<sup>36</sup>

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

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

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

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<sup>36</sup> See Appendix B.

purpose of sexual arousal, gratification, or stimulation.

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

### **POLICY REVISION**

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





## Appendix A

### IMPORTANT CONTACT INFORMATION

Any person believed to have experienced sex-based harassment is encouraged to contact the Title IX Coordinator (or a Deputy Coordinator) for support, resources and information regarding the University Policy and Procedures, including how to file a complaint. Complaints and inquiries regarding the application or enforcement of this Policy should be made to the University's Title IX Coordinator.

#### **Title IX Coordinator**

- Dr. Jen Stanley
- Office Location: Center for Student Development Building
- Office Mailing Address: 1 Old Ferry Road, Bristol, RI 02809
- Phone Number: (401) 254-3123
- Email Address: [jstanley@rwu.edu](mailto:jstanley@rwu.edu)

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

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

Concerns about the University's application of this Policy and compliance with Title IX may also be referred to:

- Office for Civil Rights (OCR), United States Department of Education
- Mailing Address: 400 Maryland Avenue, SW, Washington, D.C. 20202-1100
- Customer Service Hotline: (800) 421-3481
- Email Address: [OCR@ed.gov](mailto:OCR@ed.gov)

This Policy is in compliance with applicable legal requirements, including Title IX of the Education Amendments of 1972, relevant provisions of VAWA, the Clery Act, and other applicable federal and Rhode Island state laws.

### MANDATED REPORTER

A Mandated Reporter is a Roger Williams University employee, other than those deemed Confidential Employees, explicitly vested with the responsibility to implement corrective measures on behalf of the institution for sex-based harassment and/or other prohibited conduct described in this Policy involving students, faculty, staff, or third parties, or has responsibility for administrative leadership, teaching, or advising in the institution.

All University faculty and employees (excluding student-employees and those deemed Confidential Employees) are Mandated Reporters and are expected to promptly report all known details of actual or suspected sex-based harassment and/or other prohibited conduct described in this Policy of which they have become aware to the Title IX Coordinator or Deputy (see list below). This includes, but is not limited to, reports of dating violence, domestic violence, sexual assault and stalking. Supportive measures may be offered as the result of such disclosures without formal University action.

<b>Title IX Coordinator and Deputies</b>	
<b>Title IX Coordinator</b>	Dr. Jen Stanley, Assistant Vice President for Student Life <a href="mailto:jstanley@rwu.edu">jstanley@rwu.edu</a> (401) 254-3123
<b>Deputy Title IX Coordinator for Employees</b>	Amy Lanoie, Director of Employee Engagement <a href="mailto:alanoie@rwu.edu">alanoie@rwu.edu</a> (401) 254-3190
<b>Deputy Title IX Coordinators for Students</b>	Amanda Downey, Director of Residence Life and Housing <a href="mailto:adowney@rwu.edu">adowney@rwu.edu</a> (401) 254-3161  Jeremy Hynson, Assistant Director for Housing Operations <a href="mailto:jhynson@rwu.edu">jhynson@rwu.edu</a> (401) 254-3161
<b>Deputy Title IX Coordinator for University College (UC)</b>	Sean Parker, Adjunct Professor and CJS Program Advisor, UC <a href="mailto:sparker@rwu.edu">sparker@rwu.edu</a> (401) 254-3407
<b>Deputy Title IX Coordinator for Faculty</b>	Becky Spritz, Associate Provost for Academic Affairs <a href="mailto:bspritz@rwu.edu">bspritz@rwu.edu</a> (401) 254-3664
<b>Deputy Title IX Coordinator for School of Law</b>	Lorraine Lalli, Associate Dean of Student Life and Operations, School of Law <a href="mailto:llalli@rwu.edu">llalli@rwu.edu</a> (401) 254-4593
<b>Deputy Title IX Coordinator for Athletics</b>	Kiki Jacobs, Director of Athletics, Intramurals and Recreation <a href="mailto:kjacobs@rwu.edu">kjacobs@rwu.edu</a> (401) 254-3428

No member of the University community, with the limited exception of Confidential Employees, may promise the absolute confidentiality of information about an alleged incident of prohibited conduct as described within this Policy. Confidential Employees designated by the University include the professional staff in the Center for Counseling and Student Development and Health Services, and those conducting human subjects research as part of a study approved by RWU’s Institutional Review Board (IRB). These individuals will maintain confidentiality, except in cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability, or when required to disclose by law or court order.

Employees who have confidentiality as described above, and who receive notice within the scope of their confidential roles, will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient. Confidential Employees must also provide a reporting individual with the Title IX Coordinator’s contact information and offer options and resources without any obligation to inform an outside agency or University official unless the reporting individuals requests the information be shared.

A Mandated Reporter who is themselves a target of discrimination, harassment, or other misconduct under this Policy is not required to report their own experience, though they are, of course, encouraged to do so.

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

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

**Local Medical Resources:**

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

**Local Counseling Resources:**

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

**Campus Safety/Law Enforcement Resources:**

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

**CONFIDENTIALITY, PRIVACY AND REPORTING POLICY**

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

**RWU Confidential Resources:**

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

**Off-Campus Confidential Resources:**

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

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

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

## Appendix B

### SANCTIONS

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

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

Sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

#### **Sanctions related to employees may include:**

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

#### **Sanctions related to students may include:**

- fines and restitution;
- community service;
- suspension of privileges;
- educational intervention;
- educational / restorative sanctions;
- conduct warning;
- conduct probation;
- suspension from housing;
- dismissal from housing;
- university suspension;
- interim suspension;
- university dismissal; and
- transcript notation for sanctions of suspension (during the suspension period) and dismissal.

#### **For both employees and students: Other reasonable sanctions**

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

**Additional information regarding sanctions can be found here:** <https://www.rwu.edu/student-handbook/conduct-review-process#sanctions>.

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

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

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

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

R.I.G.L. § 40-11-3(a). "Abused and/or neglected child" is defined as any child "whose physical or mental health or welfare

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

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

**The full statute is available here:** <http://webserver.rilin.state.ri.us/Statutes/TITLE40/40-11/INDEX.HTM>

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

Rhode Island General Laws § 11-37-3.1 requires that a bystander to first degree sexual assault or attempted first degree sexual assault immediately report such offense to the police: Any person, other than the victim, who knows or has reason to know that a first-degree sexual assault or attempted first degree sexual assault is taking place in their presence shall immediately notify the state police or the police department of the city or town in which the assault or attempted assault is taking place of the crime. R.I.G.L. § 11-37.3.1.

**The full statute is available here:** <http://webserver.rilin.state.ri.us/Statutes/TITLE11/11-37/INDEX.HTM>

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

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

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

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

**Important:** If you do not go to the second hearing, or you are late for the hearing, your court-ordered protection may be dismissed. For more information about getting a TRO, you can call one of the courts listed or a domestic violence agency.

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

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

### **Protective Orders Family Court:**

- Newport County (Murray Judicial Complex) | 45 Washington Square, Newport, RI, 401-841-8340
- Providence/Bristol County (Garrahy Judicial Complex) | 1 Dorrance Plaza, Providence, RI, 401-458-3200

### **Protective Orders District Court:**

- Newport County (Murray Judicial Complex) | 45 Washington Square, Newport, RI, 401-841-8350
- Providence/Bristol County (Garrahy Judicial Complex) | 1 Dorrance Plaza, Providence, RI, 401-458-5400

Further information regarding orders of protection can be found at:

- <https://www.courts.ri.gov/programs-services/Documents/Domestic%20Violence/VictimInfoEnglish.pdf>
- <https://ebccenter.org/protective-orders/>



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

Roger Williams University recognizes the importance of providing education and training on the prevention of dating violence, domestic violence, sexual assault, stalking, and sex-based discrimination. The University has required educational prevention programs for all incoming students (i.e., first-year undergraduates, graduates, and School of Law students, as well as transfers) which includes training modules regarding sexual assault, harassment, and discrimination prevention through Vector Solutions. In addition, every year, students in the sophomore academic standing are assigned an ongoing sexual assault prevention course about healthy relationships. Similarly, students in the junior academic standing are assigned an ongoing sexual assault prevention course about bystander intervention.

During new employee orientation, new employees receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking. Employees also receive training on sexual assault, harassment, and discrimination prevention through Vector Solutions. Specialized response training is administered to the Residence Life and Housing and Department of Public Safety staff. In-service training is available for staff.

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

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

RWU offers primary prevention and awareness programs for all incoming new students and employees and ongoing prevention and awareness campaigns for students and employees. This educational programming:

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

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

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

- Sexual Assault Prevention Training Model – All incoming students (i.e., first-year undergraduates, graduates, and School of Law students, as well as transfers) are required to successfully complete the Vector Solutions Sexual Assault Prevention online course before beginning classes at RWU, which addresses the issues of sexual assault, dating violence, domestic violence, and stalking; including education to assist students in recognizing, reporting, and preventing these incidents. The curriculum meets VAWA requirements. The course is administered through Vector Solutions and coincides with the requirement for RWU first-year students to complete AlcoholEdu, Vector Solution’s interactive online program designed to reduce the negative consequences of alcohol amongst students. Both programs contain general information as well as customized, RWU-specific resources.
- “This Matters@RWU: Let’s Talk About Sex” – This program for all first-year undergraduate students reviews issues of sexual health, alcohol, sexual assault, dating violence, domestic violence, stalking, and sexual harassment. This session also provides an overview of the Green Dot bystander intervention program.
- University-Wide Emails – Emails sent annually to students and employees regarding the University’s sexual harassment and non-discrimination policy and the sexual misconduct and relationship violence policy, including dating violence, domestic violence, sexual assault, and stalking. Resources and reporting options are included and available on and off campus.

#### **Programs and Initiatives Directed at Campus Community:**

- Campus Safety Tips – Students are provided safety tips annually, containing material advising them of precautions to help avoid becoming a victim of crime on or off campus along with additional prevention resources. First-year area RAs review safety precautions with their residents during their initial floor meetings.

- Silent Witness Initiative Display/Vigil – This initiative promotes and educates to support an end to domestic, relationship, and intimate partner violence through community-based exhibits.
- STAND Relationship Violence Performance Art Installation.
- Safe Zone Training –The Safe Zone program seeks to increase awareness and acceptance of lesbian, gay, bisexual, asexual, pansexual, queer, transgender, gender nonconforming, and intersex students, faculty, and staff. Members displaying the Safe Zone decal have participated in training through the program and are committed to providing an environment in which every community member is free to thrive within a community based on respect and dignity. Trainings are conducted by RWU’s Assistant Director for Queer and Trans Initiatives.
- Safety Walk – Safety walks are conducted by Student Senate, Public Safety, and Environmental Health and Safety for harm reduction.
- RI Sexual Assault Denim Day – Held in April during Sexual Assault Awareness Month, Denim Day is a campaign for all community members to prevent sexual violence through education and public awareness.
- Empty Seat at the Table – This event consisted of reserving empty seats at the dining hall in memory of people killed from acts of domestic violence to spread awareness of its prevalence and severity. This was coordinated by student group PAVE (Providing Awareness and Victim Empowerment for Relationship and Sexual Violence) and co-sponsored by the Title IX Office in 2021 and 2022.
- Green Dot Bystander Intervention Trainings – Throughout the year, 60-minute, 90-minute, and 4 to 6 hour full-day interactive bystander intervention trainings are offered.
- Health and Wellness Educators (HAWEs) Healthy Relationships Team Programming Efforts – Consists of workshops, poster campaigns and tabling events. Specific programs included information table at the “Coming Out BBQ”, “Love Languages” workshop, and “Tinder Red Flags” program.
- Roger Wellness Student Street Fair – Annual campus event featuring campus and local supports and resources focused on the 10 Dimensions of Wellness. This event supports social, physical and emotional wellness – including representation and information on Title IX, healthy relationships, and bystander intervention.
- Clothesline Project Display – Visual display of shirts made by survivors of sexual assault, relationship violence, and child sexual abuse. RWU maintains and displays a piece of the statewide project.
- Sexual Assault and Dating Violence Awareness Social Media Campaigns – Social media efforts coordinated by the Title IX Office, Green Dot, and Health and Wellness Educators, in collaboration with the Rhode Island state-wide College Collaborative.
- Vision Wall – Engage campus community to share a vision of what a future without violence would look like. Participants expressed thoughts on a banner that was publicly displayed.
- Sexual Assault Awareness Month Community Yard Sale – Sponsored by Residence Life and Housing and the Title IX Office. Donated items were sold to raise money for local violence prevention agency.
- Cultivating Communities of Care Conference – State-wide conference co-sponsored by RWU, RI Department of Health and NASPA providing information and strategies to build healthier and safer educational environments in RI. A specific track was offered for students and a panel of RWU peer student leaders presented.
- RWU School of Law Symposium on Transformative Gender Law - The symposium focused on the transformation in gender law over the past century. Speakers discussed how gender identity, expression, sex, sexual orientation, race, religion, spirituality, ethnicity, national origin, citizenship, abilities, age, and/or socioeconomic status intersect with the law.

### **Specialized Student Leader Training:**

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

### **Human Resources:**

- Harassment and Discrimination Prevention for Faculty and Staff online training course through Vector Solutions. This course is required for all employees and addresses the issues of sexual assault, sexual harassment, dating

violence, domestic violence, and stalking; including education to assist students and employees in recognizing, reporting, and preventing these incidents. The curriculum meets VAWA requirements.

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

#### **Additional Trainings to Students and Employees (include, but are not limited to):**

- Title IX Training for all employees;
- Title IX Training for dining staff;
- Title IX Training for new faculty;
- Title IX Sex-Based Discrimination & Harassment Policy and Procedures;
- Non-Discrimination Policy;
- Title IX obligation and University Policy;
- Mandated Reporter Policy;
- Campus Security Authority Policy;
- Alternate Resolution/Restorative Justice training;
- Title IX Advisor Support Program Training; and
- In support of the NCAA Board of Governors Policy on Campus Sexual Violence, all student athletes and athletic staff complete Vector Solutions' Sexual Assault Prevention for Student Athletes and Athletic Staff courses during the fall semester. These courses educate student athletes and athletic staff about sexual violence prevention, intervention, and response to help ensure an environment that is free from hostility and is inclusive of every sexual orientation and/or gender identity for student athletes and athletic staff.

#### **BYSTANDER INTERVENTION:**

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

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

#### **SAFETY TIPS:**

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

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

## XVII. UNIVERSITY NON-DISCRIMINATION POLICY

Roger Williams University and Roger Williams University School of Law do not discriminate against any person on the basis of race, color, religion, national or ethnic origin, age, sex, sexual orientation, gender expression or identity, disability, veteran status or any other legally protected basis in admission to, access to, employment in and treatment in its programs and activities.

Inquiries regarding the application of this Non-Discrimination Policy may be referred to the following:

- Amy Lanoie, Director of Employee Engagement, Roger Williams University  
One Old Ferry Rd, Bristol, RI 02809 ~ Telephone: (401) 254-3190, [alanoie@rwu.edu](mailto:alanoie@rwu.edu);
- Assistant Secretary for Civil Rights, U.S. Department of Education, Office for Civil Rights  
400 Maryland Avenue, SW, Washington, DC 20202-1100 ~ Telephone: (800) 421-3481; or
- Boston Office, Office for Civil Rights, U.S. Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor, Boston, MA 02109-3921 ~Telephone: (617) 289-0111.

### TITLE VI OF THE CIVIL RIGHTS ACT OF 1964:

Programs and activities that receive Federal financial assistance from the United States Department of Education are covered by Title VI of the Civil Rights Act of 1964, which protects people from discrimination based on race, color, or national origin in programs or activities that receive Federal financial assistance.

The Coordinator of Title VI of the Civil Rights Act of 1964 is:

- Joanna Ravello Goods, Vice President and Chief Diversity Officer, Roger Williams University  
Telephone: (401) 254-3079, [jravellogoods@rwu.edu](mailto:jravellogoods@rwu.edu)

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The Equal Employment Opportunity Coordinator and Coordinator of the Age Discrimination Act of 1975 is:

- Amy Lanoie, Director of Employee Engagement, Roger Williams University  
Telephone: (401) 254-3190, [alanoie@rwu.edu](mailto:alanoie@rwu.edu)

The Coordinator of Title IX of the Education Amendment of 1972 is:

- Dr. Jen Stanley, Assistant Vice President for Student Life and Title IX Coordinator, Roger Williams University  
Telephone: (401) 254-3123, [jstanley@rwu.edu](mailto:jstanley@rwu.edu)
- A list of Title IX Deputy Coordinators can be found at: <https://www.rwu.edu/undergraduate/student-life/health-and-counseling/title-ix-rwu/contact>.

The Coordinator of Section 504 of the Rehabilitation Act of 1973 is:

- Dr. Derek Zuckerman, Associate Vice President for Student Life and Dean of Students, Roger Williams University  
Telephone: (401) 254-3161, [dzuckerman@rwu.edu](mailto:dzuckerman@rwu.edu)

**The Roger Williams University Non-Discrimination Policy can be found at:**

[https://www.rwu.edu/sites/default/files/downloads/hr/Non-Discrimination\\_Policy\\_\(Updated-06-2024\).pdf](https://www.rwu.edu/sites/default/files/downloads/hr/Non-Discrimination_Policy_(Updated-06-2024).pdf)



## XVIII. CRIME STATISTICS FOR YEARS: 2021, 2022, AND 2023 (BRISTOL CAMPUS INCLUDING MAIN CAMPUS, SCHOOL OF LAW, ALMEIDA, AND BAYPOINT)

Offense (Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential*	Unfounded Crimes
Murder/ Non-Negligent Manslaughter	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Rape	2021	5	1	0	6	5	0
	2022	3	0	0	3	3	0
	2023	0	0	0	0	0	0
Fondling	2021	7	0	0	7	7	0
	2022	2	0	0	2	1	0
	2023	5	0	0	5	4	0
Incest	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Robbery	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Burglary	2021	0	0	1	1	0	0
	2022	0	0	0	0	0	0
	2023	2	0	0	2	2	0
Motor Vehicle Theft	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	2	0	0	2	0	0
Liquor Law Arrests	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Drug Law Arrests	2021	1	0	0	1	1	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Weapons Law Arrests	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Liquor Law Violations- Disciplinary Referrals	2021	262	0	0	262	262	0
	2022	249	0	0	249	249	0
	2023	205	0	0	205	205	0
Drug Law Violations- Disciplinary Referrals	2021	1	0	0	1	1	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Weapons Law Violations- Disciplinary Referrals	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Offense (Not Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Residential*	Unfounded Crimes
Arson	2021	0	0	0	0	0	0
	2022	0	0	0	0	0	0
	2023	0	0	0	0	0	0
Domestic Violence	2021	0	0	1	1	0	0
	2022	0	0	1	1	0	0
	2023	0	0	0	0	0	0
Dating Violence	2021	0	0	0	0	0	0
	2022	1	0	0	1	0	0
	2023	2	0	0	2	2	0
Stalking	2021	5	0	0	5	5	0
	2022	1	0	0	1	1	0
	2023	4	0	0	4	2	0

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

## XIX. CRIME STATISTICS FOR YEARS: 2021, 2022, AND 2023 (PROVIDENCE CAMPUS)

Offense (Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Unfounded Crimes
Murder/ Non-Negligent Manslaughter	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Fondling	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Incest	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Statutory Rape	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Robbery	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Aggravated Assault	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Burglary	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	1	0	0	1	0
Motor Vehicle Theft	2021	0	0	1	1	0
	2022	0	0	1	1	0
	2023	0	0	2	2	0
Liquor Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Drug Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Weapons Law Arrests	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Liquor Law Violations- Disciplinary Referrals	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Drug Law Violations- Disciplinary Referrals	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Weapons Law Violations- Disciplinary Referrals	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Offense (Not Reported by Hierarchy)	Date	On Campus	Non- Campus	Public Property	Total	Unfounded Crimes
Arson	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Domestic Violence	2021	0	0	1	1	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Dating Violence	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0
Stalking	2021	0	0	0	0	0
	2022	0	0	0	0	0
	2023	0	0	0	0	0

## XX. HATE CRIMES STATISTICS FOR YEARS: 2021, 2022, AND 2023

### HATE CRIMES:

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

- Murder and Non-negligent Manslaughter
- 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

2021: There were no Clery reportable Hate Crimes reported for the Bristol or Providence Campuses.

2022: There were no Clery reportable Hate Crimes reported for the Bristol or Providence Campuses.

2023: There were no Clery reportable Hate Crimes reported for the Bristol or Providence Campuses.



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