

Annual Security and Fire Safety Report

2021

Kenyon

From the President

The safety of our campus community is essential to the mission of the College. The Kenyon educational experience provides the opportunity for all students to reach their full intellectual potential and go on to lead fulfilling and successful lives after graduation. A community that fosters a safe and welcoming environment helps us to reach those goals. All of us in the Kenyon community of students, faculty and staff must make personal safety our highest concern. Please take time to review this compendium of policies, procedures, safety measures and crime statistics from the 2020 calendar year that help shed light on our campus environment. Thank you for your continued attention to this important issue.

Sean M. Decatur
President, Kenyon College

From the Director of Campus Safety

On behalf of the members of Kenyon's Office of Campus Safety, I want to thank you for your interest in our Annual Security and Fire Safety Report. We publish this report because it contains valuable information for our campus community. We encourage you to review the information we have made available to you in this report. You will find information about our organization, including descriptions of certain services that we provide. You will also become familiar with our strong commitment to victims of crimes and the extensive services we make available to crime victims. Lastly, you will find important information about security policies and procedures on our campus, crime data, and crime prevention information. We join President Decatur in the commitment to foster a secure and supportive environment at Kenyon College. We are proud to be an integral part of the College's tradition of excellence. Campus safety and security is a collaborative effort at Kenyon. We partner with the many departments that have a critical role in fostering campus safety, including the Student Affairs Division, the Office for Civil Rights/Title IX and other offices. It has always been our goal to provide the highest quality of public safety services to the College community, and we are honored to collaborate with the entire Kenyon community. The men and women of the Office of Campus Safety are committed to making the College campus a safe place in which to live, work and study.

Michael Sweazey
Director of Campus Safety

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Annual Security Report

Preparation of the Annual Security Report and Disclosure of Crime Statistics

The Office of Campus Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act and the Higher Education Opportunity Act of 2008 and Violence Against Women Act (VAWA). It is compiled using information maintained by the Office of Campus Safety, information provided by other College offices such as the Office for Civil Rights, Student Affairs including the Office of Student Rights and Responsibilities, Housing and Residential Life and other Campus Security Authorities, and information provided by local law enforcement agencies. Each of these offices provides updated policy information and/or crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by Kenyon College. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, and other drugs. Kenyon College publishes this Annual Security Report in coordination with timelines set forth by the United States Department of Education. Per the timelines, statistics in this Report reflect data from the previous calendar year. The College distributes conspicuous notice of the availability of this Annual Security Report by October 1 of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Office of Campus Safety by emailing clery@kenyon.edu, by phone 740-427-5000 or by visiting kenyon.edu/crime-statistics.

Reporting Crimes and Other Emergencies

The College encourages all students, faculty, staff, community members and visitors to promptly and accurately report all crimes and other safety related incidents, including suspicious activity or persons to Kenyon College's Office of Campus Safety or by calling 911 to report to local law enforcement (Knox County Sheriff's Office). Prompt and accurate reporting ensures effective response, investigation and appropriate follow-up actions, including issuing a Timely Warning or Emergency Notification.

EMERGENCY REPORTING

Students, faculty, staff and guests are encouraged to report all crimes, medical emergencies and other safety related incidents to the Kenyon College's Office of Campus Safety in a timely manner by dialing 740-427-5555 (emergency line). Be prepared to stay on the line and provide as much information as possible. The request to call the Office of Campus Safety first is to better assist the local enforcement departments in locating the emergency. However, if 911 is called first, please call Campus Safety at 740-427-5555 immediately afterwards.

NON-EMERGENCY — REPORTING TO THE OFFICE OF CAMPUS SAFETY

Non-emergency reports of crimes should be reported to the Office of Campus Safety in a timely manner. The Office of Campus Safety has a dispatch center that is available by phone at 740-427-5000 or in person 24 hours a day at the Office of Campus Safety, 101 Scott Lane. Safety concerns and crime reporting is also available through the Rave Guardian application available for iPhone and Android mobile devices. Though there are many resources available, the Office of Campus Safety should be notified of any crime to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the Kenyon community.

RAVE GUARDIAN

The Rave Guardian app can be downloaded from the iOS App Store or Google Play and provides several tools you can use to enhance your safety on campus:

- Make reports and provide safety tips; you may choose to be anonymous: Call or provide tips (including photos) to the Office of Campus Safety about an unsafe situation on campus, or call 911 directly from the app.
- Directly contact friends or family: Import contacts and communicate directly with trusted contacts.
- Set a safety timer: If you're heading out alone, set a safety timer. The app automatically notifies your contacts if the timer expires before you disable it.
- Guard someone else: Receive safety notifications on behalf of others.
- Create a safety profile: Automatically share key information about yourself, including a photo and information about medical conditions or allergies, in the event of an emergency.

EMERGENCY PHONES

There are thirty (30) blue-light emergency-call boxes on campus. These stations immediately connect you with Campus Safety. Do not hesitate to use the call boxes for emergency assistance and information, medical assistance, fire alert, reporting crimes or suspicious persons, reporting vehicular accidents, or if you feel unsafe for any reason. There is no handset; simply push the button, talk, and you will be in two-way communication with a safety officer. If you are unable to speak, an officer will be dispatched to the call box location immediately. If you are unable to remain in the area, give your name and your intended direction of travel.

REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While the College prefers that community members promptly report all crimes and other emergencies directly to the Campus Safety emergency line at 740-427-5555 or 911, we also recognize that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as Campus Security Authorities (CSAs). The Clery Act defines these individuals as:

1. an institution's campus police or security department
2. other individuals with security responsibilities, such as those monitoring access to campus property (e.g., parking lots, residence halls, and athletic venues)
3. individuals or organizations designated in the institution's security policy as those to whom students and employees should report crimes
4. officials with significant responsibility for student and campus activities, such as student housing, student discipline and campus judicial proceedings.

While the College has identified numerous CSAs at the College, we officially designate the following offices as places where campus community members should report crimes.

Official	Campus Address	Phone Number
Office of Campus Safety employees	101 West Scott Lane	740-427-5000
Campus Safety Emergency Line	101 West Scott Lane	740-427-5555
Vice President for Student Affairs	Gund Commons Lower Level	740-427-5136
Dean of Students	Gund Commons Lower Level	740-427-5136
Director for Human Resources	Eaton Center 158	740-427-5171
Civil Rights/Title IX Coordinator	Eaton Center 258	740-427-5820
Civil Rights/Title IX Deputy Coordinator	Eaton Center 259	740-427-5245
Office of Student Rights and Responsibilities	007 Gund Commons	740-427-5140
Ombudsperson	Eaton Center 159	740-427-5867
Housing and Residential Life (including all CAs and professional staff)	202 Gund Commons	740-427-5142

VOLUNTARY, CONFIDENTIAL REPORTING

If crimes are never reported, little can be done to help other members of the community from also becoming victims. We encourage Kenyon community members to report crimes promptly and to participate in and support crime prevention efforts. The Kenyon community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the College or criminal justice system, we ask that you consider filing a voluntary confidential report. Depending upon the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the College to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Disclosure of Crime Statistics and/or Annual Fire Safety Report. In limited circumstances, Campus Safety may not be able to assure confidentiality and will inform you in those cases.

For anonymous reporting, a student or employee may report using the Rave Guardian app. Information regarding the Rave app can be found at <https://www.kenyon.edu/rave-guardian>.

Anyone may call the Office of Campus Safety at 740-427-5000 to report concerning information. Callers may remain anonymous. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may limit the College's ability to respond or take further action.

PASTORAL AND PROFESSIONAL COUNSELORS

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Kenyon College to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the College encourages pastoral and professional counselors to notify those with whom they are counseling of the voluntary, confidential reporting options available to them. Counseling is available for students via the Cox Health & Counseling Center (during regular administrative hours) and Protocol (24 hours, all year long). For full-time, benefited employees, the Employment Assistant Program (EAP) is available for counseling services at 1-888-293-6948 or by visiting workhealthlife.com/Standard3

CAMPUS SAFETY'S RESPONSE TO REPORTED CRIMES

Campus Safety's telecommunications officers/dispatchers cover telephone and two-way radio systems and monitor a complex computerized building alarm system on a 24-hour basis to provide information for response to emergencies.

Telecommunications officers are in communication with safety officers by radio assisting in the event of a report of a crime or emergency. If needed, the telecommunications officer will contact local law enforcement or other emergency responders.

DAILY CRIME AND FIRE LOG

The Office of Campus Safety maintains a combined Daily Crime and Fire Log of all incidents reported. Each day a log is published which identifies the type, general location, date and time reported, date and time occurred and current disposition, if known, of each incident reported to Campus Safety. The Daily Crime and Fire Log is available within two business days of the event. In cases where disclosure of certain elements of the incident would jeopardize an investigation or identify the victim, these elements will be withheld.

The most current 60 days of information is available at the dispatch center of the Campus Safety building. Upon request, a copy of any maintained Daily Crime will be made available for viewing upon request within 48 hours of notice.

About the Office of Campus Safety

ROLE, AUTHORITY AND TRAINING

The Office of Campus Safety protects and serves the Kenyon College community 24 hours a day, 365 days a year. The Office of Campus Safety is responsible, in whole or in part, for a number of campus safety and security programs including emergency management, community safety and security education and physical security of all campus buildings and property, including security technology, emergency medical response and assessment, college policy enforcement, bicycle registrations and regulation, vehicle registrations and regulation and transportation registration.

Kenyon College campus safety officers do not have the right to physically detain anyone, except as provided by law. Campus safety officers will try to deescalate the situation with verbal communication and will contact local law enforcement. Officers have been trained in handcuff use and they may be used when the safety officer reasonably believes they are necessary to protect the individual, the safety officer, or other(s) from risk of injury or harm.

Campus safety officers are not commissioned as Peace or Law Enforcement Officers by the State of Ohio and consequently carry no arrest powers. In cases where law enforcement is needed, the Knox County Sheriff's Office will be notified, along with the director of campus safety or designee. The primary role of the campus safety officer during a criminal incident is to be a professional, trained, and active observer.

The Department of Campus Safety comprises:

- 1 Director of Campus Safety
- 1 Assistant Director of Campus Safety/Clery Coordinator
- 1 Administrative Assistant
- 16 Campus Safety Officers
- 7 Telecommunication Officers (dispatchers)

The campus safety officers at Kenyon College:

- Have a minimum of a high school education
- Complete a 6 week training course
- Have training in self defense and restraining
- Maintain hazardous materials awareness level
- Have a working knowledge of all emergency systems on campus, including all fire systems.

Most full-time officers are Emergency Medical Responder trained and must complete the required continuing education requirements. If a full time officer is not a certified Emergency Medical Responder, the Officer will complete the training when a course becomes available.

SAFETY, OUR NUMBER ONE PRIORITY

The College takes great pride in the community and offers students, faculty and staff many advantages. This community is a great place to live, learn, work and study; however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, Kenyon has taken progressive measures to create and maintain a reasonably safe environment on campus.

The College is committed to maintaining a safe environment through its policies, programs and education efforts, but it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working or visiting on campus.

WORKING RELATIONSHIP WITH LOCAL, STATE AND FEDERAL LAW ENFORCEMENT AGENCIES

The Office of Campus Safety maintains a cooperative relationship with the State Police, Knox County Sheriff and surrounding police agencies. This includes training programs, special events coordination and investigation of serious incidents.

Kenyon has worked with the Knox County Sheriff's Office and Knox County Prosecuting Attorney's Office to develop a Memorandum of Understanding regarding the reporting of and response to criminal activity on campus. In addition, Kenyon is working to develop a separate Memorandum of Understanding with the New Directions Domestic Abuse Shelter and Rape Crisis Center. Kenyon regularly invites appropriate personnel from these agencies to participate in training and discussions to ensure the appropriate and efficient response to incidents of sexual misconduct based upon a reasonable belief that such aid will enhance safety and efficiency.

Kenyon College encourages accurate and prompt reporting of all crimes to the Office of Campus Safety and the Knox County Sheriff's Office, when the victim of a crime elects to, or is able to, make such a report.

The Office of Campus Safety jurisdiction for physical security and policy enforcement is limited to Kenyon College owned structures and property. The Knox County Sheriff's Office is the main law enforcement presence in the Village of Gambier and College Township where Kenyon College property is located.

Weapons/Firearms Policy

Kenyon College (the "College") strictly prohibits the possession or use of weapons, as defined by this policy, on Campus by anyone except law-enforcement officials, armored car couriers, others specifically authorized by the College to support curricular or co-curricular programs (e.g., theatre stage weaponry, athletic fencing equipment), or other lawful activities. Concealed Handgun Licensees and Active Duty Service Members may store a handgun in a locked motor vehicle. The firearm and all of the ammunition must remain inside the person's privately owned motor vehicle while the person is physically present inside the motor vehicle, or each firearm and all of the ammunition must be locked within the trunk, glove box, or other enclosed compartment or container within or on the person's privately owned motor vehicle. The person's vehicle must also be parked in an authorized location. The act of immediately placing a handgun in a locked motor vehicle will not be considered a violation of this policy.

DEFINITIONS

Active Duty Service Member: an active duty member of the armed forces of the United States who is carrying a valid military identification card and documentation of successful completion of firearms training that meets or exceeds the training requirements described in section 2923.125(G)(1) of the Ohio Revised Code. Active Duty Service Members should contact the director of the Office of Campus Safety at 740-427-5000 for a determination as to whether the training meets this requirement under this policy before storing a handgun in a car on campus.

Concealed Handgun Licensee: an individual who has been issued a current and valid concealed handgun license under section 2923.125 of the Ohio Revised Code or has a current and valid concealed handgun license issued by another state with which the Ohio Attorney General has entered into a reciprocity agreement under section 109.69 of the Ohio Revised Code. A list of states with reciprocity agreements is found at the Ohio Attorney General's website: www.ohioattorneygeneral.gov/Law-Enforcement/Concealed-Carry/Concealed-Carry-Reciprocity-Agreements.

Weapons: include, but are not limited to: firearms, explosives, or any instrument or weapon of the kind commonly known as blackjack, slingshot, billy clubs, sandclubs, sandbag, or metal knuckles (including replica or facsimile weapons), paintball guns, tasers, toy weapons that could reasonably be mistaken for a firearm or explosive, or any other devices which could reasonably be mistaken for a firearm or explosive. This policy does not prohibit small quantity personal protection chemical spray devices (e.g., key chain sprays) intended for defensive purposes or tools possessed and used by employees in accordance with departmental policies.

Possession: includes, but is not limited to: storage in offices, residential facilities, lockers, desks, briefcases, or personal vehicles parked on the College's property.

Campus: includes all the lands and facilities of the College whether owned or leased, and whether located in the United States or abroad.

APPLICABILITY

This policy applies to anyone on Campus, including the College's personnel, students, volunteers, vendors, independent contractors and visitors. It also applies to the College's personnel and students attending or participating in a College-sponsored activity off campus.

SANCTIONS FOR USE OR POSSESSION OF WEAPONS

Sanctions will be imposed in accordance with the procedures of the Student Handbook, Staff Policies and Procedures Manual, or Faculty Handbook, as appropriate.

Personnel

With respect to the College's personnel (which includes faculty, staff and student staff, volunteers, vendors and independent contractors for the purpose of this policy), possession of weapons on campus or while attending or participating in a College-sponsored activity off campus is subject to corrective action, up to and including termination of employment, cancellation of any applicable contract and/or further legal action including, but not limited to, a trespass action, or a restraining order.

Students

With respect to students, possession of weapons on campus or while attending or participating in a College-sponsored activity off campus is subject to sanctions up to and including dismissal and/or further legal action including, but not limited to, a trespass action, or a restraining order.

Visitors

With respect to visitors, possession of weapons is subject to expulsion from campus by the Office of Campus Safety and further legal action including, but not limited to, a trespass action, or a restraining order.

REPORTING CONCERNS ABOUT WEAPONS, VIOLENCE, AND DESTRUCTION OF PROPERTY

The College expects all members of and visitors to the campus community to help maintain safety and security at/on campus and at College-sponsored activities off campus.

- All persons who have knowledge of weapons on campus have an obligation to report that knowledge promptly to the director of campus safety or, in the director's absence, an on-duty campus safety officer.
- All persons concerned about a situation that is potentially violent have an obligation to report that concern promptly to a campus safety officer, to the Office of Student Rights and Responsibilities, or to a supervisor.
- All persons concerned about an imminent threat of violence or about the imminent destruction of property are strongly encouraged to report that concern immediately to the Office of Campus Safety at 740-427-5555 or to local police (911). The College prohibits retaliation against anyone who makes a good faith report.

SEARCH

In cases of suspected possession of weapons by the College's students or personnel (which includes faculty, staff and student staff, volunteers, vendors or independent contractors for the purpose of this policy), the College reserves the right to search personal belongings on the College's property, including, but not limited to, student residences, employee office/work spaces, vehicles, purses, briefcases, bags, and articles of clothing (jackets, coats, etc.).

All such searches must be approved in advance by the vice president for finance or the director of human resources in the case of staff, or the provost in the case of faculty, or the vice president for student affairs or dean of students in the case of students. In the absence of the pertinent officer, the president may authorize the search.

The College may request the involvement of law enforcement officials in cases of suspected possession of weapons and / or when a threat of violence appears imminent. Persons may be asked to leave campus or remain in the presence of campus safety personnel or Knox County Sheriff deputies until a search is conducted or until the situation is resolved safely and appropriately. campus safety staff may take into temporary custody, for safe-keeping, weapons discovered in a search.

Sex Offender Registration — Campus Sex Crimes Prevention Act

Sexual offenders are required by state and federal law to register information with law enforcement regarding where they live, work and attend school. Members of the general public may request to receive notification of such information. In Gambier, where the Knox County Sheriff's Office is the primary law enforcement agency, go to www.sheriffalerts.com/cap_office_disclaimer.php?office=55185 to search online for sex offenders and to register for email alerts. Search and email alerts are also available online through the Ohio Attorney General's statewide database at www.icrimewatch.net/index.php?AgencyID=55149&disc=. In other jurisdictions, the information can be requested by contacting the chief of local law enforcement.

Security of and Access to College Facilities

While Kenyon College's campus and facilities are private property, the college promotes a sense of community by allowing the grounds and certain buildings to be accessed by members of the general public while attending athletic competitions, presentations, concerts and other events. The college reserves the right to restrict access to any person if it deems necessary.

Exterior doors to all campus residence halls and other living spaces are designed to remain locked 24-hours a day. Assigned residents are the only persons permitted to enter their building. It is urged that residents do not allow anyone into the building unless they are a personal guest of said resident. Residents are accountable for their guests.

Administrative buildings are secured outside of their scheduled use times. Academic schedules adjust the periods when academic buildings are accessible. Key card access is managed to allow only those approved to enter a building for special use.

Maintenance and custodial personnel have access to all areas of the campus.

All grounds and buildings are patrolled by campus safety officers. Students and employees are asked to report any suspicious activity immediately by phone at 740-427-5000.

SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

At the College campus, residence halls operate under a computerized access control and security monitoring system. Identification cards are coded so that only students and necessary staff have access to all residential halls. The system denies entry to all unauthorized persons. Apartment-style housing is secured using keys assigned to the residents of those living areas only.

Campus safety officers are responsible for checking and securing doors. When a door is malfunctioning, personnel are summoned for immediate repair. Residents should always remember to lock their doors and windows. All residence hall and apartment exterior doors are equipped with locks.

The card access system at Kenyon College lets Campus Safety know when a certain door has been opened by a key or has been propped open. Campus safety officers do respond to issues of possible unauthorized access to a residential hall or when a door has been propped open.

Only residents and their invited guests are permitted in the living areas of the residence halls. It is the resident's responsibility to ensure that guests are aware of the College and residence hall policies. All exterior doors are locked 24 hours a day. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents. When Campus Safety receives a report of an unescorted person in a residence hall, a safety officer is dispatched to identify that person.

Campus Safety assigns the largest number of its officers between the hours of 9 p.m. until 3 a.m. Most of these officers spend much of their time patrolling in and around the residence hall complexes. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated residence halls or apartments. During the summer when groups who are not regularly associated with Kenyon College are using the residence halls, exterior doors are locked 24 hours a day, unless requested by the visiting group. Each guest or group is issued an identification card or key that allows them to gain access to their assigned building. Campus safety personnel also conduct regular checks of residence hall areas.

SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

Kenyon College is committed to campus safety and security. At the College, locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide lighted routes from parking areas to buildings and from building to building.

Maintenance, in conjunction with representatives from Campus Safety, Residential Life, Student Affairs, Business Services, and Student Council, regularly conducts surveys of College property to evaluate campus lighting.

We encourage community members to promptly report any security concerns, including concerns about locking mechanisms, lighting or landscaping to the Office of Campus Safety.

Crime Prevention and Safety Awareness Programs

In an effort to promote safety awareness, the Office of Campus Safety maintains a strong working relationship with the community. The Office of Campus Safety is willing to offer a variety of safety programs to employees and student organizations on the Kenyon College campus. If you or your organization would like to request a specific program, please contact Campus Safety at 740-427-5000.

Campus Safety improves crime prevention and safety awareness through high visibility, campus patrols, both on foot and vehicular. Safety patrols are completed on campus multiple times a day, giving Safety Officers an opportunity to interact with students, employees and visitors anytime of the day.

Once a year, Campus Safety, Maintenance and other identified employees tour the campus at dark to review lighting issues throughout the campus.

Active weapons threat training is given to all incoming students during orientation at the start of the academic year and is also available to students and employees on request. The active weapons threat training provides knowledge to students about responses to an active weapon threat: run, hide, fight. The training is presented in partnership with Campus Safety and members of the Kenyon Emergency Preparedness Team.

During orientation (before the start of the academic year) first-year students are informed about necessary emergency numbers for Kenyon College, Knox County Sheriff's Office, and Mount Vernon Fire Department and about the Knox County emergency alert system and Knox County Sex Offender websites. Students are trained on the Kenyon College Emergency Alert System, RAVE Guardian App and a variety of phone apps for weather emergencies. Students are informed about fire drills, fire rally points and tornado shelter in place locations.

The same safety information and training is repeated for international students at international student orientation before the start of the academic year and for Community Advisors before the start of the fall and spring semesters.

STUDENTS OF CONCERN TEAM

In order to extend our efforts on emergency preparedness and prevention, Kenyon College has established a Students of Concern Team. The objective of the Students of Concern Team is to put in place a structured process to review and ensure support for the health and safety of students. The team also evaluates potentially threatening situations that occur at the College. The multidisciplinary team is composed of administrators and other appropriate employees from around the College community.

HOW TO REPORT AN INCIDENT OR SUSPECTED CRIME

When you call the Office of Campus Safety, give your name. Use the list below to familiarize yourself with the questions that will be asked by the Office of Campus Safety. Knowing what information will be asked of you and what to look for will be the most effective tool in preventing and stopping crimes to persons and property of the Kenyon College community.

- Briefly describe the event
- When the event happened
- Where the event happened
- Who was involved in the event

Describe the suspect.

- sex
- race
- age
- height
- weight
- hair color
- clothing
- any distinctive characteristics such as beard, mustache, scars, tattoos, or accents

Describe the vehicle if one is involved.

- color
- make
- model
- year
- license plate number
- any special features such as stickers, dents or decals

Many times, as the school year progresses, calls to action against immediate threats lose enthusiasm. It is important to keep interest in your surroundings and the goings-on alive. Even if an immediate threat of crime is not foremost on your mind, it pays to be vigilant.

SAFETY ESCORT

The College has an escort service that is available to the Kenyon community. To make escort arrangements, call the Office of Campus Safety at 740-427-5000. A campus safety officer will gladly walk you to your destination anywhere on campus.

The office strongly encourages anyone, students and employees, who may walk alone at night to take advantage of this service. Escorts are available 24 hours a day, 7 days a week.

Crimes Involving Student Organizations at Off-Campus Locations

Kenyon College relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Kenyon College students and recognized student organizations.

Currently, there are no student organizations operating off-campus. The majority of student organizations recognized by Kenyon College are in college-owned or leased properties and are considered on-campus with respect to Clery geography. Two student organizations are directly adjacent, therefore reasonably contiguous to college property and criminal activity is monitored per Clery Geography reporting as non-campus. If the Office of Campus Safety learns of criminal activity involving students or student organizations at an Off-Campus location, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Student Rights and Responsibilities and Office of Civil Rights, as appropriate.

The College requires all recognized student organizations to abide by federal, state and local laws, and College regulations. The College may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to adversely affect the College community and/or the pursuit of its objectives.

Crime Prevention Tips

While the Kenyon College campus is a reasonably safe environment, crimes do occur. In addition to the Clery Act crimes statistics below, other common crimes that occur on campus are outlined below:

THEFT

Theft is a common occurrence on college campuses. Oftentimes this is due to the fact that theft is a crime of opportunity. Confined living arrangements, recreation facilities and many open classrooms and laboratories provide thieves with effort-less opportunities. Occupants of the residence halls often feel a sense of security and home atmosphere and become too trusting of their peers, while others leave classrooms and laboratories unlocked when not occupied for short periods of time.

It is important to be vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors should be locked at all times. The following is a list of suggestions to help you not fall victim to theft:

- Keep doors to residence halls, labs, classrooms locked when not occupied.
- Don't provide access to unauthorized persons in the buildings or classrooms.
- Do not keep large amounts of money with you.
- Lock all valuables, money, jewelry, checkbooks in a lock box or locked drawer.
- Keep a list of all valuable possessions including the makes, models and serial numbers.

- Don't leave laptop computers or textbooks unattended in labs, libraries or other public areas even if it is for a short period of time.
- Don't lend credit cards or identification cards, including College-issued ID cards, to anyone.
- Report loitering persons or suspicious persons to Campus Safety immediately; don't take any chances.

IDENTITY THEFT

Identity theft is a crime in which someone wrongfully obtains and uses another person's personal information in some ways that involve fraud or deception, typically for economic gain. This personal data could be a Social Security number, bank account or credit card information. Persons involved in identity theft often use computers or other forms of media to assist them. There are measures you can take to prevent this from happening to you:

- Do not give anyone your personal information unless there is a reason to trust them and the release is for good reason.
- Never give your credit card information, date of birth or other information over the telephone, unless you can confirm the person receiving that information.
- Complete a credit check frequently to assure there is no suspicious activity.
- Examine financial information often to assure all transactions are authorized and accounted for.
- Use computer security software on computers and installation of firewalls.

Timely Warnings

Timely Warnings will be provided to the Kenyon community in the event of a reported crime on campus that, in the judgment of the director of campus safety or a designee, constitutes a serious or continuing threat to the College community. Although not required, there may be some crimes that occur near the campus that may result in the issuance of a Timely Warning notice. A warning will be issued as soon as the pertinent information is available. The warnings are generally written, approved, and distributed by the director of campus safety or a designee in the department. If the department is unable to create and send the message, the following departments are authorized to create and send the timely warning notice: the Office of Student Affairs, Kenyon Emergency Preparedness Team (KEPT) or the Office of Communications. The primary method of communicating Timely Warning Notices to the entire campus community will be a blast email and text via the RAVE system. The Timely Warning Notices may also be posted on the Kenyon College website at www.kenyon.edu/emergency-information/. Updates to the Kenyon College community about any particular case resulting in a Timely Warning will be posted on the Kenyon Emergency Information website.

Timely Warnings are generally distributed for the following National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, aggravated assault, criminal homicide, domestic violence, dating violence, robbery, burglary, sexual assault, hate crimes and stalking. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the Office of Campus Safety. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other Kenyon community members and a Timely Warning would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a "timely" notice to the community. Sex offenses will be considered on a case by case basis depending on when and where the incident occurred, when it was reported, the danger to other potential victims, and the amount information known by Campus Safety. Timely Warnings are not limited to violent crimes or crimes against persons and may be issued for threats to persons or to property. Whether a case warrants issuance of a Timely Warning will be evaluated by the director of campus safety or designee on a case by-case basis in light of all the facts surrounding a crime including, but not limited to, the nature of the crime, continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. This does not mean that in the event of a serious or continuing threat to students or employees a Timely Warning should not be issued; rather, that Kenyon will partner with local law enforcement to learn and consider their efforts when issuing a warning.

Timely Warnings will contain information that promotes safety and aid in the prevention of similar crimes.

Emergency Notifications

Kenyon College will immediately notify the campus community of a confirmed significant emergency or dangerous situation on the campus that poses a threat to the health or safety of students and employees on campus. In accordance with the Higher Education Act of 1965, the College has implemented a comprehensive communications system, primarily through the Rave Guardian App (Text, and Email), to provide prompt warning notifications and alerts of immediate threats to the health and safety of members of the campus community. More information about Rave Guardian can be found at www.kenyon.edu/rave-guardian. Kenyon may also use additional communication methods, including: a public announcement system (where available), outdoor mass notification system, college website notices, and building fire alarm systems.

Members of the Kenyon community are automatically signed up for immediate email notification through Kenyon's student-info and employee-info distribution listserv. Additionally, all students are automatically signed up to receive immediate phone notification through the Rave alert system if the student registered a phone number during the enrollment process. We encourage faculty, staff, and members of the College community to enroll in the Rave Alert system by visiting www.kenyon.edu/rave-guardian. Others may check the College website at www.kenyon.edu/emergency-information/ for updates during an emergency on campus.

The Kenyon Emergency Preparedness Team (KEPT) is primarily responsible for confirming the presence of a significant emergency or dangerous situation on campus. Other Kenyon administrators, local first responder agencies and/or the National Weather Service may assist KEPT to confirm certain types of emergencies, such as a pandemic flu outbreak, etc., as needed. Kenyon's Office of Communications, KEPT, and/or Campus Safety have access to the systems to notify the campus community of immediate threats that have occurred and necessitate evacuation, shelter in place, or other action on the part of students, employees, and campus visitors. These offices and departments have the authority to determine which segments of the campus community will receive alerts, determine the content of the alert, and initiate the notification system.

In the event of a technology failure in the systems listed above, the College may use face to face communication. Kenyon typically provides follow-up information to the community using the same systems that were used to send the original alert. The information will also be updated on Kenyon's Emergency Information website.

If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency, the College may elect to delay issuing emergency notifications. As soon as the condition that may compromise efforts is no longer present, the College will issue the emergency notification to the campus community.

Members of the larger community, such as parents, neighbors, etc. interested in receiving information about emergencies on campus may access Kenyon's Emergency Information website at www.kenyon.edu/emergency-information/ and via local and/or national news coverage.

Emergency Response and Evacuation Procedures

KENYON EMERGENCY PREPAREDNESS TEAM (KEPT)

The Kenyon Emergency Preparedness Team (KEPT) is responsible for the Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that utilizes the standardized National Incident Management System (NIMS) approach to incident management, which was developed by the Department of Homeland Security and implemented by the Federal Emergency Management Agency. Kenyon's approach to emergency preparedness includes planning, mitigation, response and recovery actions.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with College departments to write, maintain, test, and exercise the EOP
- Cooperation, Integration and Mutual Aid with local, state, and federal planning, response, and public safety agencies.

KENYON COLLEGE EMERGENCY NOTIFICATION SYSTEM

Kenyon College uses an emergency notification system (Rave Alert) to keep its community members well-informed in the event of an emergency. Emergency notifications may be generated for many reasons, including college shutdowns due to inclement weather, security threats which may impact the health, well-being of community members, or disruptions to standard college operations. It is vital to maintain current information so that notifications can be received in a timely manner.

Rave Alert can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by Rave Alert are sent out to the College community via email accounts, text messages, cell phone or landline calls .

Kenyon College performs a College-wide biannual test of the system.

PROCEDURES USED TO NOTIFY THE CAMPUS COMMUNITY

In the event of a situation that poses an immediate threat to members of the campus community, the College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of the campus community. These methods of communication include the mass notification system Rave Alert, the College's email system, and verbal announcements within a building and over public address systems. The College will post updates during a critical incident on the homepage of the website. If the situation warrants, the College will establish a telephone call-in center to communicate with the College community during an emergency situation.

CONFIRMING SIGNIFICANT EMERGENCY AND INITIATING THE NOTIFICATION SYSTEM

Campus Safety and/or other campus first responders may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the campus safety dispatcher or upon discovery during patrol or other assignments.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in Campus Safety or other authorized College office to issue an emergency notification.

Once a decision has been made that students and employees need to be notified of an emergency, the Office of Campus Safety and/or the Kenyon Emergency Preparedness Team (KEPT) will immediately initiate all or some portions of the College's emergency notification system. The type(s) of notification will be determined and one or all of the following systems will be initiated: Rave Alerts, student-info and employee-info emails, and website updates. The emergency notifications are intended to reach all members of the College community.

DETERMINING THE CONTENTS OF THE EMERGENCY NOTIFICATION

The Kenyon Emergency Preparedness Team (KEPT), the Office of Campus Safety, and local first responder agencies, if present, will determine the contents of the notification and initiate the notification system(s). The College has developed template messages to address several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. If there is not an appropriate message template, the individual authorizing the alert will develop a succinct message to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE GREATER COMMUNITY

Emergency operations require the fullest possible communication. Full communication requires systematic, precise and redundant communication channels, including public-address alert systems, diverse emergency information systems, phone-tree information-sharing protocols, plans for administering announcements and updates, and public relations strategies.

Communication to constituents takes different forms. First information about a crisis goes out in brief messages conveyed automatically through emergency messaging systems. This first information includes only basic information and essential warnings and other reference to safety measures. Subsequent updates might proceed through emergency messaging systems as well, but they might also evolve into longer explanatory messages transmitted by other means including emails or even public meetings. These forms of information might also be posted on the College website.

In the event that an emergency on campus could affect the larger surrounding community, a KEPT staff member is designated to be a liaison with local officials. The Office of Communications has been identified as the liaison for news outlets.

EMERGENCY-LEVEL DEFINITIONS

Campus Watch

Threat to campus is vague and/or an event has occurred, or has the potential to occur. An event may have occurred in relative proximity to campus. No immediate action is required and the campus community will not be notified. All Campus events and services will continue to operate as normal. Campus Safety and/or KEPT will closely monitor the situation.

Campus Alert

Unplanned event and/or incident that is not likely to threaten life or have a significant impact on the health or property of the campus community. A RAVE alert will be sent to the campus community with information and, if necessary, instructions. Specific campus events may be delayed or cancelled, but most campus events and services will continue to operate as normal. College personnel will manage the event/incident and care for community members. The duration of the incident is generally no more than a few hours.

Campus Warning

Event and/or incident that impacts the life, health, and/or property of a specific area of the campus community. A RAVE alert will be sent to the campus community with information and instructions. An incident may require a partial and/or short-term evacuation, or relocation of some community members. Specific campus events may be cancelled and campus operations may be temporarily limited to essential operations. College personnel need outside agencies to effectively manage the incident and care for community members. The duration of the incident is a maximum of eight (8) hours.

Campus Emergency

Large-scale event and/or incident that significantly impacts the life, health, and/or property of the entire campus community. A RAVE alert will be sent to the campus community with information and instructions. An incident may require a major evacuation, or relocation of community members. Campus events may be cancelled and services may be limited to essential operations. College personnel need outside agencies to effectively manage the incident and care for community members. The duration of the incident is unpredictable, but long-term effects are likely.

EVACUATION PROCEDURES

If a fire alarm is sounding, all individuals are to immediately evacuate the building until cleared to re-enter by the Office of Campus Safety, Mount Vernon Fire Department or College officials. Please review the Annual Fire Safety Report within this document for further information about Fire Prevention and Safety.

In other instances of emergency, emergency staff first on the scene will decide whether or not immediate evacuation is necessary. The emergency personnel should immediately specify the area to be evacuated. Emergency personnel should notify the Office of Campus Safety to request help if necessary.

Emergency personnel must conduct a door-to-door search of the building, telling all occupants to evacuate. If anyone refuses to evacuate, the emergency workers should continue with the evacuation and then, time permitting, return to the person, obtain their name, and advise them that disciplinary action will be taken should they continue to refuse to evacuate.

The evacuees should be moved to rally points, where emergency workers should take a census to establish that the evacuation is complete. After the census is complete, evacuees should be moved to temporary quarters.

In all cases in which students are displaced or relocated, the Kenyon Emergency Preparedness Team must receive immediate notification.

EVACUATION OF THE PHYSICALLY CHALLENGED

Safety officers and/or emergency personnel will assist physically challenged individuals in an evacuation, making all possible special arrangements necessary to lead them to safety. As a precaution, the College provides ground-floor housing to anyone who uses a wheelchair. Hearing-impaired students have TTY phone-capability in their rooms, and the fire-alarm system is connected to strobe lights.

SHELTER IN PLACE

Some emergencies will require you to remain inside. "Shelter in place" means staying put and, if possible, choosing a small room with as few windows as possible for refuge. To shelter in place:

1. Stop classes, work or business operations.
2. Remain inside the building and ask others to do the same (assign an individual to ensure other occupants know of the need to shelter in place).
3. If possible, relocate to a room on the safest floor, preferably interior, with the fewest windows and vents, as far as possible from the location of the incident.
4. Call emergency contacts to let them know who is sheltering in place, and that they are safe.
5. Close and lock all windows, exterior doors and other openings to the outside.
6. Do not erect barricades or obstacles in the event a fire or other incidents that make it necessary to evacuate.
7. Remain sheltered until directed otherwise by College officials.

DRILLS, EXERCISES AND TRAINING

To ensure the College's emergency management plans remain current and actionable, the College will conduct an emergency management exercise at a minimum of once a year. These exercises may include tabletop drills, emergency operations center exercises or full-scale emergency response exercises. The College conducts after-action reviews of all emergency management exercises.

The Kenyon Emergency Preparedness Team documents the emergency management response and evacuation exercise along with the description of the exercise and the date and time of the exercise. If an exercise is targeted to a specific group of individuals or targeted to a larger group which may affect certain operations of the college, the emergency response exercise will be announced. There are no plans for unannounced emergency response or evacuation drills for the year 2021.

These emergency response exercises change from year-to-year and may include several departments from across the campus.

On Fridays at 12:00 p.m, Knox County Emergency Management performs a test of the Village of Gambier tornado siren. This test is performed every week during the calendar year. The tornado siren is located beside the Office of Campus Safety.

The Office of Campus Safety will annually publicize Kenyon College emergency response and evacuation procedures by email to the college community during Fire Safety Awareness Month in October.

Missing Student Notification Policy

If a member of the Kenyon College community has reason to believe that a student is missing, they should immediately notify the Office of Campus Safety at 740-427-5555. The Office of Campus Safety will investigate, generate a missing person report, and involve law enforcement agencies as necessary.

Any student residing in on-campus housing may identify both an emergency contact and a contact who will be notified should the student be determined missing by the Office of Campus Safety, and this information should be updated regularly. If the missing student is under the age of 18 and is not emancipated, Student Affairs will notify the student's parent or legal guardian, in addition to the student's designated contact. Contact information will be registered confidentially for all students, will be accessible only to authorized campus officials, and will not be disclosed except to law enforcement personnel in furtherance of a missing person investigation. Starting in the fall of 2021, students will have the opportunity to register their confidential contact with the College via an online system. Once the online system is available to all students, it will be communicated via email to students.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, the Office of Campus Safety will notify the appropriate local law enforcement agency with jurisdiction in the area where the student went missing within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student is missing.

INITIAL RESPONSE

- Suspected cases of missing students should be reported to the Office of Campus Safety.
- If the Office of Campus Safety so determines, the report of suspected missing student(s) should proceed to the vice president for student affairs.
- If the Office of Campus Safety and Student Affairs so determines, an investigation may begin, especially if the situation matches any of those listed below (under "general instructions").
- The director of campus safety in collaboration with the vice president for student affairs will determine whether or not to contact the Knox County Sheriff's Office prior to 24 hours after the student was first considered missing.
- If a student has been missing for more than 24 hours:
 - The College will notify the Knox County Sheriff's Office.
 - The College will notify the person identified as the student's confidential, emergency contact.
 - The College will notify a parent or guardian if the student is under 18 years old.

COMMUNICATION AND NOTIFICATIONS

The director of campus safety and the vice president for student affairs may choose to notify other staff, certain students and confidential contacts, family members of suspected missing students at any time.

If a student is determined to have been missing for more than 24 hours, the director of campus safety in collaboration with the vice president for student affairs and vice president for communications may choose to send a general notification to the community both to seek assistance and to report the situation.

GENERAL INSTRUCTIONS

- Do not hesitate to report when you suspect someone may be missing.
- An investigation may begin even if a student has not been missing 24 hours if:
 - All possible efforts to establish contact fail; circumstances indicate that a crime may have occurred.
 - Circumstances indicate that the student is in danger of physical harm.
 - Unmet medical needs may threaten the life or health of the student.
 - Physical or mental disability jeopardize the student's life or health.
- Questions to help investigate the situation include:
 - What is the evidence that the student is missing?
 - Is there a witness to any evidence of crime, abduction or violence?
 - Has the student exhibited any unusual behavior?
 - Has the student been ill or despondent?
 - Is the student mentally or physically disabled?
 - Has the student disappeared before?
 - Does the student have any known substance-abuse problems?
 - Has the student received any threats or warnings, or has the student been subject to any unusual treatment?
 - Does anything about the student's lifestyle indicate a potential problem?
 - Have there been any similar incidents?
- Response measures to aid Campus Safety and police investigations may include:
 - Interview the person who reported the disappearance and verify information with others.
 - Secure and evaluate the site of a potential abduction.
 - Interview any witnesses to any abduction or criminal event.
 - Obtain detailed descriptions and photographs of the student and any vehicles or other persons involved in the situation.
 - Obtain the student's academic and work schedules and interview anyone with whom the student has classes or work duties.
 - Obtain records and other potentially relevant information about the missing student from the Health and Counseling Center.
 - Obtain all available potentially relevant information about the people with whom the student has important relationships.
 - Secure the student's residence as a potential source of information and evidence.
 - Canvass the area for potential witness information.
 - Monitor the student's accounts (such as email) and key-card access records as appropriate.
 - Assign a liaison to the student's family.

Kenyon College Policies Governing Alcohol and Other Drugs

Kenyon College has a vital interest in maintaining safe, healthful, and efficient working conditions for its employees. The College is committed to a drug-free school and work environment for its students and employees and furthermore supports the applicable laws governing the use of alcohol and illicit drugs.

HEALTH RISKS

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have

irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk than others of becoming alcoholics.

Know the signs of body distress caused by over consumption of substances:

- Passed out or difficult to awaken
- Cold, clammy, pale or bluish skin
- Slowed breathing
- Vomiting (asleep or awake)

Know how to help:

- Contact Campus Safety for assistance or call 911.
- NEVER leave the person unattended.
- Turn a vomiting person on their side to prevent choking and clear vomit from the mouth.
- Keep the person awake.

Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed. Drugs taken by injection can increase the risk of infection (e.g. HIV, hepatitis and so on) through needle contamination. For more information visit: www.drugabuse.gov and www.samhsa.gov.

STUDENT POLICIES

Restraints Governing Use of Alcohol: Students

Because the consumption of alcohol in a campus setting raises many complex issues, including behavioral, safety and legal problems, it is necessary for the College to define certain limitations on and restrictions regarding the possession, consumption, and purchase of alcoholic beverages. Students found responsible for violating this policy will be held accountable, and they may also be required to participate in counseling, assessment, and/or treatment; this may need to take place off-campus at the student's expense.

- Use, possession, manufacture, distribution or purchase of alcoholic beverages while under the legal drinking age.
- Providing alcoholic beverages to anyone under the legal drinking age.
- Causing anyone to ingest alcoholic beverages against their will and/or without their knowledge (regardless of age).
- Being severely intoxicated (regardless of age).
- Operating a motor vehicle while under the influence of alcohol or other drugs.
- Use or possession of beer funnels/beer bongs and any other apparatus that promotes high-risk drinking.

Use or possession of alcohol or alcohol containers (whether empty, opened, or unopened) in the following locations and/or at the following events:

- Any public campus areas (except at registered social events).
- Any public areas in the Village of Gambier.
- Any athletic venue or at any intercollegiate, club or intramural athletic event.
- All student organizations managed spaces and offices (except at registered social events).
- Residential spaces where all assigned residents are under the legal drinking age.

Kenyon College's alcohol policy reflects its intention to adhere to state and local laws governing the use, distribution and consumption of alcoholic beverages. Kenyon is subject to these laws and administers all policies in accordance with their current interpretation. Thus, Kenyon's specific alcoholic beverage regulations are designed to encourage responsible drinking and behavior by clearly stating what is expected of those who choose to consume or serve alcohol. If alcohol is found in a shared living space where all residents are under the legal drinking age (21), all residents will be held accountable for this policy violation. Violations of these regulations will result in disciplinary action. More information can be found about the College's Drug-Free Schools and Campuses Prevention program here: kenyon.edu/offices-and-services/student-rights-responsibilities/policies-and-regulations/drug-free-schools-and-campuses-prevention-program/

Drugs

Kenyon will not tolerate student use or possession of any illegal drugs, synthetic substances analogous to controlled substances, or possession of drug paraphernalia (e.g., bongs, water pipes, roach clips, hookahs, scales, cutters). This includes the illegal possession, use, abuse, distribution or provision of prescription or nonprescription medications. Use of mailing services to purchase, pass, obtain and/or distribute drugs or over the counter drugs is prohibited. Violations of the law will result in disciplinary action; penalties may include suspension or dismissal, depending on the seriousness and extent of the offense. The College also will take disciplinary action against any student who endangers their own or another student's health or academic performance through drug use, abuse, distribution or provision. Students found responsible for violating this policy may also be required to participate in counseling, assessment and/or treatment; this may need to take place off campus at the student's expense.

- Use or possession of any illegal drug, drug paraphernalia or synthetic substances that are analogous to controlled substances.
- Distribution, sale, transfer, manufacture or attempt to manufacture, or traffic of any drug, drug paraphernalia or synthetic substances
- Causing anyone to ingest any drug or synthetic substance against their will and/or without their knowledge (regardless of age).
- The misuse or sale of legal substances such as prescription drugs or over the counter drugs.
- Use of mailing services to purchase, pass, obtain, and/or distribute illegal drugs.

Good Samaritan Policy

In order to ensure that students receive prompt and appropriate attention for alcohol intoxication or drug impairment and that there are no impediments to seeking such assistance, the College hereby institutes a Good Samaritan policy.

In those instances in which a student calls the Office of Campus Safety or another College office for assistance with an intoxicated or impaired student, neither the individual calling nor the student in need of assistance will be charged with violations of the College's policies on alcohol and other drugs.

If intoxicated/impaired students demonstrate a reckless or habitual lack of care concerning their well-being and the well-being of the campus community, they may be required to meet with a member of the student affairs staff who will determine the actions necessary to protect the welfare of the student and the campus community.

This policy is designed to save lives. The spirit of the Good Samaritan is that we all have an ethical responsibility to help people in need. There is an expectation that students will take active steps to protect the safety and well-being of our community.

STUDENT DISCIPLINARY ACTIONS AND SANCTIONS FOR ALCOHOL AND DRUGS

Students found in violation of Kenyon's Alcohol and Drug policies may face a variety of sanctions depending on the severity of their violation.

- First-time minor violators will normally receive an educational sanction of eCheckup which is an online survey that allows for self-reflection.

Repeat violators of possession could receive the following sanctions:

- Referral to a Substance Abuse Counselor
- Completion of an educational paper
- Disciplinary Probation
- Deferred Suspension
- Students found responsible for the distribution, sale or trafficking of drugs could face sanctions of suspension and dismissal.

EMPLOYEE POLICIES AND DISCIPLINARY ACTION: SUBSTANCE ABUSE/DRUG FREE WORKPLACE

The manufacture, possession, use, distribution, sale, purchase, or transfer of, or being under the influence of, alcohol or illegal drugs is strictly prohibited while on Kenyon premises or while performing College business. The use of alcohol when authorized by the College for approved College functions is not prohibited. For purposes of this policy the term "drug" shall include any illicit drug, controlled substance, intoxicating substance, inhalant, counterfeit substance, look-a-like substance, marijuana, cannabis, opiate, hallucinogen, narcotic, or other unlawful drug for purposes of federal or state law including, but not necessarily limited to the Drug Free Workplace Act and the Drug Free Schools and Community Act.

- Employees will not be permitted to work while under the influence of drugs or alcohol. Individuals who appear to be unfit for duty may be subject to a medical evaluation which may include drug or alcohol screening. Refusal to comply with a fitness-for-duty evaluation may result in disciplinary action up to and including discharge. An employee shall notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- Off-the-job illegal drug use which could adversely affect an employee's job performance or which could jeopardize the safety of other employees, the public or College facilities, or where such usage could jeopardize the security of College finances or business records, or where such usage adversely affects students, customers, or the public's trust in the ability of the College to carry out its responsibilities, will not be tolerated. Employees who are involved in or suspected of involvement in off-the-job drug activity will be considered in violation of this policy.
- Employees undergoing prescribed medical treatment with a controlled substance that may affect the safe performance of their duties are required to report this treatment to their supervisor through their personal physician.
- Kenyon College recognizes that alcoholism/drug abuse is a form of illness that is treatable in nature. The College shall not discriminate against employees based on the nature of their illness. No employees shall have their job security threatened by their seeking of assistance for a substance abuse problem. The same consideration for referral and treatment that is afforded to other employees having non-drug/alcohol related illnesses shall extend to them.
- Every effort shall be made to provide an early identification of a substance abuser, to work with and assist the employee in seeking and obtaining treatment without undue delay.
- Early identification of the substance abuser shall be based upon job performance and related criteria, as well as resulting impairment on the job from the job activities. The supervisor of the employee shall bring such information to the attention of the designated representative for further evaluation. An employee who voluntarily seeks treatment for a substance abuse problem which requires a leave of absence for treatment shall be granted such leave of absence and further shall be eligible for benefits under the specifications of the existing paid and unpaid leave and insurance policies.

Nothing in this policy is construed to prohibit the College from its responsibility to maintain a safe and secure work environment for its employees or from invoking such disciplinary actions as may be deemed appropriate for actions of misconduct by virtue of their having arisen out of the use or abuse of alcohol or drugs or both. Depending on the nature and seriousness of the infraction, an employee may be subject to disciplinary action up to and including dismissal and may be further required to participate in and/or successfully complete a drug or alcohol evaluation, assistance, or rehabilitation program in conjunction with such discipline or otherwise. Depending on the nature of the violation, the authorities may be contacted for criminal prosecution.

Through this program of providing the above information to each employee, the College is making a good faith effort to implement an alcohol-drug program as required by the Drug-Free Schools and Communities Act amendments of 1989 and the Drug Free Workplace Act of 1988.

DRUG AND ALCOHOL COUNSELING/TREATMENT PROGRAM AVAILABILITY

Drug and alcohol counseling is available to students through the Health and Counseling Center. The counseling service is staffed by a substance-abuse educator and counselor. Individual therapy is available for alcohol and/or other substance abuse. A number of support groups are on campus, including KAAG (Kenyon Alcohol Awareness Group), KADE (Kenyon Alcohol and Drug Education), and KCOA (Kenyon Children of Alcoholics/Addicts). Alcohol and other drug counseling is also available to students through the Alcohol and Drug Freedom Center at 106 East Gambier Street in Mount Vernon, 397-2660. The Freedom Center offers assessment, counseling, referral, and recovery education and support. The professionals on staff answer a twenty-four-hour "hot line" to care for the community.

Various treatments programs are available outside Knox County, including Shepherd Hill in Newark, Ohio, and the Columbus, Ohio, programs at Talbot Hall, Parkside Lodge, and OSU/Harding Hospital. Through the years, Kenyon has established lines of communications with these facilities to facilitate the referral of a student or staff person for evaluation and/or care.

Various Al-Anon and Adult Children of Alcoholics (ACOA) groups are available in Knox County and the surrounding area. A list of programs is available through the Freedom Center and the local Alcoholics Anonymous chapter at 393-2439.

For full-time, benefited employees, substance use treatment offered by UMR & United Healthcare is a confidential service for all employees and their families. Personal information will be kept confidential. Licensed clinicians are available 24/7 for phone consultations. Referrals may require insurance coverage. Contact the helpline at 1-855-780-5955 or visit liveandworkwell.com/recovery.

ALCOHOL AND OTHER DRUGS - OHIO LAW

Ohio State Alcohol Law

Students are expected to know and comply with state and local laws regarding the sale, possession and consumption of alcohol.

- A. State statutes prohibit persons under the legal drinking age (21) from buying, possessing, being furnished with and/or consuming alcoholic beverages.
- B. The law provides fines for convicted violators (including minors and those who furnish alcohol to minors), or imprisonment, or both. Statutes also impose penalties on persons with knowledge of persons violating the statutes cited above.
- C. State law prohibits misrepresentation of age or falsification of ID cards or the use of another person's identification for the purpose of obtaining alcoholic beverages.
- D. State law also prohibits anyone, regardless of age, from opening or drinking from a container of beer or intoxicating liquor in a moving vehicle, and anyone under legal age from having alcoholic beverages in a motor vehicle.

Federal and State Drug Law

The following laws govern distribution, possession and use of drugs and drug paraphernalia:

- United States: The Harrison Act of 1914 as amended, the Marijuana Tax Act of 1937 and the Drug Abuse Control Amendments of 1965. See Title 21 of the U.S. Code.
- Ohio: Chapters 2925 and 3719 of the Ohio Revised Code, appropriate sections. The sale or possession of drugs can result in substantial fines or prison terms under Ohio law. Section 2925.14 prohibits the use, possession, sale, manufacture or advertisement of drug paraphernalia and requires its seizure. Chapter 3796 outlines the state of Ohio's medical marijuana control program.

DRUG-FREE SCHOOLS AND CAMPUSES PREVENTION PROGRAM

Standards of Conduct

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs and alcohol by Kenyon College students or employees is prohibited in and on Kenyon College-owned or controlled property or as any part of any Kenyon College off-campus activity.

With regard to the consumption of alcohol by students, it is the College's intention that its policies comply with state and local laws governing the use, distribution, and consumption of alcohol. For example, state law prohibits:

- persons under twenty-one (21) from buying, being furnished, and consuming alcoholic beverages or possessing them in a public place with limited exceptions;
- the misrepresentation of age or falsification of identification cards or use of another person's identification; and
- the opening or consumption of alcoholic beverages in a moving vehicle.

The College recognizes that some of its students are twenty-one (21) or older and therefore are permitted to consume alcohol under state law. In order to regulate the availability, furnishing, and consumption of alcohol by these students who are twenty-one (21) or older, the College has promulgated specific rules and regulations regarding the limitations and restrictions about drinking on College-owned or controlled property or as a part of any College off-campus activity. These regulations are set forth specifically in section A of the Student Regulations.

The use of alcohol by an employee while on College-owned or controlled grounds or as part of a Kenyon College activity, including meal periods and breaks, is prohibited except when authorized by the College for approved College functions. No employee shall report to work while under the influence of illicit drugs or alcohol.

Applicable Legal Sanctions

For both students and employees, federal, state, and local laws provide a variety of penalties for the unlawful possession or distribution (i.e., trafficking) of illicit drugs or alcohol. Penalties under federal and Ohio law for various alcohol and illicit drug-related offenses are described below.

The Student Conduct Process

The purpose of the Kenyon College student conduct process is to review alleged violations of Kenyon policies, procedures and regulations by individual students, groups of students or student organizations. The various components of the College conduct system are designed to respond to such violations, to determine the facts based on a standard of the preponderance of the evidence, to ascertain responsibility or non-responsibility regarding the alleged charges, and to determine appropriate sanctions.

The vice president for student affairs or designee has the authority and responsibility for the administration of the Kenyon conduct process. The members of the Division of Student Affairs and the Student Conduct Review Board seek to provide a conduct process and disciplinary function that educates students about their rights, responsibilities and accountability as members of the Kenyon community. The College's conduct process encourages students and/or the groups to which they belong to recognize their obligations to themselves, to their peers, to Kenyon and to society as a whole. Therefore, the goal of the conduct process is to build an understanding on the part of the students of the positive and negative outcomes of one's behavior and the manner in which that behavior can, and often does affect others. Through established procedures, the College conduct process seeks to ensure the protection of student rights in questions of alleged violations of Kenyon policies, procedures and regulations. Similarly, a student may be held accountable to the standards of other organizations to which they are bound (student athlete code of conduct, student organization standards, etc.).

The College may place students on interim suspension prior to the consideration of alleged violation of policies whenever their activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College. An individual or group may be required to curtail or modify behavior and/or activities prior to the formal consideration of alleged violation of policies whenever these behaviors and/or activities are viewed as threatening or potentially injurious to the well-being or property of members of the Kenyon community or to the property or orderly functioning of the College. An individual who chooses to voluntarily withdraw may still be subject to the conduct process. The College may delay granting a diploma otherwise earned until the completion of the student conduct process, including completion of any sanctions imposed.

College disciplinary proceedings may be instituted against a student charged with conduct that potentially violates both the criminal law and the Student Handbook (that is, if both possible violations result from the same factual situation) without regard to pending civil or criminal litigation in court, or criminal arrest and prosecution. Proceedings under this process may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus at the discretion of the vice president for student affairs or designee. Decisions made or sanctions imposed under the College's Student Code of Conduct will not be subject to change as a result of pending or resolved civil or criminal charges arising out of the same facts.

Annual Disclosure of Crime Statistics

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Office of Campus Safety maintains a close relationship with all police departments where Kenyon College owns or controls property to ensure that crimes reported directly to these police departments that involve the College are brought to the attention of Campus Safety.

The Office of Campus Safety collects the crime statistics disclosed in the following chart(s) through a number of methods. Campus Safety dispatchers and officers enter all reports of crime incidents made directly to the department through an integrated computer aided-dispatch systems/records management system. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. Campus Safety periodically examines the data to ensure that all reported crimes are recorded in accordance with crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that Campus Safety maintains, the statistics below also include crimes that are reported to various campus security authorities, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the subcategories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

DEFINITIONS OF CLERY ACT LOCATIONS

On-Campus: All property, including on-campus housing facilities, owned or controlled by an institution within the same reasonably contiguous geographical area used by the institution in direct support of, or in a manner related to, institutional educational purposes, including residence halls; and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, and is used by students and supports institutional purposes (such as a food or other retail vendor).

On-Campus Student Housing: Property owned or controlled by the institution used to provide housing for the institution's students.

Non-Campus: 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 being used in direct support of, or in relation to, the institution's educational purposes, is frequented by students and is not within the same reasonably contiguous geographic area of the institution.

Note: With the exception of Ganter-Price Hall, Greek houses are considered non-campus; however, for reporting purposes the statistics are provided by the Office of Campus Safety and local law enforcement.

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. The Clery Act does not require disclosure of crime statistics for public property that surrounds non-campus buildings or property.

DEFINITIONS OF REPORTABLE CRIMES

Criminal Homicide: Criminal Homicide offenses are separated into two categories: Murder/Non-negligent Manslaughter and Manslaughter by Negligence.

Murder/Non-negligent Manslaughter: defined as the willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: defined as the killing of another person through gross negligence.

Sexual Assault (Sex Offenses): defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. It includes rape, fondling, incest, statutory rape.

Robbery: defined as 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: defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary: is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft: is the theft or attempted theft of a motor vehicle.

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

CATEGORIES OF A HATE CRIME

Hate Crime: is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

National origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

Religion: A pre-formed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

Sexual Orientation: A pre-formed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

In addition to the above listed Reportable Crimes, if a Hate Crime occurs the following are also counted under the statistics if classified as such.

Larceny-Theft: is 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 or Property (except Arson): to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution and the failure to make an arrest do not “unfound” a crime report. Kenyon College campus safety officers are not sworn or commissioned.

CLASSIFYING CRIME STATISTICS

The statistics on the following pages are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and the Clery Act.

The number of victims involved in a particular incident is indicated for the following crime classifications: murder/non-negligent manslaughter, manslaughter by negligence, sex offenses (rape, fondling, incest, statutory rape) and aggravated assault. For example, if an aggravated assault occurs and there are three victims, this would be counted as three aggravated assaults in the crime statistics.

The number of incidents involving a particular offense is indicated for the following crime categories (includes one offense per distinct operation): robbery, burglary and arson. For example, if five students are walking across campus together and they are robbed, this would count as one instance of robbery in the crime statistics chart.

In cases of motor vehicle theft, each vehicle stolen is counted.

In cases involving Weapons, Drug Abuse or Liquor Law Violations, each person who was arrested is indicated in the arrest statistics. The statistics captured under the “Judicial Referrals” section for Weapons, Drug Abuse and Liquor Law Violations indicate the number of people who were referred to the Student Conduct Review Board for violating those specific laws.

Statistics for hate crimes are counted in each specific Clery-reportable crime category and therefore are part of the overall statistics reported for each year. The only exception to this is the addition of a bias-motivated larceny, simple assault, intimidation and destruction/ damage/vandalism of property; the law requires that this statistic be reported as a hate crime even though there is no requirement to report the crime in any other area of the compliance document.

2020 Federal Clery Report

*On Campus: Student Housing and On Campus: Other numbers are included in the *Total On-Campus* category.

Offense	Year	On Campus: Student Housing	On Campus: Other	Total On Campus	Non-campus	Public Property	Unfounded
Arson	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Murder/ Non-negligent Manslaughter	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Manslaughter by Negligence	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Robbery	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Aggravated Assault	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Burglary	2020	0	0	0	0	0	0
	2019	2	0	2	0	0	0
	2018	2	0	2	0	0	0
Motor Vehicle Theft	2020	0	0	0	0	0	0
	2019	0	1	1	0	0	0
	2018	0	2	2	0	0	0
Weapons Arrest	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Drug Arrest	2020	0	1	1	0	0	0
	2019	4	0	4	0	0	0
	2018	0	3	3	0	0	0
Alcohol Arrest	2020	1	0	1	0	0	0
	2019	8	1	9	0	6	0
	2018	2	10	12	0	2	0
Weapons Referral	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	1	1	0	0	0
Drug Referral	2020	67	0	67	0	0	0
	2019	61	9	70	0	0	0
	2018	67	1	68	0	0	0
Alcohol Referral	2020	70	2	91	19	0	0
	2019	62	5	67	0	0	0
	2018	112	7	119	0	1	0
Stalking	2020	1	0	1	0	0	0
	2019	0	1	1	0	0	0
	2018	0	2	2	0	0	0

Offense	Year	On Campus: Student Housing	On Campus: Other	Total On Campus	Non-campus	Public Property	Unfounded
Dating Violence	2020	0	0	0	0	0	0
	2019	2	1	3	0	0	0
	2018	4	0	4	0	0	0
Domestic Violence	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Rape	2020	2	0	2	0	0	0
	2019	7	0	7	0	0	0
	2018	11	0	11	0	0	0
Fondling	2020	2	1	3	0	0	0
	2019	5	2	7	0	0	0
	2018	5	2	7	0	0	0
Incest	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0	0
	2019	0	0	0	0	0	0
	2018	0	0	0	0	0	0

Hate Crime Reports

Year	Hate Crime Violation	Hate Crime Basis	On Campus: Student Housing	On Campus: Other	Total On Campus	Non-campus	Public Property
2020	N/A	N/A	0	0	0	0	0
2019	Destruction, Damage, or Vandalism of Property	Religion	0	1	1	0	0
2018	Destruction, Damage, or Vandalism of Property	National Origin	1	0	1	0	0

CLERY ACT COMPLIANCE - VIOLENCE AGAINST WOMEN ACT (VAWA) DAILY CRIME LOG

The Clery Act, as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), imposes certain requirements on the College's response to Sexual Assault, Dating Violence, Domestic Violence, and Stalking. Post-secondary institutions who receive federal funding are required to report crime statistics in their daily crime log, Annual Security Report, and to the U.S. Department of Education. Key response and procedural protections under the Clery Act include issuing a timely warning when there is a serious or ongoing threat, instituting protective measures (referred to as supportive measures below), using trained and impartial investigators and decision-makers, reaffirming the right of individuals to decide whether to report or seek assistance from law enforcement and/or campus authorities, allowing individuals to be accompanied by an advisor of their choice during the process, allowing timely and equal access to any information used in a disciplinary proceeding, and providing written notice of the outcome and rationale.

OHIO LEGAL DEFINITIONS RELATIVE TO THE CLERY ACT AND THE VIOLENCE AGAINST WOMEN ACT (VAWA)

Any criminal investigation conducted by local law enforcement agencies with responsibility for investigating an alleged offense of sexual assault, dating violence, domestic violence, and stalking laws will operate in accordance with criminal elements as defined by the Ohio Revised Code. The Ohio Revised Code (ORC) does not explicitly define “consent” or “sexual assault;” however, Chapter 2907 of the ORC defines “sex offenses” in Ohio criminal law. Ohio law does not define “dating violence,” but Chapter 2901 of the ORC outlines 36 “offenses of violence” in Ohio criminal law. Chapter 2919.25 of the ORC outlines the elements of a domestic violence offense as follows:

- (A) No person shall knowingly cause or attempt to cause physical harm to a family or household member.
- (B) No person shall recklessly cause serious physical harm to a family or household member.
- (C) No person, by threat of force, shall knowingly cause a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

Ohio Revised Code 2903.211 outlines the elements of “menacing by stalking” as follows:

- (A) (1) No person by engaging in a pattern of conduct shall knowingly cause another person to believe that the offender will cause physical harm to the other person or a family or household member of the other person or cause mental distress to the other person or a family or household member of the other person. In addition to any other basis for the other person's belief that the offender will cause physical harm to the other person or the other person's family or household member or mental distress to the other person or the other person's family or household member, the other person's belief or mental distress may be based on words or conduct of the offender that are directed at or identify a corporation, association, or other organization that employs the other person or to which the other person belongs.
- (2) No person, through the use of any form of written communication or any electronic method of remotely transferring information, including, but not limited to, any computer, computer network, computer program, r-computer system, or telecommunication device shall post a message or use any intentionally written or verbal graphic gesture with purpose to do either of the following:
 - (a) Violate division (A)(1) of this section:
 - (b) Urge or incite another to commit a violation of division (A)(1) of this section.
- (3) No person, with a sexual motivation, shall violate division (A)(1) or (2) of this section

Tips to Reduce Violence, Sexual Assault and Harassment

Risk reduction strategies are designed to decrease sexual assault and harassment, empower victims and active bystanders, promote safety and help individuals and communities address conditions where there is the potential for violence or for the escalation of violence. While recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse & Incest National Network, www.rainn.org):

- Be aware of your surroundings. Especially if you are new to campus it is important to know where you are and who is around you. This may help you to find a way to get out of a bad situation.
- Avoid giving out your contact information too soon. Take time to get to know people before giving out private information.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be. If you see something suspicious, call the Office of Campus Safety (740-427-5555) or 911 immediately.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged. It is a good idea to program emergency numbers into your phone, so you can contact help quickly if necessary.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

- Don't leave your drink unattended while talking, dancing, using the restroom or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had or is acting out of character, get them to a safe place immediately.
- If you suspect you or a friend has been drugged, contact Campus Safety (740-427-5555) or law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. Remember that being in this situation is not your fault. You are not to blame; it is the person who is making you uncomfortable who is to blame.
 - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" or "no" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - d. Lie. If you don't want to hurt the person's feelings it is better to make up a reason to leave than to stay and be uncomfortable, scared or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

How to Get Help for Sexual or Physical Assault

Any member of the College community who has experienced sexual or physical assault is encouraged to immediately seek medical assistance, contact law enforcement to make a report, and make a report to the College.

The following information is available at this link: www.kenyon.edu/titleix

The Civil Rights & Title IX Coordinator provides a PDF copy of the information listed below to each reporting party and responding party as part of the initial response/outreach.

This information is also available in the Civil Rights Office brochure available in print on campus, and via PDF at the following link: www.kenyon.edu/files/resources/civil-rights-office-brochure-2021-22.pdf

EMERGENCY RESPONSE

Kenyon Campus Safety

740-427-5555 (24 hours) 740-427-5000 (24 hours)

Knox County Sheriff's Office

911 or 740-397-3333

Emergency Law Enforcement Response

911 (from anywhere)

MEDICAL TREATMENT

Knox Community Hospital

1330 Coshocton Avenue
Mount Vernon, OH 43050
740-393-9000

Provides medical treatment and sexual assault forensic exams

New Directions: The Domestic Abuse and Rape Crisis Center of Knox County Hotline

740-397-4357

Will accompany individuals to a sexual assault forensic exam

Kenyon College Cox Health Center

740-427-5525

Monday-Friday, 8:30 a.m.-4:30 p.m. Closed during lunch, noon-1 p.m.

Provides medical treatment to students. For information about medical attention during non-business hours, call Campus Safety at 740-427-5000

COUNSELING

Kenyon College Cox Counseling Center

740-427-5643

Monday-Friday, 8:30 a.m.-4:30 p.m. Closed during lunch, noon-1 p.m.

Provides counseling services to students. After hours counseling can be obtained by calling Campus Safety, 740-427-5000, and without disclosing your name, asking to be connected with a counselor.

After-hours Counseling

After-hours counseling can be obtained by calling Campus Safety, 740-427-5000, and, without disclosing your name, asking to be connected with the counselor on call.

SUPPORT

(Non-Confidential)

Office of Diversity, Equity and Inclusion

740-427-5160 or 740-427-5897

REPORTING OPTIONS AT KENYON

(Private but not confidential))

Office for Civil Rights

Samantha Hughes
Civil Rights/Title IX Coordinator
740-427-5820, hughess@kenyon.edu

Kevin Peterson

Civil Rights/Title IX Deputy
740-427-5245, peterson2@kenyon.edu

Kenyon Campus Safety

101 W. Scott Lane
740-427-5555 (24 hours) or 740-427-5000

To report anonymously, a report can be completed at forms.kenyon.edu/note/82

CONFIDENTIAL RESOURCES

The resources designated below can provide counseling, information, and support under confidentiality protections. The ombudsperson is not a confidential resource for sexual misconduct.

On Campus

Cox Health and Counseling Center

104 W. Scott Lane

Offers students individual counseling, group counseling and outreach activities, crisis intervention, consultation and health services. After hours counseling can be obtained by calling Campus Safety, 740-427-5000, and without disclosing your name, asking to be connected with the counselor on call.

Health Center

First Floor

740-427-5525

Monday-Friday, 8:30 a.m. to 4:30 p.m.

Counseling Center

Second Floor

740-427-5643

Monday-Friday, 8:30 a.m. to 4:30 p.m.

After-hours Counseling

After-hours counseling can be obtained by calling Campus Safety, 740-427-5000, and, without disclosing your name, asking to be connected with the counselor on call.

College Chaplains

Marc Bragin

College chaplain

740-427-5228

Rachel Kessler

Priest-in-charge of Harcourt Parish and chaplain

740-427-5353

Off Campus

BRAVO Equitas Health

614-299-2437

www.bravo.equitashealth.org

Buckeye Region Anti-Violence Organization (BRAVO)

614-294-7867

www.bravo-ohio.org

College Whistleblower Hotline

866-943-5787

Columbus Branch NAACP

614-382-6900 naacpcolumbus.org

Columbus Urban Pride

columbusurbanpride.weebly.com

FAQ: Institutional Readmission Requirements for Service Members

ed.gov/policy/highered/guid/readmission.html

Knox County Victims' Assistance

740-397-3404

The Legal Aid Society of Columbus

614-224-8374 columbuslegalaid.org

National Domestic Violence Hotline (NDV)

800-799-7233 (SAFE)

www.thehotline.org

National Teen Dating Abuse Hotline

1-866-331-9474

www.loveisrespect.org

New Directions: The Domestic Abuse and**Rape Crisis Shelter of Knox County**

Rape crisis center

24-hour hotline: 740-397-4357

Ohio Sexual Violence Helpline

1-844-644-6435

www.oaesv.org

Ohio Hispanic Coalition Domestic Violence

614-746-3534, 24 Hour Hotline

www.ohiohispaniccoalition.org

Rape, Abuse and Incest National Network (RAINN)

800-656-4673

www.rainn.org

The following information can be found, in writing by visiting: www.kenyon.edu/files/resources/civil-rights-policy-hand-book-2021-22-9-3-21-revisi.pdf. It can also be obtained as a hard-copy by visiting the Office of Campus Safety or the Office of Civil Rights.

Civil Rights Policy

Discrimination, Harassment, Sexual Misconduct

Purpose and Statement of Policy

The College is committed to fostering a climate free from sexual and gender-based discrimination, harassment and violence, dating violence, domestic violence, and stalking through clear and effective policies, a coordinated education and prevention program, and prompt and equitable procedures for resolution of reports of conduct prohibited under this policy. The College encourages all members of its community to participate in the process of creating a safe, welcoming and respectful environment on campus.

The College is committed to taking all appropriate steps to eliminate prohibited conduct, prevent its recurrence and address its effects. Individuals found responsible under this policy may face disciplinary sanctions up to and including dismissal from the College and/or termination of employment.

The College will not tolerate retaliation against an individual who makes a report or participates in any proceedings under this policy. Kenyon College policy prohibits any form of retaliation and community members engaging in retaliation will be subject to disciplinary action, whether such acts are implicit or explicit, or committed directly or indirectly.

This policy provides the Kenyon community with (1) resources and recourse for individuals who experience prohibited conduct, (2) guidance to a reporting party, complainant, respondent or other affected community members, (3) Kenyon's expectations for healthy respectful interpersonal interaction and communication, and (4) a procedural outline for addressing behaviors that are counter to Kenyon's mission and prohibited by this policy.

This policy provides for several paths by which an individual who experiences Prohibited Conduct may proceed, including seeking assistance from confidential resources, filing a report with the College and/or law enforcement, seeking supportive measures, and filing a formal complaint. The filing of a formal complaint may lead to an informal resolution, or to a formal investigation and resolution.

All College proceedings under this policy are conducted in compliance with the requirements of Title IX, the Clery Act, as amended by VAWA, the Family Educational Rights and Privacy Act (FERPA), and state and federal law, as may be applicable. No information shall be released from such proceedings except as required or permitted by law and College policy.

The College emphasizes that every person, regardless of demographic or personal characteristics or identity, is entitled to the same protections against sexual harassment and misconduct and that every individual will be treated with equal dignity and respect.

To that end, the College's objective is to provide a thorough and fair process.

GLOSSARY AND DEFINITIONS

Complainant. An individual who is alleged to have experienced conduct that could constitute Prohibited Conduct under this Policy.

Education Program or Activity. Includes all of the College's operations, including locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the College.

Formal Complaint. A document filed by and signed by a complainant or signed by the Civil Rights & Title IX Coordinator alleging harassment and/or discrimination based on a protected characteristic against a respondent AND requesting that the College investigate the allegation/s. Formal complaints must be filed in order to pursue either an Informal Resolution Process or a Formal Resolution.

Formal Resolution. A grievance process is initiated when a formal complaint is signed and filed alleging harassment and/or discrimination based on a protected characteristic against a respondent, and also requests that the complaint be investigated. The Formal Resolution includes an investigation, a decision, and appeal. The decision-making process includes a live hearing when the complaint involves allegations of "Sexual Harassment – Title IX," as explained in greater detail in the Complaint Resolution section.

Informal Resolution Process. Alternate complaint resolution process available when a formal complaint is signed and filed alleging harassment and/or discrimination based on a protected characteristic against a respondent, and both parties agree to have the complaint resolved informally.

Mandated Reporter. Previously referred to as responsible employees. All College employees, student employees, and affiliated individuals are required to disclose to the Civil Rights & Title IX Coordinator any report of harassment or discrimination of which they are aware to ensure the College is able to provide a prompt, thorough, and supportive response. Confidential resources are exempt from this requirement as detailed in the Reporting of Prohibited Conduct section of this document. Mandated reports do not require that complainants take any specific course of action, or any action at all, with regard to any process under this Policy.

Preponderance of the Evidence. A preponderance of the evidence means that the information or evidence provided is more likely than not to be true. When evaluating the information and evidence, the decision-maker(s) will first evaluate the quality. The decision-maker(s) will consider all of the information and evidence regardless of its origin. Any information or evidence the decision-maker(s) find to be of high quality should be given more weight than any information or evidence the decision-maker(s) find to be of low quality. Quality may or may not be identical with quantity, and sheer quantity alone should not be the basis for a finding of responsibility. The testimony of a single party or witness or a single piece of information or evidence may be sufficient to establish a fact.

Decisions that require the use of an evidentiary standard (determinations of responsibility, process appeals, challenges to Title IX dismissal, and findings of fact) will be made after the decision maker(s) assess the quality of the information or evidence and unanimously determine that the decision is justified. That is, the decision-maker(s) should find that there is sufficient evidence that is relevant, probable, and persuasive to convince them that a particular assertion is more likely than not and that the evidence supporting such an assertion outweighs any evidence to the contrary.

Prohibited Conduct. Conduct prohibited by this Policy and listed in the Prohibited Conduct section. This includes Discrimination on the Basis of a Protected Characteristic, Harassment on the Basis of a Protected Characteristic, Sexual Harassment – Title IX, Sexual Assault – Non-Title IX, Dating Violence – Non-Title IX, Domestic Violence – Non-Title IX, Stalking – Non-Title IX, Sexual Harassment – Non-Title IX, Threats Toward an Intimate Partner, Sexual Exploitation, and Retaliation.

Remedies. Measures determined to be necessary by the Hearing Chair/Panel (Title IX) or Adjudicator (non-Title IX) to restore or preserve the complainant's equal access to the College's education program or activity. Remedies will be determined and monitored by the Civil Rights & Title IX Coordinator throughout the Complainant's enrollment, employment, and/or engagement with the College.

Reporting Party. Any person who files a report of Prohibited Conduct.

Respondent. An individual who has been reported to have committed Prohibited Conduct. A respondent can be an individual or a student group or organization that is alleged to have engaged in conduct that violates this policy.

Supportive Measures. Non-disciplinary, non-punitive individualized services offered to both the complainant and respondent as appropriate, reasonably available, and without fee or charge. This is referred to as protective measures in the Clery Act Compliance section above.

Title IX Dismissal. If the conduct alleged in a formal complaint does not constitute sexual harassment as defined under Title IX, did not occur in a College education program or activity, or did not occur against a person in the United States, the College must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. When a complaint is dismissed under Title IX, it may be resolved through the Investigator Resolution Process as described in the section, Complaint Resolution.

SCOPE OF POLICY

This policy applies to all students, faculty, staff, groups, members of the Board of Trustees, consultants, vendors, volunteers, others engaged in business with the College, guests and visitors. Every individual is responsible for acting in accordance with this policy and other College policies and procedures. Any individual can be a reporting party or complainant.

While the College prohibits discrimination and harassment on the basis of disability, it is covered in the Grievance Procedures for the Americans with Disabilities Act and the Rehabilitation Act of 1973 (further information is available on Kenyon's ADA Student Policy webpage and the ADA Employee and Visitor Policy webpage). This policy applies to all forms of Prohibited Conduct that:

- Occur on campus;
- Occur in any Kenyon College education or employment activities and programs; or
- Have continuing adverse effects on campus, on any member of the Kenyon College community, or in the context of any Kenyon College education or employment activities and programs, regardless of where the conduct occurred.

Upon receipt of a report, the College will take prompt and effective action by: providing supportive measures and support for individuals who make a report or seek assistance under this policy; considering the wishes of an individual regarding supportive measures they are to receive; conducting a review of the conduct; addressing the safety of the complainant and

the campus community; and as appropriate, pursuing resolution through informal resolution or formal disciplinary action against the accused individual. Regardless of whether a complainant chooses to pursue disciplinary action, the College will offer reasonably available supportive measures to protect the parties involved and address safety, emotional and physical well-being concerns. The College will not tolerate retaliation and will take immediate and responsive action to any report of retaliation or any violation of supportive measures.

The College may also hold individuals and groups responsible for off-campus conduct that is prohibited by the Student, Staff or Faculty Handbooks. Regardless of when, where or with whom the conduct was reported to have occurred, the College will offer resources, assistance and reasonably available supportive measures to any individuals who have been affected by Prohibited Conduct.

Kenyon College supports the free exchange of ideas in the academic enterprise and shall interpret this policy in a way that protects such an exchange. The central mission of the College, liberal education, requires free and open inquiry in all matters, students and faculty should have the broadest possible latitude to speak, write, listen, challenge, and learn. By listening to and challenging those with whom we disagree, we open ourselves to the possibility of learning. And even when debates and arguments don't change our opinions, they may help us understand their grounds more fully and improve our ability to defend them rationally and persuasively.

The College extends this protection of expression to all Kenyon community members. However, this protection is bounded by prohibitions against the types of discrimination and harassment in this policy. Expression that causes the types of impact noted in this policy does not contribute to the free exchange of ideas supported by the College, but instead denies others the ability to fully access our educational programs and activities. This type of expression is antithetical to our mission and will not be tolerated.

Kenyon's Non-Discrimination Statement

Kenyon College is committed to fostering a non-discriminatory campus environment in which community members can learn and work. Kenyon College prohibits discrimination in its educational programs and activities, which includes, but is not limited to housing, admission, and employment on the basis of race, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, disability, age, religion, medical condition, genetic information, veteran status, marital status, familial status, parenting, pregnancy, or any other characteristic protected by state, local or federal law.

Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, and its implementing regulations (34 C.F.R. Part 106, as amended by 85 FR 30026 (May 19, 2020)), a federal law that provides that: 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, including admissions and employment. Prohibited Conduct under this policy is also prohibited under the Clery Act as amended by VAWA, Title VII of the Civil Rights Act of 1964, Ohio Revised Code Chapter 4112, and other applicable statutes, regulations and administrative code provisions.

Inquiries or complaints concerning the application of Title IX may be referred to the College's Title IX Coordinator and/or the United States Department of Education:

Civil Rights & Title IX Coordinator
Samantha Hughes
Civil Rights/Title IX Coordinator
Eaton Center North 258
740-427-5137
hughess@kenyon.edu

Office for Civil Rights, Cleveland Office
U.S. Department of Education
1350 Euclid Avenue, Suite 325
Cleveland, OH 44115
216-522-4970, 216- 522-2573 (fax), OCR.Cleveland@ed.gov

Role of the Civil Rights & Title IX Coordinator

The College has designated and authorized Samantha Hughes as the Civil Rights & Title IX Coordinator. The Civil Rights & Title IX Coordinator will be informed of all reports of Prohibited Conduct shared with designated College employees, and will manage the College's centralized review, investigation, and resolution of those reports to ensure the College's compliance with and the effective implementation of this policy. All references to actions by the Civil Rights & Title IX Coordinator may be performed by the Civil Rights & Title IX Coordinator or a designee.

The Civil Rights & Title IX Coordinator is:

- Knowledgeable and trained in College policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a reporting party, complainant, or respondent about the courses of action, formal or informal, available at the College and in the community;
- Responsible for offering and implementing reasonably available supportive measures;
- Available to provide assistance to any College employee regarding how to respond appropriately to a report of Prohibited Conduct;
- Responsible for monitoring full compliance with all procedural requirements, record keeping and timeframes outlined in the Civil Rights Policy;
- Responsible for managing training, prevention and education efforts and annual reviews of climate and culture; and
- Responsible for facilitating periodic review of the Civil Rights Policy as needed to maintain compliance with state and federal law.

In addition to addressing complaints against a particular party, the Civil Rights & Title IX Coordinator also facilitates the handling of reports raised that College policies or practices may discriminate on the basis of race, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, disability, age, religion, medical condition, genetic information, veteran status, marital status, familial status, parenting, or pregnancy. The Civil Rights & Title IX Coordinator conducts an assessment of such concerns and, using procedures the Civil Rights & Title IX Coordinator determines to be appropriate given the circumstances and works with the College to ensure that its policies and practices are compliant.

Reporting Prohibited Conduct

The College encourages prompt reporting of Prohibited Conduct. To make a report about possible sexual harassment or sexual misconduct, a party or any third party should notify the Title IX Coordinator or designated College officials. A report may be made at any time, including during non-business hours, in person, by telephone, by mail, by email, or by completing the online reporting form using the contact information listed for the Title IX Coordinator. The reporting party will be provided a PDF or hard-copy of the Civil Rights at Kenyon brochure. The brochure can also be found at the following link: www.kenyon.edu/files/resources/civil-rights-office-brochure-2021-22.pdf

A complainant does not need to provide a definitive label of their experience at the time a report is made, nor do they have to decide on a particular course of action in advance. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College will offer reasonably available supportive measures consistent with the Supportive Measures section of this document. The College also provides support that can assist a complainant in making these important decisions, and to the extent possible, will respect a complainant's autonomy in deciding how to proceed. The College will seek to balance a complainant's interest with its responsibility to provide a safe and non-discriminatory environment for all members of the College community.

The College encourages all individuals to seek assistance from medical provider(s) and/or law enforcement immediately after an incident of Prohibited Conduct, whether or not the complainant plans to pursue criminal charges. This is the best option to ensure preservation of evidence and to begin a timely response by law enforcement. Preservation of Evidence and its importance is explained below.

If an individual believes that the Title IX Coordinator has engaged in Prohibited Conduct or has otherwise behaved inappropriately, the individual should contact the president's chief of staff to discuss the complaint process.

PRIVACY

Privacy generally means that information related to a report of Prohibited Conduct will only be shared with those College employees who “need to know” in order to assist in the active review, investigation, or resolution of the report, including the issuance of supportive measures. Kenyon College will determine which employees have a legitimate need to know about individual conduct complaints pursuant to FERPA, Title IX, the Clery Act, and College policy, and will share information accordingly. Kenyon College may notify the parents or guardians of any dependent students who are respondents regarding conduct charges or sanctions, particularly disciplinary probation, loss of housing, suspension and dismissal.

CONFIDENTIALITY

There is a distinction between seeking assistance from a confidential resource and making a report to the College through designated reporting options. Confidential resources, including counselors, medical health providers, clergy, and certified rape crisis counselors, have legally protected confidentiality and will not share information about a complainant (including whether or not that individual has received services) except under limited circumstances as permitted or required as described below. In contrast, all other College employees are required to share information with the College's Title IX Coordinator. For a list of confidential resources, please refer to the “How To Get Help for Sexual and Physical Assault” section above.

Limits to confidentiality include:

1. **Mandatory Reporting of Child Abuse.** All Kenyon employees, including confidential resources, are required to immediately report any knowledge or reasonable suspicion that a minor (someone under 18 years old) is experiencing abuse or neglect based on information shared by the minor, any other individual, or one's own observations or knowledge. View the College's policy regarding the protection of minors on campus. See Section VI.D. for more information.
2. **Ohio Felony Reporting Requirement.** Under Ohio law, all individuals, excluding confidential resources, must report possible felonies, including sexual violence. Under Ohio Revised Code Section 2921.22, medical professionals, mental health professionals and clergy are not required to report felonies. See section Role of the Civil Rights & Title IX Coordinator for more information.
3. **Ohio Medical Professional Reporting Requirements.** In Ohio, medical professionals have distinct legally mandated reporting responsibilities. Where a medical professional knows or has reasonable cause to believe that serious physical harm resulted from an offense of violence, the medical professional is required to make a report to law enforcement. Medical professionals must deem a patient medically stable before reporting and must communicate to the patient that the patient does not have to report and/or speak to the police. If the patient chooses not to speak to police at the time of the medical examination, the medical professional does not need to report the patient's name — only the date, general time, and general location of the incident.
4. **Risk of Harm to Self or Others.** Mental health professionals are required to disclose information where there is an imminent threat of harm to self (the client) or others.
5. **Clery Act Reporting.** Pursuant to the Clery Act, anonymous statistical information for certain offenses that have been reported at campus locations must be shared with Campus Safety. The information does not include the names or any other identifying information about the persons involved in such incidents. Information is withheld from the Daily Crime & Fire Log to ensure confidentiality of all individuals involved. .

ANONYMOUS REPORTING

Any individual may make an anonymous report concerning an act of Prohibited Conduct. A report can be made without disclosing one's own name, identifying the respondent, or requesting any action. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may limit the College's ability to respond or take further action.

Anonymous reports can be submitted through the College's website at forms.kenyon.edu/node/82. Follow-up communications with the person submitting the anonymous report are not possible unless contact information is provided. As with all other reports, anonymous reports will be shared with the Title IX Coordinator. Where there is sufficient information, the College will ensure that anonymous reports are reviewed and included for compliance with the Clery Act.

Employees who have a duty to report information to the Title IX Coordinator under the Sexual Misconduct and Harassment policy may not make such reports anonymously.

PROTECTION OF MINORS

All Kenyon employees are required to report any knowledge or reasonable suspicion that a minor (under 18 years old) is experiencing abuse or neglect based on information shared by the minor, any other individual, or one's own observations or knowledge. A Kenyon employee suspecting abuse or neglect is required to bring all suspicions to the immediate attention of Campus Safety. If a minor is in immediate danger, call 911. If there is no immediate danger, call Kenyon College Office of Campus Safety at 740-427-5555 and the Kenyon College Civil Rights & Title IX Coordinator at 740-427-5820.

All College employees, including confidential resources, are required to immediately report any knowledge or reasonable suspicion of child abuse or neglect to the Civil Rights & Title IX Coordinator and the Director of Campus Safety. In Ohio, a child is defined as anyone under 18. In addition to notifying the Civil Rights & Title IX Coordinator and Director of Campus Safety, College employees must make a direct report to:

Knox County Children's Services Child Abuse Hotline

24-hour hotline: 740-392-5437

The source of abuse does not need to be known in order to file a report, nor is there a requirement that there is actual evidence of abuse before making a report. For more information, view the College's policy regarding the protection of minors on campus.

Anonymous reports can be submitted through the College's website at forms.kenyon.edu/node/82. Follow-up communications with the person submitting the anonymous report are not possible unless contact information is provided. As with all other reports, anonymous reports will be shared with the Title IX Coordinator. Where there is sufficient information, the College will ensure that anonymous reports are reviewed and included for compliance with the Clery Act.

Employees who have a duty to report information to the Title IX Coordinator under the Sexual Misconduct and Harassment policy may not make such reports anonymously.

REPORTING TO LAW ENFORCEMENT

The Civil Rights & Title IX Coordinator or a Campus Safety Officer will assist a complainant, at the complainant's request, in contacting local law enforcement. If a complainant decides to pursue the criminal process the College will cooperate with law enforcement agencies. A complainant has the right to choose whether to notify, or decline to notify law enforcement, except when the allegation is a felony charge under the law. Felonies reported to the College (except to confidential resources) must be reported to law enforcement by the College, as required by Ohio law (Ohio Revised Code 2921.22). Under most circumstances, the complainant may decline to participate in a law enforcement investigation. Where the College makes a report to law enforcement under this section, the College will not share the names of the involved parties without permission from the complainant unless the information is subject to subpoena or other binding legal process by law enforcement.

The College's policy, definitions, and burden of proof may differ from Ohio criminal law. A complainant may seek resolution through the College's resolution process, may pursue criminal action, may choose one but not the other, or may choose both options. Neither law enforcement's determination whether or not to prosecute a respondent nor the outcome of any criminal prosecution are determinative of whether Prohibited Conduct has occurred under this policy. Proceedings under this policy may be carried out prior to, concurrent with, or after civil or criminal proceedings off campus as determined by the Civil Rights & Title IX Coordinator.

The Office of Campus Safety will provide the *Civil Rights at Kenyon* brochure at the time of the report to Campus Safety officials. The link to the brochure www.kenyon.edu/files/resources/civil-rights-office-brochure-2021-22.pdf

CAMPUS REPORTING OPTIONS

To enable the College to respond to all reports in a prompt and equitable manner, the College encourages all individuals to report any incident directly to the Civil Rights & Title IX Coordinator. However, the College recognizes that a student or employee may choose to report to any employee of the College.

All Kenyon employees (except those who are designated as confidential resources) are considered mandatory reporters and are required to share all known information related to a report, including the identities of the parties, with the Civil Rights & Title IX Coordinator. In addition, student employees who have responsibility for the welfare of other students, including Community Advisors, are required to report all known information. Other student employees who receive information within the context of their jobs are required to report to the Civil Rights & Title IX Coordinator.

Civil Rights & Title IX Coordinator

Samantha Hughes 740-427-5820 (24 hours)
hughess@kenyon.edu

Civil Rights & Title IX Deputy Coordinator

Kevin Peterson 740-427-5245 (24 hours)
peterson2@kenyon.edu

Office of Campus Safety

Michael D. Sweazey, director
Campus emergency: 740-427-5555 (24 hours)
Security non-emergency administrative line: 740-427-5000 (24 hours)
Reports can be made directly to Campus Safety (24-hour availability) during nonbusiness hours.

College Whistleblower Hotline 1-866-943-5787

PRESERVATION OF EVIDENCE

Complainants and Respondents should save all evidence of the event(s), including text messages, social media communication, emails, notes/letters, photographs, etc. If you experienced a sexual assault, you may go to Knox Community Hospital for a rape kit. Do not shower, use the restroom, or brush your teeth. Do not wash your clothes. Put any clothes or bedding that might contain evidence in a paper bag. Evidence of physical harm, such as bruising or other visible injuries, should be documented by photographic evidence. If you do not wish to call the sheriff or go to the hospital, Campus Safety can turn the evidence over to law enforcement for you. Preservation of evidence is important to aid in college response, obtaining a protection order and/or criminal prosecution.

REPORTING CONSIDERATIONS**Timeliness of Report**

In order to maximize the College's ability to respond promptly and effectively, all those impacted by Prohibited Conduct are encouraged to report as soon as possible. There is no time limit on reporting violations of this policy, though prompt reporting by mandated reporters is required. If the respondent is no longer a student or employee at the time of the report, the College may not be able to take disciplinary action against them. The College will still provide support and reasonably available supportive measures to a complainant, as well as assistance in identifying appropriate external reporting options.

Amnesty for Personal Use of Alcohol or Other Drugs

The College seeks to remove barriers to reporting, including potential concern about policy violations related to underage drinking or the use of prohibited drugs. The College will offer any student who reports or experiences Prohibited Conduct limited immunity from being charged for policy violations related to the personal ingestion of alcohol or other drugs, provided that any such violations did not and do not place the health and safety of any person at risk. The College may choose, however, to pursue educational or therapeutic remedies for those individuals.

Report Resolution

A report to the Title IX Coordinator is not the same as a formal complaint. In order for a report to be officially resolved, a formal complaint must be filed in writing alleging sexual harassment or other sexual misconduct against a respondent and requesting that the school officially investigate and resolve the allegation. The complaint may be resolved through either Informal Resolution or through the Formal Resolution, both explained further in this document.

PROHIBITED CONDUCT

This policy prohibits all forms of Discrimination and Discriminatory Harassment on the basis of a Protected Characteristic. The policy also prohibits retaliation against any individual participating in any role in a reporting, investigation, or resolution process under this Policy.

Federal regulations provide for certain procedures that must be used in the case of conduct that meets the definition of sexual harassment under Title IX. However, where conduct does not meet certain threshold requirements under Title IX, the same or similar conduct is still prohibited by the College. Where the types of prohibited conduct are listed as both, they are labeled as “Title IX” or “Non-Title IX” for clarity.

A. Discrimination on the Basis of a Protected Characteristic

Discrimination occurs when a behavior or policy has the purpose or effect of restricting or denying an individual's or a group's access to opportunities, programs, or resources in relation to a Protected Characteristic in a manner that interferes with an individual's working, academic, residential, or social environment or athletic participation or performance.

The College recognizes that, in some cases, behavior that may otherwise appear to constitute discrimination based on the above definitions may nevertheless be permissible under federal and state laws, regulations, and guidance. In such cases, permissible actions under such laws, regulations, and guidance shall not be considered a violation of this Policy. For example, the offering of or participation in programs for the benefit of veterans and/or military personnel constitutes the provision of different aid, benefits, or services on the basis of veteran/military status, but it is permissible under federal law and therefore would not constitute a violation of this policy. Discrimination on the basis of sex/gender in employment is permissible in situations where sex/gender is a bona fide occupational qualification reasonably necessary to the normal operation of the College.

Note that the federal regulations regarding Title IX include certain exceptions, such as single-gender housing, athletic participation and chorus participation, that do not constitute Sex/Gender Discrimination. Note that for purposes of an individual that is entitled to reasonable accommodations (see the Role of the Civil Rights & Title IX Coordinator section), those reasonable accommodations shall be taken into account in determining whether there is a Policy violation. For example, if an individual is permitted to wear different clothing or to change vacation days because of religion, that will not be considered a violation under this policy.

B. Harassment on the Basis of a Protected Characteristic

Discriminatory Harassment is any unwanted verbal or physical conduct on the basis of a Protected Characteristic when one or more of the following conditions is present:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, participation in a program or activity, or grade in a course or coursework; Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting an individual; or

Such conduct is sufficiently pervasive, offensive, or abusive to have the purpose or reasonable effect of interfering with an individual's work or educational performance, or creating an intimidating, hostile, or offensive work or educational environment, under both an objective and subjective standard. A single incident may create a hostile environment if the incident is sufficiently severe.

The determination as to whether a hostile environment exists is based on the totality of the circumstances, including but not limited to:

- The nature and severity of the conduct;
- The type, frequency and duration of the conduct;
- The identity of, and relationship between, the respondent and the complainant;
- The number of individuals involved;
- The age and maturity levels of the respondent and complainant; and
- The location of the conduct and the context in which it occurred.

SEXUAL HARASSMENT - TITLE IX

There are six types of prohibited conduct that qualify as “sexual harassment” under Title IX, each of which is defined more specifically below: (1) quid pro quo sexual harassment, (2) unwelcome conduct sexual harassment, (3) sexual assault, (4) dating violence, (5) domestic violence, and (6) stalking. The definitions used here are required by federal regulations.

For reported behavior to qualify as prohibited conduct under this section, in addition to meeting the elements of the specific type of sexual harassment below, it must meet all of the following threshold requirements, as determined by the Title IX Coordinator and as mandated by federal regulations:

- The conduct must have occurred against a person in the United States.
- The conduct must have occurred within the College's education program or activity. For purposes of this provision, this means that the conduct must have occurred either (a) in a location, event, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs or (b) in relation to a building owned or controlled by a student organization that is officially recognized by the College.
- The complainant must be participating in or attempting to participate in the education program or activity of the College at the time the formal complaint is filed.

Conduct that does not meet these threshold requirements is subject to a Title IX Dismissal, but may still be resolved through the Investigator Resolution (Non-Title IX).

1. **Quid Pro Quo.** Conduct on the basis of sex where a College employee conditions the provision of a College aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or,
2. **Unwelcome Conduct.** Unwelcome conduct on the basis of sex that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or,
3. **Sexual Assault.** Sexual assault is engaging or attempting to engage in one of the following activities with another individual without consent or where the individual cannot consent because of age or temporary or permanent mental incapacity:
 - Sexual intercourse (anal, oral, or vaginal), including penetration with a body part (e.g. penis, finger, hand, or tongue) or an object, however slight;
 - Intentional touching of the intimate body parts of another for the purpose of sexual gratification. Intimate body parts include the breasts, buttocks, groin, and genitals.
 - Sexual intercourse (anal, oral, or vaginal) between individuals who are not permitted to marry. In Ohio, this means that individuals closer in kin than second cousins may not have sexual intercourse.
 - Sexual intercourse (anal, oral, or vaginal) with a person who is under the statutory age of consent. In Ohio, state law prohibits sex with any individual under the age of 13; additionally, individuals over the age of 18 may not have sex with individuals under the age of 16.
4. **Dating violence.** Conduct on the basis of sex that consists of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant'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.
5. **Domestic violence.** A felony or misdemeanor crime of violence constituting conduct on the basis of sex committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
6. **Stalking.** Conduct on the basis of sex that consists of engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:
 - Course of conduct means two or more acts, including, but not limited to, acts 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;
 - Reasonable person means a reasonable person under similar circumstances and with similar identities to the complainant; or,
 - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

SEXUAL ASSAULT – NON-TITLE IX

Conduct that meets the definition of Sexual Assault, above, but does not meet all of the threshold requirements to be charged under Title IX will be charged as “Sexual Assault – Non-Title IX.”

DATING VIOLENCE –NON-TITLE IX

Conduct that meets the definition of Dating Violence, above, but does not meet all of the threshold requirements to be charged under Title IX will be charged as “Dating Violence – Non-Title IX.”

DOMESTIC VIOLENCE – NON-TITLE IX

Conduct that meets the definition of Domestic Violence, above, but does not meet all of the threshold requirements to be charged under Title IX will be charged as “Domestic Violence – Non-Title IX.”

Conduct that otherwise meets the definition of Domestic Violence, above, except that it is not “conduct on the basis of sex” shall also be charged as “Domestic Violence – Non-Title IX.”

STALKING – NON-TITLE IX

Conduct that meets the definition of Stalking, above, but does not meet all of the threshold requirements to be charged under Title IX will be charged as “Stalking – Non-Title IX.”

Conduct that otherwise meets the definition of Stalking, above, except that it is not “conduct on the basis of sex” shall also be charged as “Stalking – Non-Title IX.”

SEXUAL HARASSMENT – NON-TITLE IX

“Sexual Harassment – Non-Title IX” is any unwelcome sexual advance, request for sexual favors, or other unwanted verbal or physical conduct of a sexual nature when one or more of the following conditions are present:

1. Submission to or rejection of such conduct is an explicit or implicit condition of an individual’s employment, evaluation of academic work, or any College program or activity; or
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or academic performance, i.e. it is sufficiently serious, pervasive, or persistent as to create an intimidating, hostile, demeaning, or sexually offensive working, academic, residential, or social environment under both an objective and subjective standard.

A single incident of Sexual Harassment – Non-Title IX alone may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a pattern of incidents to create a hostile environment. The determination of whether an environment is “hostile” will be based on the totality of the circumstances, including, but not limited to:

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

Sexual Harassment – Non-Title IX can take many forms:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated;
- Does NOT have to include intent to harm, be directed at a specific target, or involve repeated incidents;
- May be committed by anyone, regardless of gender, age, position, or authority;

- May be committed by a stranger, an acquaintance, or someone with whom the individual has an intimate or sexual relationship;
- May be committed by or against an individual or may be a result of the actions of a group;
- May occur by or against an individual of any sex, gender identity, gender expression, or sexual orientation;
- May occur in the classroom, in the workplace, in residential settings, over electronic media (including the internet, telephone, and text), or in any other setting; and
- May affect the individual and/or others who witness or observe the harassment.

There may be situations where respondent's reported conduct constitutes both "Sexual Harassment – Title IX" and "Sexual Harassment – Non-Title IX." The respondent will receive notice of both charges and the resolution process will investigate both charges. If the reported conduct is adjudicated and the respondent is found responsible for the charge of "Sexual Harassment – Title IX," the respondent will not be separately sanctioned for the charge of "Sexual Harassment – Non-Title IX."

THREATS TOWARD AN INTIMATE PARTNER

Threats toward an intimate partner means any threatened act of violence between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. The College will evaluate the existence of an intimate relationship based upon the reporting party's statements and taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

SEXUAL EXPLOITATION

Sexual exploitation is knowingly, intentionally or purposefully taking advantage of the sexuality of another person without consent or in a manner that extends the bounds of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, or personal benefit. Examples of Sexual Exploitation include:

- Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- Voyeurism;
- Non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- Non-consensual recording of individuals in locations in which they have a reasonable expectation of privacy, such as restrooms or locker rooms, regardless of whether the images captured reveal sexual activity or nudity;
- Prostituting another individual;
- Exposing one's genitals in non-consensual circumstances;
- Removal of a condom, without consent, during sexual intercourse;
- Knowingly exposing another individual to a sexually transmitted infection or virus without that individual's knowledge; and
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity, e.g., by using alcohol or other drugs (such as Rohypnol or GHB).

RETALIATION

Retaliation is defined as intimidating, threatening, coercing, or discriminating against any individual:

- For the purpose of interfering with any right or privilege secured by Title IX or its implementing 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 college policy or under the complaint procedures relating to Title IX complaints with the U.S. Department of Education's Office for Civil Rights.

Retaliation also includes filing a complaint against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX law or regulations.

A complaint may allege conduct of a sexual nature that might not meet the definition of sexual harassment under Title IX. The conduct could occur against a person outside the US (study abroad), might not occur within the institution's program or activity, or might not meet the severe, pervasive, or objectively offensive standard in this policy. Nonetheless, if someone files a complaint relating to such conduct, retaliation for doing so would be prohibited.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a proceeding under this Policy does not constitute retaliation, except that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

When a student is found responsible for retaliation, the recommended sanction is a minimum of one semester suspension from the College.

Consent, Force, Coercion, Incapacitation

CONSENT

Individuals who choose to engage in sexual activity of any type with each other must first obtain clear consent. Consent is clear, knowing, and voluntary permission. It can only be given by someone of legal age. Consent is demonstrated through mutually understandable words or actions that clearly indicate a willingness to engage freely in sexual activity. Consent cannot be obtained through the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise free will to choose whether or not to have sexual contact. Silence cannot be assumed to indicate consent.

Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity in order for the activity to be considered consensual. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. While consent can be given by words or non-verbal actions, non-verbal consent is more ambiguous than explicitly stating one's wants and limitations. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.

When consent is requested verbally, absence of any explicit verbal response or a clear non-verbal response constitutes lack of consent. A verbal "no" constitutes lack of consent, even if it sounds insincere or indecisive. Under College policy, "no" always means "no." "Yes" only means "yes" when it is voluntarily and knowingly given by an individual who has the capacity to give consent.

If at any time during the sexual activity, any confusion or ambiguity arises as to the willingness of other individuals to proceed, all parties should stop and clarify, verbally, the other's willingness to continue before proceeding with such activity.

Any party may withdraw consent prior to the completion of the act. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even within the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity each time.

Individuals must be able to fully understand what they are doing in order to consent to sexual activity. An individual who is incapacitated is unable to give consent. Below is further explanation of Incapacitation.

In the State of Ohio, the age of majority is 18. Under state law, consent cannot be given by any individual under the age of 16 to participate in sexual activity with an individual over the age of 18. In addition, consent can never be given by minors under the age of 13.

FORCE

Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request. Consent cannot be obtained by force.

COERCION

Coercion is the use of unreasonable pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion contains a wide range of behaviors which override the voluntary nature of participation. Such acts include, but are not limited to, threatening to disclose personal sexual information, or threatening to harm oneself if the other party does not engage in the sexual activity. Coercing an individual into engaging in sexual activity is a violation in the same way as physically forcing someone into engaging in sexual activity. Consent cannot be obtained by coercion.

INCAPACITATION

An individual who is incapacitated lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. In addition, persons with certain intellectual or developmental disabilities may not have the capacity to give consent. Consent cannot be obtained by taking advantage of another individual's incapacitation.

Where alcohol or other drugs are involved, incapacitation is a state beyond intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady balance, strong odor of alcohol, combativeness, or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; or
- Level of consciousness.

In other words, a person may be considered unable to give valid consent due to incapacitation if the person cannot appreciate the who, what, where, when, why, or how of a sexual interaction.

Evaluating incapacitation also requires an assessment of whether a respondent was or should have been aware of the complainant's Incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position.

Being intoxicated or impaired by drugs or alcohol is never an excuse for any Prohibited Conduct listed above and does not diminish one's responsibility to obtain informed and freely given consent.

Relationships

Within this section, the following terms and definitions apply:

- **Affiliated Individuals.** Employees, trustees, vendors and volunteers.
- **Employee.** Faculty member, exempt-staff member, or non-exempt staff member
- **Trustees.** Active or Emeritus members of the Board of Trustees of Kenyon College
- **Vendors.** Organizations engaged in a contractual relationship with the College to execute a specific function. Such functional areas include, but may not be limited to: food service, contractors, etc.
- **Volunteers.** Alumni, parents and friends of the College who volunteer to assist the College with certain events, functions, and committees.
- **Student-staff.** Undergraduate students enrolled at the College who are employed by the College, e.g., Community Advisor, library assistant, Lowry Center worker, AT, etc.

For the purposes of this section of the Policy, a "relationship" is defined as a single date or sexual encounter.

Relationships Between Affiliated Individuals and Students

All affiliated individuals are prohibited from initiating, engaging in, or attempting to engage in, sexual or dating relationships with any student. An affiliated individual involved in a sexual or dating relationship with a student which began prior to their engagement with the College is exempt from this prohibition, as is an employee whose spouse or domestic partner is a student. If, however, the relationship is with someone the affiliated individual supervises, directly evaluates or officially mentors, the relationship must be disclosed as outlined in the paragraph below ("Disclosures") so that appropriate action — such as changing the reporting or grading structure — can be taken.

Relationships Between Individuals in a Supervisory Relationship

All affiliated individuals and student-staff are prohibited from engaging in sexual or dating relationships with anyone under their direct supervision or whom they officially evaluate or mentor. They are further prohibited from officially supervising, evaluating or mentoring anyone with whom they had a relationship in the past, regardless of the consensual nature of the relationship. If such a situation exists or develops, the relationship must be disclosed as outlined in the paragraph below ("Disclosures") so that appropriate action — such as changing the reporting structure — can be taken.

Other Relationships

Sexual and dating relationships in which there is a power differential, even when the differential does not fall into one of the above categories, may raise questions of sexual harassment or suspicions of unprofessional conduct (e.g., conflict of interest, abuse of authority, favoritism, and unfair treatment). For this reason, even relationships that are not officially supervisory or mentoring in nature may require extra sensitivity where such a power differential occurs. Anyone concerned that issues described in this paragraph have developed (or may develop) in a relationship they are aware of or a part of is encouraged to seek guidance from the Civil Rights and Title IX Coordinator.

Disclosures

All disclosures of existing relationships and reports of concerns should be made to the Civil Rights and Title IX Coordinator. The Title IX Coordinator, at their discretion, may inform the appropriate supervisor and/or the Director of Human Resources (for matters involving staff and/or student staff) or the Provost (for matters involving faculty) about a disclosed relationship. These matters will be addressed outside of the Civil Rights Policy unless the report contains information which would support a violation of one or more sections of Prohibited Conduct detailed in the Consent, Force, Coercion, Incapacitation section.

Supportive Measures

Upon receipt of a report of Prohibited Conduct, the College may impose reasonable and appropriate supportive measures designed to restore or preserve a complainant's equal access to College programs or activities without fee or charge, and without treating the respondent as responsible unless and until the completion of a Formal Resolution that determines the respondent to be responsible for a policy violation. Supportive measures are designed to restore or preserve equal access to the College's education programs and activities without unreasonably burdening the other party. They include measures designed to protect the safety of all parties or the College's educational environment, and include measures to deter Prohibited Conduct.

Supportive measures are available to both the complainant and respondent regardless of whether the complainant chooses to file a formal complaint. The Title IX Coordinator will maintain the privacy of requested/implemented supportive measures. This means information related to the supportive measures will only be shared with those College employees who "need to know" in order to assist in the issuance of supportive measures. The College will promptly address any reported violation/s of the supportive measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. Any requests for or questions concerning supportive measures may be directed to the Title IX Coordinator or Deputy Title IX Coordinator.

"The Civil Rights at Kenyon" brochure is given to the complainant and respondent. It can also be viewed online at: www.kenyon.edu/files/resources/civil-rights-office-brochure-2021-22.pdf

Range of Supportive Measures

Potential supportive measures, implemented on behalf of the complainant and/or the respondent to the extent reasonably available and warranted by the circumstances, include, but are not limited to:

- Access to counseling services and assistance in setting up an initial appointment, both on and off campus;
- Imposition of a mutual "no-contact order" (failing to abide by the no-contact order may result in allegations of additional policy violations);
- Rescheduling of exams and assignments;
- Providing extensions of deadlines;
- Providing alternative course completion options;
- Change in class scheduling, including the ability to transfer course sections or withdraw from a course without penalty;
- Change in work schedule or job assignment;
- Change in student's College-owned, sponsored or controlled housing;
- Assistance in completing housing relocation;
- Limiting an individual's or organization's access to certain College facilities or activities pending resolution of the matter;

- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Increased security and monitoring of certain areas of the campus;
- Providing medical services;
- Providing academic support services, such as tutoring;
- College-imposed administrative leave or separation;
- College-imposed restricted access;
- Providing assistance with identifying resources available to assist with matters of visa or immigration issues, legal issues and transportation options;
- Other remedies that can reasonably be tailored to the involved individuals to achieve the goals of this policy.

College-Imposed Restricted Access and Administrative Leave

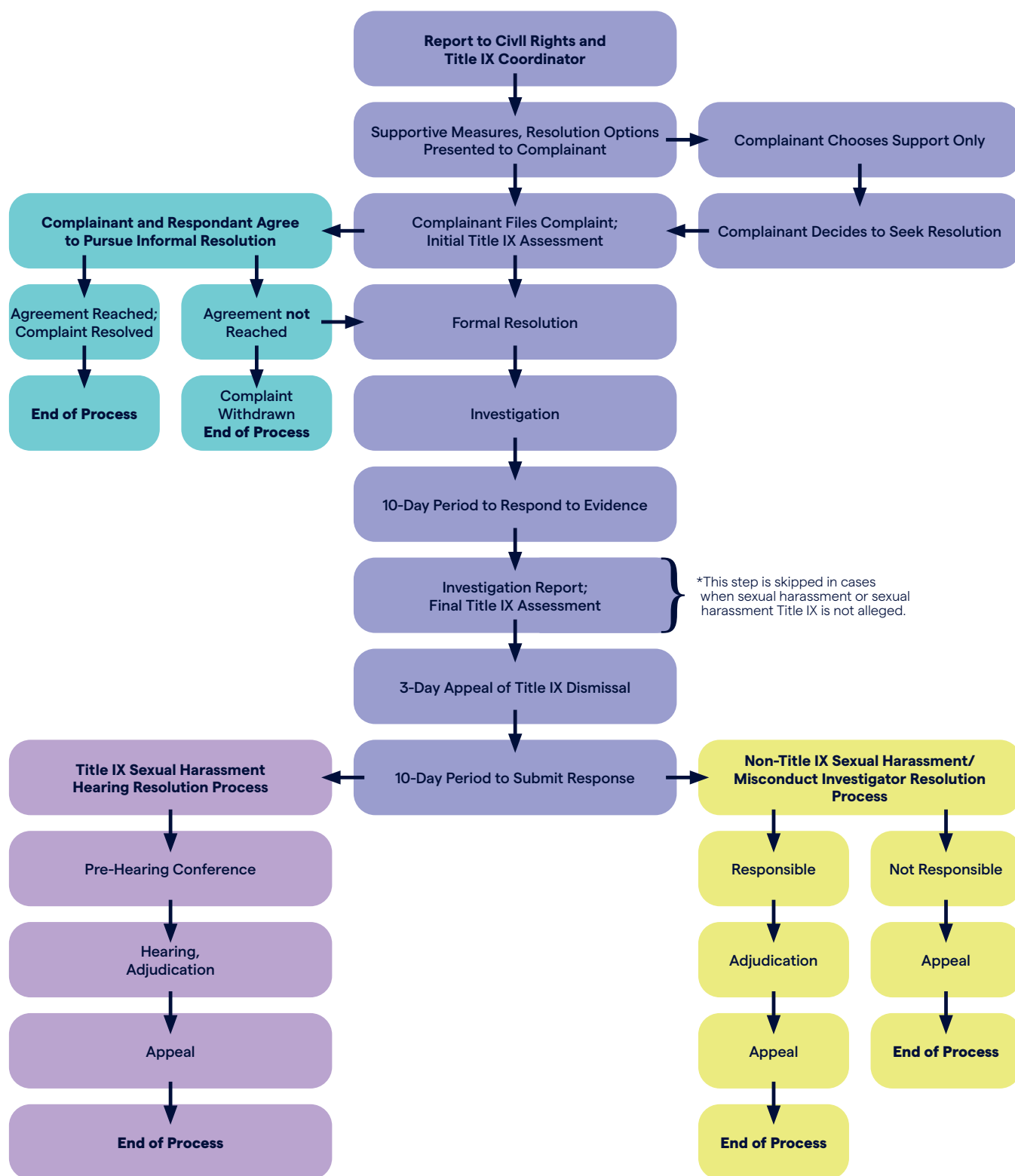
Restricted Access is the removal of a respondent from the College's education program or activity on an emergency/temporary basis. Restricted Access is not disciplinary in nature and is not recorded on the respondent's transcript or permanent employee file. Restricted Access is evaluated on an individualized basis to determine the appropriate level of access to campus and participation in the College's programs and activities. Students placed on Restricted Access are often, but not always, permitted to continue to participate in classes and other academic obligations, and may or may not be able to remain in College housing, eat in the dining hall, or be present on campus during unstructured periods of time.

The Civil Rights & Title IX Coordinator conducts an individualized safety and risk analysis to determine whether there exists an immediate threat to physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct. If so, the Civil Rights & Title IX Coordinator may, in consultation with the appropriate College personnel, impose Restricted Access on student respondents. The Civil Rights & Title IX Coordinator will notify both parties in writing of the resulting restrictions and any changes to such restrictions.

All respondents are able to challenge Restricted Access. If a respondent wishes to challenge Restricted Access, the respondent shall provide written notice of such challenge, including their reasons, to the Civil Rights & Title IX Coordinator within 2 business days of receiving notice of the restriction. The Civil Rights & Title IX Coordinator, in conjunction with appropriate College personnel, shall meet with the respondent and an advisor of the respondent's choice. The purpose of the meeting is to permit the respondent to respond to the restriction. The location of the meeting will be determined by the Civil Rights & Title IX Coordinator and may occur via telephone or video-conference. Within 1 business day of the meeting, the Civil Rights & Title IX Coordinator and appropriate College personnel shall again consult regarding the Restricted Access and shall notify the respondent in writing of the outcome. Any changes to the restrictions shall be provided in writing to all parties.

The Civil Rights & Title IX Coordinator, in conjunction with other appropriate College personnel, may impose administrative leave on employee respondents if the facts and circumstances surrounding the reported conduct support such leave. Administrative leave is a separate process from Restricted Access and is not disciplinary in nature. Employees placed on administrative leave will receive written notice of the conditions of that leave, but will not be able to challenge the administrative leave.

Civil Rights: Harassment, Discrimination and Sexual Misconduct Complaint Resolution Decision Tree



Complaint Resolution Process

When a formal complaint is filed, the complaint resolution process begins. Complaints may be resolved through either Informal Resolution or a Formal Resolution. The Civil Rights & Title IX Coordinator will provide the complainant and the respondent with a written overview of resolution options and available resources.

The College will conduct an initial assessment and determine the most appropriate manner of resolution under the policy. The College recognizes that in some circumstances, due to aspects of a particular case, strict compliance with the policy may create unexpected conflicts of interest or raise other concerns about the implementation of the process. The Civil Rights & Title IX Coordinator is empowered to adjust the process, with notice to the parties, as necessary to provide a prompt and equitable process.

Resolution of a formal complaint will typically continue when a complainant separates from the College. If a respondent withdraws, resigns, graduates, retires, or otherwise departs from the College after the filing of a formal complaint and prior to decision, the Civil Rights & Title IX Coordinator will determine whether to: (1) offer to the parties to seek/continue informal resolution; (2) discontinue the complaint process without a finding but with a respondent's student file marked "withdrew pending disciplinary action" or their employee file marked "no rehire"; (3) continue the formal complaint process to its conclusion; (4) take other action deemed appropriate by the Civil & Rights & Title IX Coordinator.

PROCESS ASSURANCES: COMPLAINANT AND RESPONDENT

In any report, complaint, investigation or resolution under this policy, both a complainant and a respondent can expect:

1. a prompt and equitable response to reports of Prohibited Conduct;
2. to receive supportive measures that may be reasonably available and necessary for protection and support;
3. information about how to access confidential resources on and off campus and other forms of support available through the College and in the community;
4. written notice of the alleged conduct, potential policy violations at issue, and details about the process;
5. an adequate, reliable, thorough and impartial process conducted by individuals free from conflict of interest and bias;
6. a process that includes the presumption that the respondent is not responsible for a policy violation unless and until a determination regarding responsibility is made at the conclusion of the process;
7. the opportunity for an advisor of choice who may attend all meetings and proceedings related to the report and/or complaint;
8. timely notice of any meeting at which the party's presence is required, with sufficient time to prepare for the meeting;
9. agency and autonomy to decline to participate in an investigation or resolution under the policy, although the College may choose to continue the process even if the complainant and/or respondent does not participate;
10. to identify witnesses, submit suggested questions in writing during the investigation, and provide evidence during the investigation and resolution;
11. timely and equal access to any information that is used in the investigation and resolution;
12. prompt remedial action if Prohibited Conduct is determined to have occurred;
13. regular communication about the progress of the process and of the resolution;
14. timely written notice of the outcome, required remedies, and issued sanctions and rationale;
15. the opportunity to appeal the outcome (determination as to responsibility) and sanction;
16. to be free from retaliation;
17. parties may request interpreters and/or translators which will be selected and provided by the College;
18. reasonable accommodation for individuals with disabilities can be requested through established College protocol as provided by the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act; and,
19. to be free from College-imposed orders restricting parties from discussing the case with others. This does not prohibit the College from issuing no-contact orders or requiring employees to abide by confidentiality laws.

REQUEST FOR ANONYMITY OR NO ACTION

The Civil Rights & Title IX Coordinator will take all reasonable steps to respond, resolve, and remedy a report of Prohibited Conduct consistent with a complainant's preferences where possible. Where a complainant makes a report but requests that a name or other identifiable information not be shared with the respondent or that no formal action be taken, the College will balance this request with its responsibility to provide a safe and non-discriminatory environment for all Kenyon College community members.

In considering a complainant's request to take no action and evaluating whether to proceed, the Civil Rights & Title IX Coordinator will assess and consider:

- the preferences and concerns of the complainant;
- the nature and circumstances of the allegation;
- the severity and impact of the reported conduct;
- pattern evidence or other similar conduct by respondent;
- the respective ages of the parties, including whether the complainant is a minor (under the age of 18);
- whether the respondent has admitted to the conduct;
- whether the respondent has been the subject of other complaints or reports of Prohibited Conduct under this policy;
- whether the respondent threatened further sexual violence or other violence against the complainant or others;
- whether the report indicates that multiple respondents were involved;
- whether the report indicates that the conduct was perpetrated with a weapon;
- whether the respondent is an employee; and,
- whether the school possesses independent means to obtain relevant evidence (e.g., witnesses, security cameras or personnel, or physical evidence).

Where the College is unable to take action consistent with the request of the complainant, the Civil Rights & Title IX Coordinator will inform the complainant about the chosen course of action, and implement necessary supportive measures.

INITIAL ASSESSMENT

Upon receipt of a report, the Civil Rights & Title IX Coordinator will conduct an initial assessment to provide an integrated and coordinated response to reports under this policy. In the course of this initial assessment, the Civil Rights & Title IX Coordinator will consider the complainant's expressed preference regarding supportive measures and the manner of resolution, unless the Coordinator determines that such a course of action would be unreasonable in light of the known circumstances.

As part of the initial assessment, the Civil Rights & Title IX Coordinator will:

- address immediate physical safety and emotional well-being;
- if applicable, notify the complainant of the right to contact law enforcement, to decline to contact law enforcement, and to seek medical treatment;
- if applicable, advise the complainant that even if they decline to contact law enforcement, the College may be required to report the incident to law enforcement under Ohio law (and under most circumstances, the complainant may decline to participate in a law enforcement investigation);
- inform the complainant of the importance of preservation of evidence (i.e., electronic, forensic, medical, physical, etc.);
- enter the incident into the College's daily crime log, if appropriate (without identifying information to assure confidentiality);
- evaluate whether to issue a timely warning consistent with the Clery Act;
- provide the complainant with information about on and off-campus resources;
- notify the complainant of the range of supportive measures;
- consider the complainant's interests with respect to supportive measures;
- provide the complainant with an explanation of the procedural options under the policy, including Informal Resolution and a Formal Resolution;
- notify the complainant of the ways they may choose to participate, or decline to participate, in the various steps of the process. This will include notification that the Civil Rights & Title IX Coordinator may, in certain circumstances, proceed without the complainant's participation and that non-participation by the complainant may limit the ability of the College to respond;
- discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding;
- explain the College's policy prohibiting retaliation; and,
- if the determination has been made to notify the respondent of the report, provide the respondent with information about resources, supportive measures, and procedural options.

No formal complaint filed by the complainant: If a complainant chooses not to file a formal complaint, the coordinator will determine whether it is appropriate to take proactive steps to address the reported behavior. In this instance, the coordinator will not typically disclose the specifics of any report without the consent of the complainant. Alternatively, as below, the Civil Rights & Title IX Coordinator may elect to file a formal complaint.

Formal complaint filed: If a complainant decides to file a formal complaint, the Civil Rights & Title IX Coordinator will communicate with the respondent about the complaint, and discuss the above listed information with the respondent. When a formal complaint is initiated, the respondent and complainant will be informed of the nature of the alleged conduct and/or potential charges being investigated as detailed in the Complaint Resolution section.

FILING A FORMAL COMPLAINT

A formal complaint is a document filed in writing by a complainant, or signed by the Civil Rights & Title IX Coordinator, that alleges Prohibited Conduct against a respondent and requests that the College officially investigate and resolve the allegation. The formal complaint may be filed with the Civil Rights & Title IX Coordinator in person, by mail, by electronic mail, by in-person delivery, or through the online reporting form and must contain the complainant's physical or digital signature. In the instances when the Civil Rights & Title IX Coordinator signs a formal complaint, the Civil Rights & Title IX Coordinator is not a complainant or a party during a Formal Resolution, and must comply with requirements for any person involved in the response and/ or resolution to be free from conflicts and bias.

A formal complaint may be resolved through either an Informal Resolution or a Formal Resolution. Informal Resolution may only be offered after a formal complaint has been filed, so that the parties understand what the Formal Resolution entails and can decide whether to voluntarily attempt informal resolution as an alternative.

A formal complaint may be withdrawn if the complainant informs the Civil Rights & Title IX Coordinator in writing that they want to withdraw the complaint or the allegations. The Civil Rights & Title IX Coordinator may choose to withdraw a formal complaint if a respondent is no longer participating in or attempting to participate in the education or program activity of the College, the complainant submits a written request to withdraw the complaint, or specific circumstances prevent the College from gathering evidence sufficient to reach a determination. No matter the reason for the withdrawal of a complaint, the parties will be notified in writing of the decision, including the reasoning.

ADVISOR OF CHOICE

Complainants and respondents may be accompanied to any meeting, Informal Resolution session, interview, and/or hearing related to the procedures outlined in this Policy by an advisor of their choice. The advisor of choice may be, but is not required to be, an attorney. If a formal complaint is filed, advisors are invited and strongly encouraged to speak with the Civil Rights & Title IX Coordinator for an orientation to the College's policies and procedures, privacy protections, and expectations around participation and decorum. If a formal complaint is addressed through an Informal Resolution (Complaint Resolution section.), the parties are encouraged but not required to have an advisor. If a formal complaint is addressed through a Formal Resolution (Complaint Resolution section.) and a live hearing is held, both the complainant and the respondent must have an advisor for the purpose of conducting cross-examination at the live hearing. If either party does not have an advisor for the live hearing phase of a Formal Resolution, an advisor of the College's choosing will be assigned at no cost to the party. The advisor's participation is defined below:

Meetings with the Civil Rights & Title IX Coordinator: Advisors may accompany the complainant or the respondent to any meeting with the Civil Rights & Title IX Coordinator, and are encouraged to ask questions and speak openly and respectfully in those meetings. If a formal complaint is filed, advisors are invited and strongly encouraged to speak with the Civil Rights & Title IX Coordinator (or designee) for an orientation to the College's policies and procedures, privacy protections, and expectations around participation and decorum. If an advisor also expects to serve as a witness, the advisor should disclose this information to the Civil Rights & Title IX Coordinator as soon as possible.

Informal Resolution Process: Advisors are not required to be present during any phase of the Informal Resolution process, but parties are strongly encouraged to include them. Advisors will be permitted to ask questions and advise the party with whom they are working.

Investigation: Advisors will receive access to the investigative report that contains the report narrative and all submitted evidence produced in the investigation, unless the party they are advising indicates in writing that the advisor should not be able to access the evidence. Advisors are not required to attend the investigation interview/s but they are permitted to attend. Advisors will be permitted to ask clarifying questions, as long as they are respectful and not disruptive. Advisors may not answer questions or provide information.

Pre-Hearing Conference: Advisors are required to attend a pre-hearing conference with the Hearing Coordinator and the Hearing Officer to review the College's live hearing procedures. Advisors are encouraged to ask questions to understand their role at the hearing and the College's expectations around participation and decorum. If an advisor also expects to serve as a witness, the advisor should disclose this information to the Civil Rights & Title IX Coordinator no later than this conference.

Live Hearing: A live hearing is only required when at least one of the allegations being formally resolved includes one or more forms of Sexual Harassment - Title IX. At the live hearing, each party's advisor will be responsible for asking relevant questions to the other party or parties and any witnesses. Advisors are encouraged to focus questions on disputed issues so as to assist the Hearing Officer in determining issues of credibility. This questioning will be conducted orally, directly and in real-time in a manner that, in the Hearing Officer's sole discretion, is not inappropriate, harassing, intimidating, irrelevant, or redundant. The Hearing Officer reserves the right to remove an advisor who questions witnesses in an abusive, intimidating, harassing, or disrespectful manner. In the instance that an advisor is removed, the hearing will be suspended until a later date to permit an alternative advisor to be obtained or assigned.

INFORMAL RESOLUTION

The Informal Resolution process may only be pursued after a formal complaint has been filed. Informal Resolution will only occur with the voluntary, and written consent of both parties and the Civil Rights & Title IX Coordinator. Informal Resolution is not permitted to resolve allegations that an employee (staff person or faculty member) engaged in Sexual Harassment — Title IX against a student.

Prior to initiating an informal resolution, the Civil Rights & Title IX Coordinator will issue each party a written notice disclosing:

- the allegations;
- the requirements and procedure of the informal resolution process; and
- any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

At any time either party has the right to withdraw from the Informal Resolution process and resolve the formal complaint through a Formal Resolution. If the parties are not able to resolve the complaint through the Informal Resolution process, the complaint will be resolved through a Formal Resolution unless the complaint is withdrawn or dismissed.

The Civil Rights & Title IX Coordinator retains the discretion to determine the type of Informal Resolution that may be appropriate in a specific case and may refer a complaint to a Formal Resolution at any time. Informal Resolutions will typically be completed within 30 calendar days of the decision to engage in Informal Resolution. Informal Resolution agreements are signed by the parties and the Civil Rights & Title IX Coordinator and are enforced by the College.

When the respondent is a student, an Informal Resolution will only be recorded in the respondent's student file in the Dean of Students Office and/or on the student's transcript if the agreed-upon Resolution Agreement sanction includes disciplinary probation, suspension, or dismissal. When the respondent is an employee, a notation of the informal resolution will be made in the employee's file maintained by the Office of Human Resources and/or the Provost's Office.

Violations of an Informal Resolution Agreement will be reviewed by the Civil Rights & Title IX Coordinator and may be referred to a Formal Resolution or referred to the appropriate College official for further review and possible sanctioning.

FORMAL RESOLUTION

The Formal Resolution may only be pursued after a formal complaint has been filed. The Civil Rights & Title IX Coordinator will identify the potential violations and prepare the initial notification of investigation outlining the charges to be investigated and assessed. At the completion of the investigation and any appeal of the Final Title IX assessment (if applicable),

the complaint will be addressed through either the Investigator Resolution (non-Title IX) or the Hearing Resolution (Title IX). Both parties will have the opportunity to appeal the decision regarding responsibility and any sanctions imposed. The College may delay granting a diploma otherwise earned until the completion of all phases of a Formal Resolution, including completion of an appeal and/or any sanctions imposed.

INVESTIGATION

The parties and their advisors will receive written notice that an investigation has been initiated. The notice of investigation will include:

- the identities of the parties involved;
- the specific section/s of the policy allegedly violated;
- the precise conduct alleged to constitute the potential violation/s;
- the approximate date, time, and location of the alleged incident;
- a statement indicating that the respondent is presumed not responsible for the alleged conduct;
- a statement that the determination of responsibility will be made at the conclusion of a Formal Resolution;
- a notice that parties have the right to an advisor of their choice;
- the result of an initial assessment to determine whether the allegations suggest a potential violation of “Sexual Harassment - Title IX,” with an indication that this decision will be reviewed again when the investigators prepare their report;
- the name of the investigators and the ability to challenge their participation for conflict of interest or actual bias;
- the appropriate policy language prohibiting a party from knowingly making false statements or knowingly submitting false information; and
- notice that Retaliation is prohibited.

The notice shall be provided reasonably in advance of any interview with the investigators, with sufficient time for meaningful preparation. The Civil Rights & Title IX Coordinator, in consultation with the investigators, may amend the charges as part of the investigative process. The Civil Rights & Title IX Coordinator will, if appropriate, issue amended charges to both parties.

The Civil Rights & Title IX Coordinator will designate two investigators to conduct an adequate, reliable and impartial investigation, one of which will typically be a College employee. The College may engage an external investigator as one or both of the two assigned investigators. In complex situations, the Civil Rights & Title IX Coordinator may engage additional trained investigators to assist in gathering the information that will be considered by the primary investigators. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not the parties.

The interviews will be recorded by the investigators.

The parties will have an equal opportunity to present witnesses, including expert witnesses, and to submit evidence. The investigators will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as appropriate and available. The parties may submit questions to be asked of parties and witnesses. Investigators will review submitted questions and, in their discretion, may choose which questions are necessary and appropriate to the investigation and conduct any follow-up, as they deem relevant. All parties and witnesses are expected to provide truthful information. Knowingly providing false or misleading information is a violation of College policy and can subject a student or employee to disciplinary action. Making a good faith report to the College that is not later substantiated does not constitute false or misleading information.

The Civil Rights & Title IX Coordinator may combine multiple complaints that arise out of the same set of facts or circumstances into one investigation. Where multiple complainants or respondents are involved in the same investigation, the parties will only be provided with the appropriate portion(s) of the investigative documents that relate to the complaint(s) in which they are a party.

A person's medical, counseling/psychological, and similar treatment records are privileged and confidential documents that a party will not be required to disclose. Where a party provides their written permission to share medical, counseling/psychological, and similar treatment records as part of the investigation, only the portion of the records directly related to the allegations raised in the formal complaint will be included in the case file for review by the other party and for use in the investigative process.

Evidence related to the prior sexual history of the complainant is generally not relevant to the determination of a policy violation and will only be considered in very limited circumstances. For example, to prove that someone other than the respondent committed the alleged conduct, or where the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship. However, even in the context of a relationship, consent to one sexual act does not, by itself, constitute consent to another sexual act, and consent on one occasion does not, by itself, constitute consent on a subsequent occasion.

Information regarding other acts by a party will be permitted as relevant where the nature and means of those other acts may affect credibility of the assertions in the current case. It is not required that the party have been found responsible for policy violations related to those other acts for them to be included in the current case. Any party seeking to introduce information about prior sexual history or other acts of the other party should bring this information to the attention of the investigators at the earliest opportunity.

If the Civil Rights & Title IX Coordinator determines that reports of other acts by a party may be relevant, the Civil Rights & Title IX Coordinator may, in their discretion, offer the information to the investigators for their consideration to determine whether it may be relevant. The investigators may determine, in their discretion, whether and how to follow up on that information within the scope of their current investigation. It is ultimately the decision-maker's discretion to determine whether the information is relevant in the current case.

Any party seeking to introduce information about prior sexual history or other acts by a party should bring this information to the attention of the investigators at the earliest opportunity. While the investigators may explore relevant areas of inquiry, the Civil Rights & Title IX Coordinator has the discretion to make the final determination whether evidence of prior sexual history or other misconduct is relevant and should be included in the report.

If, at any time, the respondent agrees to a finding of responsibility to some or all of the charged conduct, the matter may be referred to a Formal Resolution (Complaint Resolution section.) for adjudication, or if all parties agree, referred to Informal Resolution (Complaint Resolution section). The College will seek to complete the investigation in a reasonable timeframe from the notice of investigation, typically within 20 business days. This time frame may be extended for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may be based on delays occasioned by the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other circumstances, all of which will likely extend the length of time it takes to complete the investigation. The Civil Rights & Title IX Coordinator will provide regular updates to all parties regarding the progress of the investigation.

Review of Evidence

The evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint will be made available to the parties and their advisors, including the evidence upon which the College may not rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence. The parties will have 10 calendar days to review the evidence. The parties will be offered the opportunity to review the evidence and provide a written response that will be submitted to the investigators for the completion of the Investigation Report.

Due to the privacy of all those involved, evidence shared in an electronic format will not be printable, downloadable or electronically shareable by the parties or their advisors. Exceptions may be made in compliance with Section 504 of the Rehabilitation Act of 1973.

Investigation Report

Once the parties have reviewed the evidence and have submitted responses, or the time period to submit such responses has passed, the investigators will complete any follow up they deem necessary, and write the investigation report. In cases where Sexual Harassment is being alleged, the investigators will consider whether the conduct alleged in the formal complaint and the Notice of Investigation would constitute "Sexual Harassment - Title IX." The investigators will consider the evidence gathered from the complainant during the investigation, and make a recommendation to the Civil Rights & Title IX Coordinator regarding the appropriate resolution process. The Civil Rights & Title IX Coordinator will review the recommendation of the investigators and make the final determination as to whether the conduct alleged, if demonstrated by a preponderance of the evidence, would constitute "Sexual Harassment – Title IX." This determination is made only considering the

information provided by the complainant, regardless of other evidence available in the case. The Civil Rights & Title IX Coordinator will notify the parties, in writing, of the final assessment and whether or not the complaint will proceed to a hearing or be decided by the investigators.

The investigation report will include, but is not limited to, the following sections:

- overview of the complaint made and summary of the investigative methodology;
- summary of relevant information gathered, including:
- timeline of incident being investigated;
- complainant's account of events;
- respondent's account of events;
- witness accounts;
- evidence gathered;
- areas of agreement;
- areas of disagreement;
- assessment of whether or not the complaint meets one or more of the required elements of the definition of sexual harassment under Title IX, including rationale; and
- appendix containing all of the collected evidence

The investigation report will not include:

- Information about the complainant's sexual predisposition or prior sexual behavior, unless:
- The information is to prove that someone other than the respondent committed the alleged conduct; or
- The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege; and
- A party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

When no appeal of the Final Title IX Assessment is filed, the parties have 10 calendar days beginning at the conclusion of the 3-day appeal window to submit their written response to the Investigation Report. The response may include an assertion that evidence not summarized in the report, but present in the case file, should be considered as relevant.

- In a case where none of the charges include a form of Sexual Harassment, the parties have 10 calendar days from the date the Civil Rights & Title IX Coordinator shares the Investigation Report to submit their written response to the Investigation Report.
- In a case with multiple charges, if any of the charges constitute "Sexual Harassment - Title IX," all the charges in that case will be handled at the same time through the Hearing Resolution process.

FINAL TITLE IX ASSESSMENT

Final Title IX Assessment

In cases involving allegations of Sexual Harassment, the investigators will consider the allegations in the formal complaint and Notice of Investigation to make a recommendation to the Civil Rights & Title IX Coordinator as to whether mandatory dismissal is appropriate. A mandatory dismissal is a determination that the information from the complainant, if true, does not constitute Sexual Harassment – Title IX. The recommendation is made based on the information obtained from the complainant, without regard to other evidence in the case.

The Civil Rights & Title IX Coordinator shall consider the recommendation of the investigators as to whether the case is subject to mandatory dismissal and shall make a determination as to whether mandatory dismissal is appropriate. The Coordinator's decision, called the Final Title IX Assessment, will be shared with the parties and their advisors at the time the Investigative Report is shared. The Final Title IX Assessment may be appealed by either party. Instructions and grounds for the appeal will be shared by the Civil Rights & Title IX Coordinator with the Final Title IX Assessment.

Appeal

Parties have 3 business days after receipt of the investigative report to submit in writing an appeal of the Final Title IX Assessment. The appeal will be considered by an appropriately trained staff member designated by the Civil Rights & Title IX Coordinator. The appeal decision will be communicated in writing to the parties, their advisors, and the Civil Rights & Title IX Coordinator. The decision will also indicate the path for complaint resolution: Hearing Resolution or Investigator Resolution. From the date the appeal decision letter is shared with the parties, the parties have 10 calendar days to submit a written response to the Investigation Report. The written response will be included for consideration by the Hearing Chair/Panel or the investigators in the resolution process.

Investigator Resolution (Non-Title IX)

The Investigation Resolution process will be used to resolve cases that do not include a charge of “Sexual Harassment — Title IX.” The investigators will make a determination, by a preponderance of the evidence, whether there is sufficient information to support a finding of responsibility. The investigators’ finding, and the rationale for the finding, will be included in the final investigative report that will be shared with the parties by the Civil Rights & Title IX Coordinator.

The investigators should first evaluate the quality of the evidence. The investigators should consider all of the evidence regardless of who provided it. Any evidence the investigators find to be of high quality should be given more weight than any evidence the investigators find to be of low quality. Quality may, or may not be identical with quantity, and sheer quantity alone should not be the basis for a finding of responsibility. The testimony of a single party or witness may be sufficient to establish a fact.

The investigators will evaluate all admissible, relevant evidence for weight or credibility. Credibility is not based solely on observing demeanor, but also considers detail, interest or bias, corroboration where it would reasonably be expected to exist, the circumstances of the disclosure, and the nature of the relationship. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the investigators, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party. Corroborating evidence is not required.

The Investigators will not consider or rely on:

- Information about the complainant’s sexual predisposition or prior sexual behavior, unless:
- The information is to prove that someone other than the respondent committed the alleged conduct; or
- The information concerns specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege; and
- A party’s medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

A party’s answers to questions can and should be evaluated by the investigators in context, including taking into account that a party may experience stress while trying to answer questions, or other factors that may affect the party’s ability to recall the specific details of an incident in sequence.

If the investigators determine by a preponderance of the evidence that there is insufficient information to find the respondent responsible for violating this or other policies, the complainant may appeal this outcome following the procedures set forth in the Complaint Resolution section of this document..

If the investigators determine, by a preponderance of the evidence, that there is sufficient information to find the respondent responsible for violating this or other policies, the matter will be referred to an Adjudicator to determine the appropriate sanction. The Civil Rights & Title IX Coordinator will notify the Registrar to place a hold on the respondent’s transcript until the sanction has been issued by the Adjudicator.

ADJUDICATION

The Adjudicator is determined by the status of the respondent:

1. For reports against students or student groups, the Adjudicator is typically the Director of the Office of Student Rights and Responsibilities.
2. For reports against staff, the Adjudicator is typically the Director of Human Resources or, if the Director of Human Resources is unable to serve, the Director of Student Rights and Responsibilities.
3. For reports against faculty, the Adjudicator is typically the Provost or, if the Provost is unable to serve, the Director of Human Resources.

When the typical or alternate Adjudicator is unable to serve, or is not otherwise designated in this policy, the Civil Rights & Title IX Coordinator will select a trained individual to be the Adjudicator with notice to the parties.

The Adjudicator must be a neutral and impartial decision-maker. The parties will be informed, in writing, of the specific Adjudicator assigned to determine sanction. Within 1 calendar day of receiving the notice of the designated Adjudicator, a party may submit a written request to the Civil Rights & Title IX Coordinator to replace the named Adjudicator, if there are reasonable articulable grounds to establish bias, conflict of interest or an inability to be fair and impartial. The designated Adjudicator will only be replaced if the Civil Rights & Title IX Coordinator determines that their bias precludes impartiality or constitutes conflict. Additionally, an Adjudicator who has reason to believe they cannot make an objective determination must recuse themselves from the process.

For a range of possible sanctions and factors considered by the Adjudicator see the Complaint Resolution section of this document.

Timeframe for Resolution

The College will seek to complete the adjudication (imposition of sanction) within 10 calendar days of the notice of referral to adjudication, but this time frame may be extended for good cause with written notice to the parties of the delay and the reason for the delay.

Notice of Outcome

The Adjudicator's written determination of the outcome, the sanction and the rationale for each will be provided to each party and their advisor. The parties will be informed of any sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements.

The outcome letter will also provide each party with their appeal options. If there are any changes to the outcome, both parties will be simultaneously notified.

Hearing Resolution (Sexual Harassment — Title IX)

A Hearing Resolution will be used to resolve cases that, after the Final Title IX Assessment, include charges of "Sexual Harassment — Title IX." If such cases also include other charges, all the charges in that case will be handled at the same time through the Hearing Resolution process. A Hearing Resolution includes a pre-hearing conference, a live hearing, decisions about responsibility and sanctioning by the Hearing Chair or Panel, and an optional appeal process.

A single Hearing Chair will typically conduct the live hearing. The Civil Rights & Title IX Coordinator will choose a trained, impartial Hearing Chair. In some cases, at the discretion of the Civil Rights & Title IX Coordinator, a 3-person Hearing Panel may be convened to conduct the hearing, whose members are selected by the Civil Rights & Title IX Coordinator. When a 3-person Hearing Panel is convened, one of the panelists will serve in the role of the Hearing Chair and a majority vote is required to make the determination of responsibility. The Hearing Chair and Hearing Panelists cannot be the individual assigned in the role of the Civil Rights & Title IX Coordinator for the case, nor can they have acted in the role of an investigator or served in any other function that would pose a potential conflict of interest.

Pre-Hearing Conference

Each party will have their own pre-hearing conference. The Civil Rights & Title IX Coordinator will communicate to the parties, their advisors, and the Hearing Chair the date, time, and format for their Pre-Hearing Conference. The Civil Rights & Title IX Coordinator, the Hearing Chair, and the advisor must be in attendance. While the parties are strongly encouraged to attend, they are not required to do so.

During the Pre-Hearing Conference, the advisors must share with the Hearing Chair their list of witnesses they wish to question at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.

Evidence and witnesses may only be presented at the hearing if they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigative report was submitted. The Hearing Chair will address any requests to present new evidence and new witnesses at the Pre-Hearing Conference.

The advisor is strongly encouraged to discuss lines of questioning with the Hearing Chair at the Pre-Hearing Conference to obtain guidance from the Hearing Chair on relevancy prior to the hearing. The Hearing Chair will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.

After reviewing each party's witness list, the Hearing Chair may, at their discretion, add names of other witnesses contained in the report for the purpose of appearing at the hearing and submitting to cross-examination.

After the conclusion of the Pre-Hearing Conferences, the Civil Rights & Title IX Coordinator will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur no less than 5 business days after the conclusion of the final pre-hearing conference.

Witness Agreement to Participate

Prior to the hearing, the Coordinator will contact each witness who spoke with the investigators during the investigation to request whether each witness would be willing to provide testimony at the live hearing if they are requested to do so. Information about whether the witnesses are willing to participate will be provided to the parties, their advisors, and the Hearing Chair prior to the hearing.

In making determinations regarding "Sexual Harassment - Title IX," the following rules apply:

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Chair or Panel will weigh any relevant statements of the party or witness appropriately in reaching a determination of responsibility.

Statements must be considered in the context of the other evidence in the record.

The Decision-Maker will provide a written determination of assessment of appropriate weight given to statements not subject to cross examination based on standards for weighing credibility found within this policy.

Live Hearing

The live hearing may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. Regardless of format, the hearing will be recorded. The recording will be the property of Kenyon College, and will be made available to the parties for review and inspection upon their request during the pendency of the process.

Those persons present during the entirety or at designated portions of the hearing include: complainant, complainant's advisor; respondent, respondent's advisor; Hearing Chair/Panel; Civil Rights & Title IX Coordinator; witnesses; other appropriate individuals at the discretion of the Civil Rights & Title IX Coordinator (for example, an interpreter).

The Hearing Chair will provide an introduction detailing the purpose of the hearing, have those present identify themselves and their role, remind all parties of the expectation to be candid and honest in their response, and provide a brief overview of the procedure and the anticipated order of the hearing.

The advisors will be responsible for orally asking relevant questions, including those questions which challenge credibility, to the other party or parties and any witnesses directly, in real-time and in a manner that, in the Hearing Chair's sole discretion, is not inappropriate, harassing, intimidating, irrelevant, or redundant. Cross-examination will never be conducted by a party personally. Only relevant questions may be asked of a party or witness. Relevant questions are those tending to prove or disprove a fact at issue. Questions that are not relevant include:

Repetition of the same question;

- Questions related to information about the complainant's sexual predisposition or prior sexual behavior, unless:
- The information is to prove that someone other than the respondent committed the alleged conduct; or
- The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Questions related to information that is protected by a legally recognized privilege; and
- Questions related to a party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

The Hearing Chair/Panel will objectively evaluate all evidence to determine its relevance, materiality, weight and reliability.

Before a complainant, respondent, or witness answers a question by an advisor, the Hearing Chair will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant, or request rephrasing of the question. The Hearing Chair is not required to give a lengthy or complicated explanation of a relevancy determination during the hearing. The Hearing Chair may later send to the parties any revisions to the explanation of relevance that was provided during the hearing.

Decision/Finding/Sanctions

Decisions regarding responsibility will be made by the Hearing Chair/Panel and communicated to the parties and their advisors in writing within 15 business days from the conclusion of the live hearing. When a 3-person Hearing Panel is convened, one of the panelists will serve in the role of the Hearing Chair and a majority vote is required to make the determination of responsibility.

The Hearing Chair/Panel should first evaluate the quality of the evidence. The Hearing Chair/Panel should consider all of the evidence regardless of who provided it. Any evidence the Hearing Chair/Panel finds to be of high quality should be given more weight than any evidence the Hearing Chair/Panel finds to be of low quality. Quality may, or may not be identical with quantity, and sheer quantity alone should not be the basis for a finding of responsibility. The testimony of a single party or witness may be sufficient to establish a fact.

The Hearing Chair/Panel will evaluate all admissible, relevant evidence for weight or credibility. Credibility is not based solely on observing demeanor, but also considers detail, interest or bias, corroboration where it would reasonably be expected to exist, the circumstances of the disclosure, and the nature of the relationship. The degree to which any inaccuracy, inconsistency, or implausibility in a narrative provided by a party or witness should affect a determination regarding responsibility is a matter to be decided by the Hearing Chair/Panel, after having the opportunity to ask questions of parties and witnesses, and to observe how parties and witnesses answer the questions posed by the other party. Corroborating evidence is not required.

The Hearing Chair/Panel will not consider or rely on:

- Information about the complainant's sexual predisposition or prior sexual behavior, unless:
- The information is to prove that someone other than the respondent committed the alleged conduct; or
- The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege; and
- A party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

A party's answers to questions can and should be evaluated by the Hearing Chair/ Panel in context, including taking into account that a party may experience stress while trying to answer questions, or other factors that may affect the party's ability to recall the specific details of an incident in sequence.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Chair/Panel must not rely on any statement of that party or witness in reaching a determination regarding responsibility allegations of "Sexual Harassment - Title IX." Whether a party or witness is deemed by the Hearing Chair/Panel to have submitted to cross-examination will

be determined based upon current case law and guidance from the U.S. Department of Education. The Hearing Chair/Panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. However, video evidence showing the conduct alleged within a complaint may be considered, even if the party does not submit to cross-examination. Further, a respondent's verbal or written conduct that is alleged to constitute the sexual harassment at issue is not considered to be the respondent's "statement" and thus, information about or evidence of such conduct may be admitted even if the respondent does not submit to cross-examination.

If a party or a witness does not submit to cross-examination at the live hearing, the Hearing Chair/Panel may rely on any statement of that party or witness in reaching a determination regarding responsibility for allegations other than "Sexual Harassment - Title IX."

The Hearing Chair/Panel will also determine the sanctions. In determining the sanctions, the Hearing Chair/Panel will consult with the appropriate College staff member, who will review the draft written decision. For reports against students or student groups, the Director of the Office of Student Rights and Responsibilities; for reports against staff, the Director of Human Resources; for reports against faculty, the Provost. For a range of possible sanctions see the Complainant Resolution section of this document.

The written decision will include the following:

- identification of the allegations potentially constituting policy violations;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications of the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- summary of statements made at the hearing,
- findings of fact supporting the determination;
- conclusions regarding the application of the Policy to the facts;
- a statement and rationale as to the finding for each allegation, including a determination regarding responsibility;
- any disciplinary sanctions imposed on the respondent;
- whether additional remedies will be provided to the complainant designed to restore or preserve the complainant's equal access to the College's educational programs or activities; and
- the opportunity for appeal.

The written decision will be provided to the parties simultaneously.

When remedies are provided, they will be determined and monitored by the Title IX Coordinator throughout the Complainant's enrollment, employment, and/or engagement with the College. Availability of a particular remedy may depend on the College's current relationships with the Complainant or Respondent.

Possible Sanctions

In determining the sanctions, the following factors will be considered, to the extent the information is available in the case file: (1) the respondent's prior conduct history; (2) how the College has sanctioned similar incidents in the past; (3) the nature and violence of the conduct at issue; (4) the impact of the conduct on the complainant; (5) the impact of the conduct on the community, its members, or its property; (6) whether the respondent has accepted responsibility for their actions; (7) any other mitigating or aggravating circumstances, including the College's values.

The imposition of sanctions will typically take effect immediately, but may be stayed at the discretion of the Hearing Chair/Panel in consultation with the Title IX Coordinator. A respondent who separates from the College under any circumstance is not eligible for re-admittance or re-employment until they have successfully completed the terms of any sanctions imposed.

Suspensions and Dismissals are recorded on a student's permanent academic record as "Suspended: date" or "Dismissed: date" and will be noted on the transcript at the time the sanction is imposed. If an appeal reverses the decision, the notation will be removed. If the student is the subject of an investigation, but voluntarily withdraws from Kenyon before completion of the process, "Date of withdrawal: Institutional Action Pending" will appear on the student's transcript. Upon conclusion of the investigation and appeal process, the notation of withdrawal will be removed. When Suspension or Dismissal is issued, this action will be noted on the student's transcript in place of the notice of withdrawal pending.

Sanctions for Students and Student Groups

For students, the sanction may include removal from specific courses or activities, removal from College housing, suspension from the College, or dismissal. While sanctions may be of a punitive nature, they are intended to be educational as well. The possible sanctions that may be issued, individually or in combination, for students found responsible for Prohibited Conduct include:

- **Statement of Concern.** May be issued to students who are found in the presence of a policy violation, but who are not held formally accountable for that violation.
- **Warning.** A warning is notification that a student has committed certain violations and that continuance of such conduct will result in more severe disciplinary action.
- **Educational Sanctions.** These include but are not limited to alcohol education, mandatory counseling assessment and adherence to professional counseling recommendations, research paper or project, coordinating a hall or building program with a residential life staff member, group education program, etc.
- **Behavioral Contract.** The purpose of such a contract is to allow a student to successfully manage their behavior while remaining an active member of the Kenyon community. Failure to complete the agreed-upon provisions of the contract will result in suspension from the College, unless the student voluntarily withdraws. If suspended or withdrawn, the student must follow the readmission process outlined in the Kenyon College Catalog before they may resume their studies at Kenyon.
- **Administrative Hold on Student Accounts.** Enforced most often when students have failed to comply with assigned tasks from a conduct hearing or Title IX investigation. This action precludes students from registering for classes and obtaining such documents as transcripts and diplomas. Once the outstanding sanction has been satisfactorily completed, the hold will be lifted.
- **Disciplinary Service.** Service hours expected to be completed in a given area as a way to give back to the campus or local community.
- **Fine/Restitution.** A fine or restitution is a monetary penalty for violations such as vandalism or damage to College property or the property of others. All fines must be paid by personal or cashier's check; they will not be applied to a student's account.
- **College Restriction.** This may include restrictions from certain buildings, events, programs, or activities, as well as restrictions on communicating with the complainant. The Civil Rights & Title IX Coordinator shall be responsible for managing implementation of any imposed restriction.
- **College Housing Restriction.** Residence re-assignment, removal from College housing, or restrictions on where a student may live. The Civil Rights & Title IX Coordinator shall be responsible for managing implementation of any imposed restriction.
- **Disciplinary Probation.** This sanction means that for a specified period of time (ordinarily no less than the equivalent of one semester) a student is not in good disciplinary standing with the College.
- **Administrative Withdrawal.** Withdrawal from a specific course, major, or academic department may be invoked in cases where a student or group of students violates expectations of the academic arena (classroom incivility, disruption, harassment of faculty or other students in the classroom).
- **Deferred Suspension.** This involves students who have been held responsible for behavior that warrants suspension but where mitigating circumstances and additional sanctions may allow a student to remain in the community while these sanctions are being completed. Failure to complete any of the additional expectations by the stated deadlines will lead to the immediate implementation of suspension without further hearing. In addition, if a student is found responsible for any further College policy violations, at a minimum, the student will automatically be recommended for suspension for at least one full semester.
- **Suspension.** The denial of the opportunity to continue in the College for a specified period of time (ordinarily no less than one semester), or indefinitely until the student's intervening record can support an application for readmission. While suspended, a student is not allowed to be on campus or to attend any official College event. In the event that additional sanctions are imposed in conjunction with the suspension, these sanctions will most likely be expected to be completed prior to an application for readmission to be considered. Upon return from suspension, the student will be placed on probationary status for one calendar year following completion of suspension. This sanction is noted permanently on the student's transcript.

- **Dismissal.** The denial of the opportunity to continue as a student at the College. A student who has been dismissed is not eligible to apply for readmission. A student who is dismissed is not allowed to be on campus or to be at any official College event at any time. This sanction is noted permanently on the student's transcript.
- **Organizational Notification.** Written or verbal notification to inter/national organization representatives, officers or advisers.
- **Loss of Privileges.** Denial of privileges such as removal of services and access to facilities, restriction of use of campus financial accounts and/or student activity fee funding, attendance or participation in activities/programs, loss of theme or division housing privileges.
- **Social Probation.** Probationary status during which time the organization is restricted from participating in social events, including hosting as an organization.
- **Probation of Student Organization.** Probationary status for a specified period, typically not less than one semester, during which time the organization will be required to fulfill specific conditions before reinstatement to good standing.
- **Suspension of Student Organization.** Separation from the College for a specified period, typically not less than one semester. Involves loss of all rights and privileges of student organizations, including the use of College facilities, and probationary status for one year following completion of suspension.
- **Termination of Student Organization.** Termination is the most serious of College disciplinary actions for a student organization. It involves permanent separation of a student organization from the College and removal of recognition of the organization.

For a student employee who is acting within the scope of their employment at the time of the incident, the sanction may include any permissible sanction for students or employees.

Sanctions for Employees or Employee Groups

For employees, the sanction may include any form of responsive action or progressive discipline as set forth in the Employee Handbook, including training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination of employment.

Sanctions for Faculty or Faculty Groups

Appropriate sanctions may range from a warning, a reprimand, relevant training, referral to counseling, salary freeze, removal from certain responsibilities (e.g. supervising employees), paid leave or unpaid leave, non-renewal of contract, reassignment, termination of tenure and/or termination of employment.

Sanctions for Non-students and Non-employees

Appropriate sanctions may include but are not limited to: warning, counseling, training, restricted campus access, restricted participation in College activities and events.

Appeal of Finding and/or Sanction

Regardless of whether a complaint is resolved through the Investigator Resolution or the Hearing Resolution, both the complainant and respondent may appeal the outcome, including a finding of responsibility (or no responsibility) and/or the sanction. In a request for an appeal, the burden of proof lies with the party requesting the appeal. Dissatisfaction with the outcome of the investigation is not grounds for appeal. The limited grounds for appeal are as follows:

- procedural irregularity that affected the outcome of the matter;
- 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;
- the Civil Rights & Title IX Coordinator, investigator(s), or Hearing Chair/Panel 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; or
- the decision of the investigators under, the Hearing Chair/Panel, or the adjudicator (described under the Complaint Resolution section) was clearly erroneous based on the evidential record.

The Appeal Officer for all cases, regardless of the respondent's classification, is the vice president for student affairs. In the instance when the vice president for Student Affairs is unable to serve, the alternate Appeal Officer is determined by the classification of the respondent:

1. For students, the alternate Appeals Officer will be the provost.
2. For faculty, the alternate Appeals Officer will be the director of human resources.
3. For staff, the alternate Appeals Officer will be the provost.

When the typical or alternate Appeal Officer is unable to serve, or is not otherwise designated in this policy, the Civil Rights & Title IX Coordinator will select a trained individual to be the Appeal Officer with notice to the parties.

The Appeal Officer must be a neutral and impartial decision maker. The parties will be informed, in writing, of the specific Appeals Officer. Within 1 calendar day of receiving the notice of the designated Appeals Officer, the complainant and the respondent may submit a written request to the Civil Rights & Title IX Coordinator to replace the named Appeals Officer if there are reasonable articulable grounds to establish bias, conflict of interest or an inability to be fair and impartial. The designated Appeals Officer will only be replaced if the Civil Rights & Title IX Coordinator determines their bias precludes impartiality or constitutes conflict. Additionally, an Appeals Officer who has reason to believe they cannot make an objective determination must recuse themselves from the process.

A party who chooses to appeal must submit a written appeal to the Civil Rights & Title IX Coordinator within 5 business days of receipt of the decision. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Civil Rights & Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the Civil Rights & Title IX Coordinator within 3 business days from the other party's receipt of the appeal. Appeal responses are shared with the other parties but no reply is permitted.

The Appeals Officer will make a decision regarding the written appeal and, within 10 business days of receipt of all appeal documents, notify the complainant and the respondent of the outcome. The Appeal Officer may affirm the finding(s); alter the finding(s); alter the sanctions; or request that additional steps be taken.

Appeal decisions are final. All appeal deadlines may be extended for good cause by the Civil Rights & Title IX Coordinator. Any extension will be communicated to the parties.

RECORDS

As required under Title IX regulations, the College maintains records of all reports, complaints, supportive measures, investigations, evidence, informal resolutions, investigator decisions, hearings, hearing records, hearing outcomes, sanctions, remedies, and appeals governed by this policy. Such records will be maintained by the Civil Rights & Title IX Coordinator for a period of at least 7 years after the last party graduates, leaves employment of the College, or otherwise is no longer engaged in a College program or activity. Records are accessible only to the extent permissible under applicable records confidentiality and disclosure laws, including FERPA, 20 U.S.C. 1232g, and the Clery Act, 20 U.S.C. 1092(f). At the conclusion of the process, consistent with confidentiality requirements, access to all initial and final investigative documents and reports will be restricted once the appeals process has been completed.

The College also maintains all materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process for a period of at least nine years. These materials are available on the College's website, as required under Title IX regulations.

Education and Bystander Programs

Kenyon College recognizes that the most effective way to achieve a community free of Prohibited Conduct is to equip all community members with the skills to recognize and prevent these prohibited forms of conduct. It is the hope that, through education, prohibited conduct will be prevented.

Throughout the year the College offers educational programs to promote awareness of Prohibited Conduct. Incoming first-year students and new employees will receive primary education and awareness programming as part of their orientation.

GREEN DOT

The College also has a group of faculty and staff who are certified as trainers for the Green Dot Bystander Intervention Program. The Green Dot Bystander intervention Program:

- Engages witnesses to interrupt situations that are imminently or potentially high-risk for violence, increases self-efficacy and provides skill building and specific strategies to increase the likelihood that trained individuals will actually intervene. By expanding the role of bystanders beyond reactivity, the Green Dot program trains participants to engage in proactive behaviors that model and endorse norms that are incompatible with violence. The ultimate goal is not simply to react to potential violence as it is occurring, but rather to simultaneously shift community norms that support the violence that is occurring.

In the calendar year the trainers hosted 2 sessions where a student organization and new employees within the Office of Student Affairs were taught how to be effective bystanders, both proactively and reactively, in situations of power-based personal violence. To take part in the Green Dot Bystander Intervention program, contact the Office of Civil Rights and/or the Dean of Students to schedule the training. Outside of the Green Dot program, there are no other prevention programs planned at this time.

NEW HIRES AND INCOMING STUDENTS

Kenyon College Office of Human Resources and the Career Development Office assigns all new hires, employees and new student employees, "Title IX and Sexual Harassment Prevention". This is mandatory training and it is assigned within the first two weeks of the hire date and all new employees have 30 days to complete the training.

During orientation, incoming students are also informed of the available websites for Sex Offender Registration::

- Knox County Sex Offender website: www.sheriffalerts.com/cap_office_disclaimer.php?office=55185.
- Ohio Attorney General's statewide database: www.icrimewatch.net/index.php?AgencyID=55149&disc=

The Office of Civil Rights offers live Civil Rights training for Harassment, Discrimination & Sexual Misconduct semi-annually. This training is offered to new employees at Kenyon College, students who plan or already have an on-campus employment or any office or department (non-academic) who has not had the Civil Rights Training over the previous two year period. Kenyon College offers regular, ongoing education and awareness programs for all students and employees. Employees who play a key role in implementing the policy, including those faculty and staff who are likely to receive reports of Prohibited Conduct will receive regular in-depth training to assist with a timely, sensitive, respectful, and effective institutional response. The College is committed to ensuring that all employees understand how to respond to these reports of this nature.

POLICY MAINTENANCE

The College will review the Kenyon College Sexual Harassment and Misconduct Policy annually. Non-procedural changes will be made by the Kenyon College Civil Rights Office. Major procedural changes will be presented to the community for review and comment and will be implemented in accordance with College governance policies

Annual Fire Safety Report

Preparation and Distribution of the Annual Fire Safety Report

The Office of Campus Safety prepares this report to comply with The Higher Education Opportunity Act enacted on August 14, 2008, which requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for Kenyon College.

It is compiled using information maintained by the Office of Campus Safety, information provided by other College offices including but not limited to the Maintenance Department, Student Affairs, including the Office of Student Rights and Responsibilities and the Office of Residential Life, and local fire agencies.

Kenyon College prepares and publishes this Annual Fire Safety Report in coordination with timelines set forth by the United States Department of Education. Per the timelines, statistics in this Report reflect data from the previous calendar year. The College distributes conspicuous notice of the availability of this Annual Fire Safety Report by October 1 of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Office of Campus Safety at clery@kenyon.edu, telephone: 740-427-5000, or by visiting kenyon.edu/crime-statistics.

Definitions

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act:

On-Campus Student Housing: A 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 a reasonable contiguous area that makes up the campus.

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure or act of nature.

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-related injury: Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue or escaping from the dangers of a fire. The term “person” may include students, faculty, staff, visitors, firefighters or any other individuals.

Fire-related death: Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue or escaping from the dangers of a fire or (2) dies within one year of injuries sustained as a result of a fire.

Fire-safety system: Any mechanism or system related to the detection of a fire, the warning resulting from a fire or the control of a fire. This may include sprinkler systems or other fire extinguishing systems; fire detection devices; stand-alone smoke alarms; devices that alert one to the presence of a fire, such as horns, bells or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Value of property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire and related damages caused by smoke, water and overhaul; however, it does not include indirect loss, such as business interruption.

FIRE INCIDENT REPORTING

Students, faculty and staff are instructed to call 911 to report a fire emergency. Non-emergency notifications (e.g. evidence that something burned) are made to Campus Safety at 740-427-5000.

RESIDENCE HALL FIRE DRILLS

The Office of Campus Safety performs quarterly fire drills within all Kenyon College owned residence halls. The Office of Campus Safety documents all fire drills with the date and time of the fire drill, the amount of time it takes to evacuate the building, the location of the fire drill, and the number of students who evacuated the building to their designated rally point.

Students are notified via an email by the Office of Residential Life, including notifications from the Community Advisors who are employees of the Office of Residential Life, with the date and time frame for fire drills each quarter.

Fire Safety Policies

Kenyon College takes fire safety very seriously and continues to enhance its programs to the College community through education, engineering and enforcement. Community Advisors receive special training, which includes identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies and hands-on use of fire extinguishers.

All College residence halls have emergency evacuation plans and conduct quarterly fire drills during the school year to allow occupants to become familiar with and practice their evacuation skills. Officers provide assistance in building evacuation and, in the event of an actual fire, assist in the extinguishment / confinement of small fires. In the event of a fire, guidelines are in place to ensure safe evacuation. Those can be found at <https://www.kenyon.edu/campus-life/health-safety/office-of-campus-safety/emergencies/#fire>.

Automatic sprinkler systems and fire alarm systems are recognized engineered building features that help to provide for a fire safe living environment. Newer College-operated residence halls and apartments are provided with automatic sprinkler systems. All buildings have smoke detectors and building fire alarm systems to provide early detection and warning of a possible fire emergency.

The College maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standard to ensure system readiness and proper operation in the event of a fire emergency.

During orientation (before the start of the fall semester academic year) first-year students are informed about necessary emergency numbers for Kenyon College, Knox County Sheriff's Office, Mount Vernon Fire Department along with the Knox County emergency alert system website. Students are trained on the Kenyon College Emergency Alert System and informed about fire alarm evacuation, fire drills and fire rally points.

The same safety information and training is repeated for international students at international student orientation before the start of the academic year and for Community Advisors before the start of the fall and spring semesters. Additionally, Community Advisors are trained on the use of fire extinguishers and confinement of small fires.

The Office of Campus Safety will annually publicize Kenyon College fire evacuation procedures by email to the college community during Fire Safety Awareness Month which is during the month of October.

IMPROPER FIRE SAFETY

- Any open flame, burning candle, incense or other incendiary device in any College residential space. Note: Candles (regardless of the condition of the wick) are not permitted, including those intended for religious purposes or observances.
- Failure to evacuate a building during a fire alarm.
- Tampering with wiring, including heating, electrical or cable television wiring.
- Possessing or discharging fireworks.
- Causing or contributing to a fire-safety hazard. This includes, but is not limited to, obstructing exits, stairwells, and hallways.
- Using live trees or other greenery as holiday decorations in student rooms, suites, apartments or living areas. All decorations must be fireproof. Decorative holiday lights must be of "mini-light" specifications. Decorations or lights may not be placed on the exterior of buildings or windows, and they may not block entrances, exits, hallways, room doors, stairwells or hallways.
- Religious and other exemptions regarding use of candles, incense, or fireworks may be granted by the Office of Residential Life (for residential spaces) or the proper administrative office that has oversight of a particular non-residential space.

NON-PERMISSIBLE SMOKING

- Use of any lighted or electronic cigarette, cigar, pipe, or hookah-smoked products is not permitted in any College building, including all residence halls, apartments, houses, and academic and administrative buildings.
- Use of such products is not permitted within 15 feet of any residence hall, public building space, or ingress or egress to such spaces.

PROHIBITED ELECTRICAL APPLIANCES AND DEVICES

- Appliances with open coils (including, but not limited to, hot plates, toasters and toaster ovens) are not permitted in College living units, except apartments, houses, and designated community kitchen spaces.
- Halogen lamps/lights
- Microwave ovens above 901 watts

ADDITIONAL PROHIBITED ITEMS IN RESIDENTIAL SPACES AND OUTDOOR COMMUNITY SPACES

- Flammable liquids (e.g. bottles of propane gas, gas for grills, lighter fluid, dangerous chemicals, etc.) are prohibited.
- Propane grills are not permitted.
- Candles, incense, scented wax burners, or any other open-flame/heating devices, regardless of wick or condition of wick and purpose, are prohibited.
- Draperies or tapestries are not allowed on ceilings, covering any lights, or on more than approximately 50 percent of walls in any room.

FIRE EVACUATION PROCEDURES

Kenyon College Housing and Residential staff provide residents with fire evacuation procedures. Fire drills are conducted twice a semester.

If you discover a fire in a residential area:

1. Activate the building fire alarm if it is not already sounding. Pull the nearest fire alarm pull station immediately.
2. Call #911 and Campus Safety at 740-427-5555 from a safe distance.

Evacuation from the residential area:

1. If there is smoke, crawl.
2. Feel doors before opening them. If the door or a metal knob is hot, do not open. If the knob is cool, brace yourself against the door, open it slightly and if heat or heavy smoke are present, close the door and stay in the room.
3. If you get trapped, keep doors closed and place cloth material around and under the door to prevent smoke from entering. Signal for help by hanging an object at the window to attract the attention of first responders.
4. Go to the nearest exit or stairway. If the nearest exit is blocked by fire, heat or smoke, go to another exit.
5. Do not use elevators.
6. Activate the building fire alarm if it is not already sounding.
7. Do not re-enter the building until safety officers say it is safe to do so.

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

Kenyon College continues to monitor trends related to residence hall fire incidents and alarms to provide a fire-safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty and staff. For the calendar year of 2021 the following fire improvements are in progress or have been completed:

Morgan Apartments 1 - 10 (**Completed**): Fire alarm system installed with smoke and heat detectors which are constantly monitored by the Fire Works online monitoring system located in the Office of Campus Safety.

North Campus Apartments 1 - 20, 216, 220 and 304 (**In progress**): Migration of fire alarm notification from phone dialers to automatic reporting through the Fire Works online monitoring system.

Fire Statistics 2020

ON-CAMPUS STUDENT HOUSING FIRE SAFETY SYSTEMS — RESIDENCE HALLS AND APARTMENTS

Residence Building	Street Address	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Fire Drill Each Year
103 Acland Apt A, B, C	103 South Acland St	•			•	•	•	4
105 Acland Apt A & B	105 South Acland St	•			•	•	•	4
107 Acland Apts A, B, C	107 South Acland St	•			•	•	•	4
306 Wiggin St	306 Wiggin St				•	•	•	0
Bushnell Hall	208 College Park St	•			•	•	•	4
Caples Residence	217 North Acland St	•		•	•	•	•	4
Crozier Center	105 E. Wiggin St	•			•	•	•	0
Delt Lodge	103 Kokosing Dr				•	•		0
Duff Street House	119 Duff St				•	•	•	0
Farr Hall 110	110 Gaskin Ave	•		•	•	•	•	0
Farr Hall 112 A-B	112 Gaskin Ave	•		•	•	•	•	0
Farr Hall 114	114 Gaskin Ave	•		•	•	•	•	0
Gund Residence Hall	204 Ward St	•			•	•	•	4
Hanna Residence Hall	204 South College Rd	•		•	•	•	•	4
Leonard Residence Hall	204 College Park St	•			•	•	•	4
Lewis Residence Hall	202 Ward St	•			•	•	•	4
M. Mather Residence	215 N. Acland St	•	•		•	•	•	4
Manning Residence Hall	202 South College Rd	•			•	•	•	4
Market Apartments A-B	109 Chase Ave	•		•	•	•	•	0
McBride Residence	202 Gaskin Ave	•	•		•	•	•	4
McIlvaine Apartment A (A-D)	105 Rand Dr				•	•	•	0
McIlvaine Apartment B (A-D)	103 Rand Dr				•	•	•	0
McIlvaine Apartment C (A-D)	205 W. Woodside Dr				•	•	•	0
McIlvaine Apartment D (A-D)	203 W. Woodside Dr.				•	•	•	0
Morgan Apts. 1-10	112 Duff St	•			•	•	•	0
NCA 1 Bennet Lane	1 Bennett Lane	•		•	•	•	•	0
NCA 10 Lepley A-C	10 Lepley Lane	•		•	•	•	•	0
NCA 11 Lepley A-C	11 Lepley Lane	•		•	•	•	•	0
NCA 12 Lepley A-C	12 Lepley Lane	•		•	•	•	•	0
NCA 13 Lepley A-C	13 Lepley Lane	•		•	•	•	•	0

NCA 14 Lepley A-C	14 Lepley Lane	•		•	•	•	•	0
NCA 15 LepleyA-C	15 Lepley Lane	•		•	•	•	•	0
NCA 16 Lepley A-B	16 Lepley Lane	•		•	•	•	•	0
NCA 17 LepleyA-C	17 Lepley Lane	•		•	•	•	•	0
NCA 18 Lepley A-C	18 Lepley Lane	•		•	•	•	•	0
NCA 19 Lepley A-B	19 Lepley Lane	•		•	•	•	•	0
NCA 20 Acland	20 Lepley Lane	•		•	•	•	•	0

Residence Building	Street Address	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Poste	Fire Drill Each Year
NCA 216 Acland A-C	216 N. Acland Lane	•		•	•	•	•	0
NCA 220 Acland A-B	220 N. Acland Lane	•		•	•	•	•	0
NCA 3 Bennett A-C	3 Bennett Lane	•		•	•	•	•	0
NCA 304 Gaskin A-B	304 Gaskin Ave	•		•	•	•	•	0
NCA 4 Bennett A-C	4 Bennett Lane	•		•	•	•	•	0
NCA 5 Bennett A-C	5 Bennett Lane	•		•	•	•	•	0
NCA 6 Bennett A-B	6 Bennett Lane	•		•	•	•	•	0
NCA 7 Bennett A	7 Bennett Lane	•		•	•	•	•	0
NCA 8 Bennett A-C	8 Bennett Lane	•		•	•	•	•	0
New Apts B 1-4	204-B E. Woodside Dr	•			•	•	•	0
New Apts C 1-8	204-C E. Woodside Dr	•			•	•	•	0
New Apts D 1-8	204-D E. Woodside Dr	•			•	•	•	0
New Apts F 1-8	204-F E. Woodside Dr	•			•	•	•	0
New Apts. A1-4	204 -A E. Woodside Dr	•			•	•	•	0
Norton Hall	206 Ward St	•			•	•	•	4
Old Kenyon	206 College Park St	•			•	•	•	4
Snowden House	100 E. Brooklyn St	•		•	•	•	•	0
Taft Cottage B 1-3	201-B South College Rd	•		•	•	•	•	0
Taft Cottage C 1-3	201-C South College Rd	•		•	•	•	•	0
Taft Cottages A 1-3	201-A South College Rd	•		•	•	•	•	0
Taft Cottages D 1-3	201-D South College Rd	•		•	•	•	•	0
Thomas House	212 N. Acland St				•	•	•	0
Unity House	100 E Brooklyn St	•		•	•	•	•	0
Village Inn 1-3	102 Gaskin Ave	•		•	•	•	•	0
Watson Residence Hall	205 Chase Ave.	•		•	•	•	•	4
Wilson Apts	103 N. Acland St	•		•	•	•	•	0
Zion Farm House	20245 Zion Rd				•	•	•	0

NON-CAMPUS STUDENT HOUSING FIRE SAFETY SYSTEMS — RESIDENCE HALLS AND APARTMENTS

Residence Building	Street Address	Fire Alarm Monitoring	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evacuation Plans Posted	Fire Drill Each Year
Comfort Inn	150 Howard St, Mount Vernon	•		•	•	•	•	0

FIRE REPORTS 2020

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
103 Acland Apt A, B, C	103 South Acland St	N/A	0	0	N/A	0	0	0
105 Acland Apt A & B	105 South Acland St	N/A	0	0	N/A	0	0	0
107 Acland Apts A, B, C	107 South Acland St	N/A	0	0	N/A	0	0	0
306 Wiggin St	306 Wiggin St	N/A	0	0	N/A	0	0	0
Bushnell Hall	208 College Park St	N/A	0	0	N/A	0	0	0
Caples Residence	217 North Acland St	N/A	0	0	N/A	0	0	0
Crozier Center	105 E. Wiggin St	N/A	0	0	N/A	0	0	0
Delt Lodge	103 Kokosing Dr	N/A	0	0	N/A	0	0	0
Duff Street House	119 Duff St	N/A	0	0	N/A	0	0	0
Farm on Zion Road	20245 Zion Rd	N/A	0	0	N/A	0	0	0
Farr Hall 110	110 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 112 A-B	112 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 114	114 Gaskin Ave	N/A	0	0	N/A	0	0	0
Gund Residence Hall	204 Ward St	N/A	0	0	N/A	0	0	0
Hanna Residence Hall	204 South College Rd	N/A	0	0	N/A	0	0	0
Leonard Residence Hall	204 College Park St	N/A	0	0	N/A	0	0	0
Lewis Residence Hall	202 Ward St	N/A	0	0	N/A	0	0	0
M. Mather Residence	215 N. Acland St	N/A	0	0	N/A	0	0	0
Manning Residence Hall	202 South College Rd	N/A	0	0	N/A	0	0	0
Market Apartments A-B	109 Chase Ave	N/A	0	0	N/A	0	0	0
McBride Residence	202 Gaskin Ave	N/A	0	0	N/A	0	0	0
McIlvaine Apartment A (A-D)	105 Rand Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment B (A-D)	103 Rand Dr	N/A	0	0	N/A	0	0	0

Mcllvaine Apartment C (A-D)	205 W. Woodside Dr	N/A	0	0	N/A	0	0	0
Mcllvaine Apartment D (A-D)	203 W. Woodside Dr.	N/A	0	0	N/A	0	0	0
Morgan Apts. 1-10	112 Duff St	N/A	0	0	N/A	0	0	0
NCA 1 Bennet Lane	1 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 10 Lepley A-C	10 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 11 Lepley A-C	11 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 12 Lepley A-C	12 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 13 Lepley A-C	13 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 14 Lepley A-C	14 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 15 LepleyA-C	15 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 16 Lepley A-B	16 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 17 LepleyA-C	17 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 18 Lepley A-C	18 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 19 Lepley A-B	19 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 20 Acland	20 Lepley Lane	N/A	0	0	N/A	0	0	0

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Smoke Detection	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
NCA 216 Acland A-C	216 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 220 Acland A-B	220 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 3 Bennett A-C	3 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 304 Gaskin A-B	304 Gaskin Ave	N/A	0	0	N/A	0	0	0
NCA 4 Bennett A-C	4 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 5 Bennett A-C	5 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 6 Bennett A-B	6 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 7 Bennett A	7 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 8 Bennett A-C	8 Bennett Lane	N/A	0	0	N/A	0	0	0
New Apts B 1-4	204-B E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts C 1-8	204-C E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts D 1-8	204-D E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts F 1-8	204-F E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts. A1-4	204 -A E. Woodside Dr	N/A	0	0	N/A	0	0	0
Norton Hall	206 Ward St	N/A	0	0	N/A	0	0	0
Old Kenyon	206 College Park St	N/A	0	0	N/A	0	0	0
Snowden House	100 E. Brooklyn St	N/A	0	0	N/A	0	0	0
Taft Cottage B 1-3	201-B South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottage C 1-3	201-C South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages A 1-3	201-A South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages D 1-3	201-D South College Rd	N/A	0	0	N/A	0	0	0

Thomas House	212 N. Acland St	F00001-2020	1	1	Result of unintentional action: Cooking, Parchment paper caught fire while using broiling feature on stove	0	0	\$0.00
Unity House	100 E Brooklyn St	N/A	0	0	N/A	0	0	0
Village Inn 1-3	102 Gaskin Ave	N/A	0	0	N/A	0	0	0
Watson Residence Hall	205 Chase Ave.	N/A	0	0	N/A	0	0	0
Wilson Apts	103 N. Acland St	N/A	0	0	N/A	0	0	0

Non Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Smoke Detection	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
Comfort Inn	150 Howard St, Mount Vernon	N/A	0	0	N/A	0	0	0

FIRE REPORTS 2019

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
103 Acland Apt A, B, C	103 South Acland St	F00002-2019	1	1	Result of unintentional Actions: Cooking, Caramel spilled over pan while baking, catching on fire	0	0	\$0.00
105 Acland Apt A & B	105 South Acland St	N/A	0	0	N/A	0	0	0
107 Acland Apts A, B, C	107 South Acland St	N/A	0	0	N/A	0	0	0
306 Wiggin St	306 Wiggin St	N/A	0	0	N/A	0	0	0
Bushnell Hall	208 College Park St	N/A	0	0	N/A	0	0	0
Caples Residence	217 North Acland St	F00001-2019	1	1	Result of unintentional action: Smoking materials, Student playing with lighter accidentally caught clothing on fire	0	0	\$0.00

Crozier Center	105 E. Wiggin St	N/A	0	0	N/A	0	0	0
Delt Lodge	103 Kokosing Dr	N/A	0	0	N/A	0	0	0
Duff Street House	119 Duff St	N/A	0	0	N/A	0	0	0
Farm on Zion Road	20245 Zion Rd	N/A	0	0	N/A	0	0	0
Farr Hall 110	110 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 112 A-B	112 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 114	114 Gaskin Ave	N/A	0	0	N/A	0	0	0
Gund Residence Hall	204 Ward St	N/A	0	0	N/A	0	0	0
Hanna Residence Hall	204 South College Rd	N/A	0	0	N/A	0	0	0
Leonard Residence Hall	204 College Park St	N/A	0	0	N/A	0	0	0
Lewis Residence Hall	202 Ward St	N/A	0	0	N/A	0	0	0
M. Mather Residence	215 N. Acland St	N/A	0	0	N/A	0	0	0
Manning Residence Hall	202 South College Rd	N/A	0	0	N/A	0	0	0
Market Apartments A-B	109 Chase Ave	N/A	0	0	N/A	0	0	0
McBride Residence	202 Gaskin Ave	N/A	0	0	N/A	0	0	0
McIlvaine Apartment A (A-D)	105 Rand Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment B (A-D)	103 Rand Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment C (A-D)	205 W. Woodside Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment D (A-D)	203 W. Woodside Dr.	N/A	0	0	N/A	0	0	0
Morgan Apts. 1-10	112 Duff St	N/A	0	0	N/A	0	0	0
NCA 1 Bennet Lane	1 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 10 Lepley A-C	10 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 11 Lepley A-C	11 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 12 Lepley A-C	12 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 13 Lepley A-C	13 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 14 Lepley A-C	14 Lepley Lane	F00003-2019	1	1	Result of unintentional action: Cooking, Grease fire on stove	0	0	\$0.00
NCA 15 LepleyA-C	15 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 16 Lepley A-B	16 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 17 LepleyA-C	17 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 18 Lepley A-C	18 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 19 Lepley A-B	19 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 20 Acland	20 Lepley Lane	N/A	0	0	N/A	0	0	0

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Smoke Detection	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
NCA 216 Acland A-C	216 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 220 Acland A-B	220 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 3 Bennett A-C	3 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 304 Gaskin A-B	304 Gaskin Ave	N/A	0	0	N/A	0	0	0
NCA 4 Bennett A-C	4 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 5 Bennett A-C	5 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 6 Bennett A-B	6 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 7 Bennett A	7 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 8 Bennett A-C	8 Bennett Lane	N/A	0	0	N/A	0	0	0
New Apts B 1-4	204-B E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts C 1-8	204-C E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts D 1-8	204-D E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts F 1-8	204-F E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts. A1-4	204 -A E. Woodside Dr	N/A	0	0	N/A	0	0	0
Norton Hall	206 Ward St	N/A	0	0	N/A	0	0	0
Old Kenyon	206 College Park St	N/A	0	0	N/A	0	0	0
Snowden House	100 E. Brooklyn St	F0004-2019	1	1	Result of unintentional action: Cooking, plastic on burner while hot causing fire	0	0	\$0.00
Taft Cottage B 1-3	201-B South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottage C 1-3	201-C South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages A 1-3	201-A South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages D 1-3	201-D South College Rd	N/A	0	0	N/A	0	0	0
Unity House	100 E Brooklyn St	N/A	0	0	N/A	0	0	0
Village Inn 1-3	102 Gaskin Ave	N/A	0	0	N/A	0	0	0
Watson Residence Hall	205 Chase Ave.	N/A	0	0	N/A	0	0	0
Wilson Apts	103 N. Acland St	N/A	0	0	N/A	0	0	0

FIRE REPORTS 2018

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Cause of Fire	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
103 Acland Apt A, B, C	103 South Acland St	N/A	0	0	N/A	0	0	0
105 Acland Apt A & B	105 South Acland St	N/A	0	0	N/A	0	0	0
107 Acland Apts A, B, C	107 South Acland St	N/A	0	0	N/A	0	0	0
306 Wiggin St	306 Wiggin St	N/A	0	0	N/A	0	0	0
Bushnell Hall	208 College Park St	N/A	0	0	N/A	0	0	0
Caples Residence	217 North Acland St	N/A	0	0	N/A	0	0	0
Crozier Center	105 E. Wiggin St	N/A	0	0	N/A	0	0	0
Delt Lodge	103 Kokosing Dr	N/A	0	0	N/A	0	0	0
Duff Street House	119 Duff St	N/A	0	0	N/A	0	0	0
Farm on Zion Road	20245 Zion Rd	N/A	0	0	N/A	0	0	0
Farr Hall 110	110 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 112 A-B	112 Gaskin Ave	N/A	0	0	N/A	0	0	0
Farr Hall 114	114 Gaskin Ave	N/A	0	0	N/A	0	0	0
Gund Residence Hall	204 Ward St	N/A	0	0	N/A	0	0	0
Hanna Residence Hall	204 South College Rd	F00001-2018	1	1	Result of unintentional action: Other, Fireworks shot out of residential building window, sparks seen	0	0	\$0.00
Leonard Residence Hall	204 College Park St	N/A	0	0	N/A	0	0	0
Lewis Residence Hall	202 Ward St	N/A	0	0	N/A	0	0	0
M. Mather Residence	215 N. Acland St	N/A	0	0	N/A	0	0	0
Manning Residence Hall	202 South College Rd	N/A	0	0	N/A	0	0	0
Market Apartments A-B	109 Chase Ave	N/A	0	0	N/A	0	0	0
McBride Residence	202 Gaskin Ave	F00003-2018	1	1	Result of unintentional action: Cooking, Unapproved tea kettle caught on fire when used on stovetop	0	0	\$0.00
McIlvaine Apartment A (A-D)	105 Rand Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment B (A-D)	103 Rand Dr	N/A	0	0	N/A	0	0	0
McIlvaine Apartment C (A-D)	205 W. Woodside Dr	N/A	0	0	N/A	0	0	0

Mcllvaine Apartment D (A-D)	203 W. Woodside Dr.	N/A	0	0	N/A	0	0	0
Morgan Apts. 1-10	112 Duff St	N/A	0	0	N/A	0	0	0
NCA 1 Bennet Lane	1 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 10 Lepley A-C	10 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 11 Lepley A-C	11 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 12 Lepley A-C	12 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 13 Lepley A-C	13 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 14 Lepley A-C	14 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 15 LepleyA-C	15 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 16 Lepley A-B	16 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 17 LepleyA-C	17 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 18 Lepley A-C	18 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 19 Lepley A-B	19 Lepley Lane	N/A	0	0	N/A	0	0	0
NCA 20 Acland	20 Lepley Lane	N/A	0	0	N/A	0	0	0

On Campus Location	Street Address	Report #	Total Fires at this Location	Fire Number	Smoke Detection	Number of Injuries Requiring Medical Treatment at a Treatment Facility	Number of Deaths Related to Fire	Monetary Value of Property Damage
NCA 216 Acland A-C	216 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 220 Acland A-B	220 N. Acland Lane	N/A	0	0	N/A	0	0	0
NCA 3 Bennett A-C	3 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 304 Gaskin A-B	304 Gaskin Ave	N/A	0	0	N/A	0	0	0
NCA 4 Bennett A-C	4 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 5 Bennett A-C	5 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 6 Bennett A-B	6 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 7 Bennett A	7 Bennett Lane	N/A	0	0	N/A	0	0	0
NCA 8 Bennett A-C	8 Bennett Lane	N/A	0	0	N/A	0	0	0
New Apts B 1-4	204-B E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts C 1-8	204-C E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts D 1-8	204-D E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts F 1-8	204-F E. Woodside Dr	N/A	0	0	N/A	0	0	0
New Apts. A1-4	204 -A E. Woodside Dr	N/A	0	0	N/A	0	0	0
Norton Hall	206 Ward St	N/A	0	0	N/A	0	0	0
Old Kenyon	206 College Park St	N/A	0	0	N/A	0	0	0
Snowden House	100 E. Brooklyn St	N/A	0	0	N/A	0	0	0
Taft Cottage B 1-3	201-B South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottage C 1-3	201-C South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages A 1-3	201-A South College Rd	N/A	0	0	N/A	0	0	0
Taft Cottages D 1-3	201-D South College Rd	N/A	0	0	N/A	0	0	0
Unity House	100 E Brooklyn St	N/A	0	0	N/A	0	0	0
Village Inn 1-3	102 Gaskin Ave	N/A	0	0	N/A	0	0	0
Watson Residence Hall	205 Chase Ave.	N/A	0	0	N/A	0	0	0
Wilson Apts	103 N. Acland St	N/A	0	0	N/A	0	0	0

