



## Magdalen College of the Liberal Arts Annual Security Report and Fire Safety Report 2021\*

The Annual Security report is filed for the fiscal year previous, consequently, our labeling of this report as the 2021 Annual Security Report, covers the years of 2021, 2020, and 2019.

The Campus Security Program created and administered by Magdalen College of the Liberal Arts receives its inspiration and focus from various sources, not the least of which is the institution's intention to provide the highest quality Catholic liberal arts education possible. The College believes that the best environment for learning is one in which mutual trust and respect is given to each person and friendship which really seeks the good of the other is nurtured and encouraged in tangible ways.

Another source is the need for law to uphold human dignity when it is challenged and to provide guidance for right action. These two—the ideal environment and the guidance offered by law—have helped Magdalen College of the Liberal Arts to develop and implement a Campus Security Program which reflects its own values while effectively implementing the guidelines and requirements set forth by *the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*.

The College is very proud of its program and the part its employees and students play in the effective execution of its principles and guidelines in order to reach and surpass her goals for the sake of its learning community in Warner, NH. While the goals laid out by the requirements of both the *Clery Act* and Magdalen College of the Liberal Arts Campus Security Program are clear, the means and most effective methods may change given the speed with which our present world develops. Consequently, The College commits itself to an on-going review of its Campus Safety policies and procedures in order to ensure their effective implementation and relevance for safeguarding her employees and students.

## Preparing the *Annual Security Report*

In compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*, the Director of Campus Safety prepares Magdalen College of the Liberal Arts' Annual Security Report in cooperation with local law enforcement agencies and designated *Campus Security Authorities*.

This report complies with the *Clery Act*. The report incorporates policies and information concerning Crime Reporting, Timely Warnings, Building Access and Security, Alcohol and Drug Policies, Campus Safety & Crime Prevention Programs, and information on available educational programs, among other matters. The report also includes information regarding disciplinary referrals for drug and alcohol violations. Magdalen College of the Liberal Arts became Title IV eligible in June 2014 and, therefore, is required to include yearly statistics in this report. Also, the College does not have its own security or police department, so it is not required to keep a daily crime log.

To request a copy of the report, please call the Director of Campus Safety at (603) 456-4140, or mail your request to:

**Magdalen College of the Liberal Arts  
511 Kearsarge Mountain Road  
Warner, NH 03278**

**MAGDALEN COLLEGE OF THE LIBERAL ARTS CLERY ACT - CRIME STATISTICS  
CRIMINAL REPORTS**

Type of Offense	Year	On-Campus	On-Campus Housing	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>					
Murder and Non-Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Sexual Offenses</b>					
Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Other Offenses</b>					
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Burglary	2019	0	0	0	0
	2020	0	0	0	0
	2021	2	0	0	2
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

**MAGDALEN COLLEGE OF THE LIBERAL ARTS CLERY ACT - CRIME STATISTICS  
HATE CRIME**

Type of Offense	Year	On-Campus	On-Campus Housing	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>					
Murder and Non-Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Negligent Manslaughter	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Sex Offense</b>					
Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Fondling	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Incest	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Statutory Rape	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Other Offenses</b>					
Robbery	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Aggravated Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Burglary	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Motor Vehicle Theft	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Arson	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Larceny/Theft	2019	0	0	0	0
	2020	0	0	0	0

	2021	0	0	0	0
Simple Assault	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Intimidation	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Damage to Property/Vandalism	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

**MAGDALEN COLLEGE OF THE LIBERAL ARTS CLERY ACT - CRIME STATISTICS  
VAWA OFFENSES**

Type of Offense	Year	On-Campus	On-Campus Housing	Non-Campus Building or Property	Public Property
<b>Criminal Homicide</b>					
Domestic Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Dating Violence	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Stalking	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

**MAGDALEN COLLEGE OF THE LIBERAL ARTS CLEARY ACT - CRIME STATISTICS  
REPORT 2019  
ARRESTS AND DISCIPLINARY REFERRALS**

Type of Offense	Year	On-Campus	On-Campus Housing	Non-Campus Building or Property	Public Property
<b>Arrests</b>					
Weapons Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Disciplinary Referrals</b>					
Weapons Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Drug Abuse Violations	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
Liquor Law Violations	2019	0	0	0	0
	2020	0	0	0	0

	2021	0	0	0	0
<b>MAGDALEN COLLEGE OF THE LIBERAL ARTS CLEARY ACT – CRIME STATISTICS REPORT 2019 UNFOUNDED CRIME</b>					
Unfounded Crime Statistics	2019	No Unfounded Crimes			
	2020	No Unfounded Crimes			
	2021	No Unfounded Crimes			

<b>MAGDALEN COLLEGE OF THE LIBERAL ARTS CLEARY ACT –ANNUAL FIRE LOG</b>							
Name of Facility	Fires	Cause	Fire Related Injury	Fire Related Death	Property Damage	Fire Sprinkled	Fire Detection
St. Mary’s Hall	0	0	0	0	0	0	0
St. Joseph’s Hall	0	0	0	0	0	0	0

<b>MAGDALEN COLLEGE OF THE LIBERAL ARTS CLEARY ACT –FIRE SAFETY SYSTEMS IN RESIDENTIAL FACILITIES</b>						
Name of Facility	Fire Alarm Monitoring Done On-site	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Fire Evacuation Plans and Placards	Number of Evacuation (Fire) Drills Each Calendar Year
St. Mary’s Residence Hall	X	X	X	X	X	4
St. Joseph’s Residence Hall	X	X	X	X	X	4

## Reporting Crimes and Emergencies

All crime victims and witnesses are strongly encouraged to immediately report the crime to one of the Campus Security Authorities and the Warner Police Department. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics. If a member of the College community observes a crime or suspected crime, please report the incident to one of the following Campus Security Authorities:

Name	Title	Contact Information
Dr. Ryan Messmore	President	<a href="mailto:rmessmore@magdalen.edu">rmessmore@magdalen.edu</a>
Mr. Kenneth Cramer, MA, MA	Director of Campus Safety/ Dean of Students/ Title IX Coordinator	<a href="mailto:kcramer@magdalen.edu">kcramer@magdalen.edu</a>

When reporting an incident, please relate the following information as accurately as possible:

- the nature of the incident
- when and where the incident occurred
- the person(s) involved (name, sex, race, age, height, weight, hair color and style, scars, tattoos, clothing, and anything else which might help in identification)
- the vehicle(s) involved (type, make, license plate number and state of license plate, color, decals, and anything else which might help in identification)
- a detailed description of the property (if any) in question

Crime prevention is everyone's responsibility. Complacency and disinterest are the prime contributors to campus crime. Please be alert to all suspicious activity and report all incidents promptly.

No investigation will be conducted without the consent of the reporting party unless it is determined that there is a significant threat to the community or themselves. All emergencies should follow the same guidelines.

*For off campus options to report crimes and emergencies, please contact one of the following:*

For all emergencies call 9-1-1

Warner Police Department: (603) 456-3433

Warner Volunteer Fire Department: (603) 456-2222



## Confidential Reporting

If a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included in an incident report which would personally identify the victim without his/her consent.

## Reporting from Pastoral and/or Professional Counselors

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

The rulemaking committee defines counselors as:

### *Pastoral Counselor*

An employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

### *Professional Counselor*

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

## Campus Security Authorities

“Campus security authority” is a Clery Act-specific term that, for the College’s purpose, encompasses four groups of individuals and organizations that meet the following criteria:

- A member of campus police department or a campus security department
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Include individuals such as those who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security, such as for sporting events or large, registered parties, or escort students around campus after dark (including other students).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial

proceedings.

A Campus Security Authority (CSA) is responsible for reporting those allegations of *Clery Act* crimes that he or she concludes are made in good faith. (In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.) A CSA is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.

The following staff and students of Magdalen College of the Liberal Arts are considered Campus Security Authorities:

- **College President**
- **Chief Operating Officer**
- **Director of Campus Safety/Dean of Students**
- **Dean of Men and Dean of Women**
- **Title IX Coordinator**
- **Faculty / Staff Advisors to Student Organizations**
- **Resident Assistants (RAs)**
- **Facilities Lock-up and Un-lock Personnel**

The following Magdalen College of the Liberal Arts staff *are not* Campus Security Authorities when acting in their capacity as a minister of the Sacrament of Reconciliation:

- **Priest of the Office of Spiritual Life**

To report a crime, please contact one of the following:

<b>Name</b>	<b>Title</b>	<b>Contact Information</b>
Dr. Ryan Messmore	President	<a href="mailto:rmessmore@magdalen.edu">rmessmore@magdalen.edu</a>
Mr. Kenneth Cramer, MA, MA	Director of Campus Safety/ Dean of Students/ Title IX Coordinator	<a href="mailto:kcramer@magdalen.edu">kcramer@magdalen.edu</a>

## **Emergency Notification Procedures/Timely Warning**

In the event that a situation arises, either on or off campus, that, in the judgment of the President, Chief Operating Officer, Dean of Students, or Director of Campus Safety, constitutes an ongoing or continuing threat to the safety, health and well-being of its students and employees, a campus-wide “timely warning” will be issued. The College also notifies its students/employees of local hazards, as they receive notification from the Town of Warner, NH emergency services (police department, fire department, etc.) and the state.

In the case of confirmation of a campus wide emergency which puts the majority of persons or campus locations at risk, the warning will be emailed to all Magdalen student/employee email addresses and posted in print in the library, St. Paul’s student lounge, St. Joseph’s and St. Mary’s residence halls, both classroom buildings, and the chapel. In the case of localized emergencies/hazards, or those affecting particular persons/groups, the College will notify those groups via posting in the affected areas, and emails to individuals affected. As the situation progresses, the College may determine the necessity to notify other groups/locations of campus of the incident. In the case of any incident, the Student Life staff (professional and paraprofessional student RAs) will be apprised initially of all incident details and act as first responders.

As soon as the College has confirmed that a significant emergency or dangerous situation exists, College administration will take steps to protect the safety of the campus community by determining what information to release about the situation and immediately initializing the notification process. The only exception to immediate notification for a confirmed emergency or dangerous situation would be if doing so would compromise efforts to assist a victim(s), contain the emergency, respond to the emergency or otherwise mitigate the emergency.

Anyone with information warranting a timely warning should report the circumstances to the Director of Campus Safety or Office of Student Life at (603) 456-2656 or directly to the offices in St. Paul’s Multipurpose building. After office hours, all emergencies and hazardous situations should be reported to the Student Life professional staff via cell phone at (603) 731-2782.

## **Emergency Response Drills**

The Dean of Students is responsible for coordinating with the Facilities Manager and the Campus Safety Committee to schedule and run emergency response drills and evacuation procedures. Residence Hall fire drills are scheduled bi-annually and are unannounced. Evacuation drills of other public facilities are performed annually and are announced to the campus community without a specific date/time of the drill. Emergency response and evacuation procedures are provided to the College community in conjunction with one response test per academic year. Copies and sections of the campus emergency plan can also be found on the College website and in the Student Handbook. Printed copies are provided by the Office of Student Life, upon request.

## Emergency Evacuation and Response Plans

If an emergency arises, you must immediately contact a member of management and/or the Administration Office so that the proper authorities may be notified. In the event of a medical, fire, natural disaster, etc., you must be certain, when possible, to make sure the task you are doing is left in a safe manner (i.e., machines are turned off) and evacuate yourself and any other persons around you to a secure location. The most appropriate secure location will depend on the type of emergency. The Student Life staff, and Resident Assistants are trained in first responder first aid if necessary; first aid kits are available in every building. To handle all emergency issues, employees, students and guests quickly and efficiently are required to follow the orders given by management and/or professional authorities.

### Medical Emergency

In the event of a medical emergency, the Chief Operating Officer or his/her designated representative will call 9-1-1 and notify emergency services. The Assistant to the Chief Operating Officer or an appointee will meet and direct medical help to the appropriate area.

### Fire Emergency

In the event of a fire, the Chief Operating Officer or his/her designated representative will notify the fire department. Professional staff, Maintenance staff and Student Life paraprofessional staff are trained in fire safety and are responsible to removing and preventing fire hazards on campus. When a fire alarm sounds, all persons in the building are federally required to exit and should use the designated Fire Exit closest to their location. The evacuation gathering points for the campus buildings are as follows:

- St. Mary's Residence Hall: Classrooms 1-3
- St. Joseph's Residence Hall: Front Patio, St. Paul's Multi-Purpose Building
- St. Paul's Multi-Purpose Building: Student Parking Lot
- Campus Chapel: Student Parking Lot
- Classroom Buildings: Student Parking Lot

The College runs a fire drill in both residence halls once every semester. Each floor all campus buildings are equipped with fire extinguishers and has designated emergency exits and fire escape routes are properly posted.

Students may not tamper with any safety equipment or engage in activities that may jeopardize the safety of themselves or others and tampering with fire equipment will result in severe disciplinary action. This includes, but is not limited to, damaging, or tampering with smoke detectors, fire extinguishers, locks or locking mechanisms, other equipment or pranks that may injure persons or damage equipment that contributes to a safe environment.

All pathways to room doors and windows must be kept clear. Room doors must be able to be opened at least 90 degrees without debris blocking the entry/exit. In accordance with Fire Safety Code and Procedures, all appliances with exposed hot plates and heat sources – space heaters, coffee pots, curling irons, etc. - must have automatic shut-off features. The use in the residence halls of appliances with an open flame or exposed heating coils is strictly prohibited.

Banned appliances include, but are not limited to:

- “George Foreman” grills
- Griddles
- Toasters
- Toaster ovens
- Waffle Irons
- Sun lamps
- Halogen lights
- Non-LED Christmas lights

In accordance with Fire Safety Code and Procedures, the following items are not allowed on campus:

- Incense
- Hookah/Shisha
- Candles with burnt wicks

In accordance with Fire Safety Code and Procedures, the following fire hazards are not allowed in the residence halls:

- Gas Cans
- Fireworks (excluding ground snaps and sparklers)
- Oil Lamps
- Electrical cords under loose rugs
- Overloaded electrical plugs

The above lists are not all inclusive, and students are encouraged to use common discretion. All questions concerning items appropriate for campus use should be directed to the Office of Student Life.

## Missing Student

If a student is missing, students, staff or faculty should promptly report the missing person to a Dean from the Student Life Office. All missing person reports must be referred immediately to the local law enforcement agency, Warner Town Police. Before a student is declared missing, the Dean of Students, Assistant Dean(s) of Students, or a staff member with similar responsibilities, will contact the student's friends, roommates, and other associates to determine possible locations of the student. The College staff should try to personally contact the student via phone, email, social media messages, and other means of communication, as well as having other students contact the possibly missing student. Students, faculty, staff, or others concerned about the whereabouts of another individual should collect the following information:

- Where/when/with whom the missing person was last seen
- Where/when/with whom the missing person was supposed to be
- The missing persons contact information (phone number, email, etc.), and that of their friends, roommates, family and close associates
- Possible threats to the missing person's safety
- All reasons to suspect that the person is legitimately missing and/or in danger

If the location of the missing student is not determined within 24 hours, local law enforcement personnel are to be notified, unless the local law enforcement agency was the entity that made the determination that the student is missing. The College staff should notify local law enforcement prior to 24 hours should they have reason to suspect the missing person is in any sort of danger.

Students have the option of providing the College with a specific person/persons whom the College should notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the local law enforcement. Submissions of contact information can be made in the Office of Student Life. The contact information will be registered confidentially and will only be accessible to authorized campus officials and will only be disclosed to local law enforcement in the case of a missing person(s) investigation. If students are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying the listed contact person(s).

## Working Relationship with State and Local Police Agencies

Magdalen College of the Liberal Arts is committed to cooperating with state and local police agencies in the prevention of crimes and ensuring the safety of the College's employees and students.

## Security of, and Access to, Campus Facilities, Including Campus Residences

During the Academic Year, access is permitted to all campus buildings, notwithstanding any policies in the *Student Handbook*, for students, parents, employees, visitors, and guests of the college community. (All visitors should check in with the receptionist, located in St. Paul's multipurpose building during regular office hours.)

*Classroom buildings* are open 6:00 AM- APPROX. 6:00 PM, Monday through Friday.

*Residence Halls* are open 6:30am-12:00am, Sunday-Thursday and 6:30 a.m.-1:00 a.m., Friday-Saturday. On evenings and weekends, Residence Life staff and Resident Assistants are assigned to ensure access is limited to authorized students, employees, authorized visitors, and guests. These student personnel make regular rounds of their respective residences to ensure proper security is maintained throughout their shifts. Their rounds include checking all emergency exits to ensure they are properly secured and checking the facilities for all health and safety hazards. Rounds may include checking with students on the first floor to ensure their room windows are properly secured. Anyone found in violation of college policy may be subject to fines and serious disciplinary action.

*The College Chapel* is open 6:00am-12:00am, seven days a week unless scheduled events require its staying open later.

*The St. Paul's Multi-Purpose Building*, which houses the student center, administrative offices, library, and dining hall, is open from 6:00am-12:00am, Sunday through Thursday, and 6:00am-1:00am Friday and Saturday.

*The Maintenance Building* is open 8:00am-6:00pm, Monday through Friday, and 7:00am -12:00pm on Saturdays. It is closed on Sundays.

The College reserves the right to give or deny access to any area in case of emergency.

### Facilities Lock-up and Un-lock Personnel

Magdalen College of the Liberal Arts Facilities Lock-up Personnel are work study students who have responsibility for campus and building access outside of regular office hours. Their responsibilities include locking up campus buildings at designated times, securing all doors, windows and exits to public campus buildings, and "doing rounds" throughout the evening to make sure that buildings and equipment are operating safely and efficiently. Facilities Lock-up Personnel secure all campus buildings except the residence halls. Resident Assistants (RAs) perform the same "lock-up" functions for the residence halls.

Facilities Lock-up Personnel have no authority to arrest individuals. If an incident arises which requires police intervention, they should contact the Warner police department or, in cases of emergency, call 9-1-1, and notify the Student Life professional staff immediately.

## Security Considerations Used in the Maintenance of Campus Facilities

All workplace accidents, incidents, or injuries, no matter how small, must be reported immediately to a member of management. Prompt reporting is the responsibility of all employees.

In addition to these internal reports, Workers' Compensation Law requires the College to complete accident reports. These reports identify hazards that exist in the work site or are part of the work process. By tracking and analyzing accidents, it is possible to detect problems and associated trends. Besides personal injury reports, there are also reports that cover vehicle accidents, property damage, and supervisory investigations of accidents.

When investigating any accident and completing the appropriate incident report, supervisors must first determine what happened and how it could have been prevented. Supervisors should inspect the scene, interview the victim and witnesses as soon as possible, and take photographs and/or sketches of the scene, if appropriate. This action to record evidence of an incident should occur immediately, or within 24 hours of the incident, unless a serious issue prevents the immediate gathering of evidence.

Information regarding personal injuries, vehicle accidents, and property damage is to be collected and analyzed by the College's Joint Loss Management Committee. Analysis may reveal repeated safety/security infractions, incidents, or trends. It may provide an estimation of the probability of risk and associated loss. Once a hazardous trend is detected, a concentrated effort must be organized to address the situation so it may be effectively reduced or eliminated. Such a system of trend and data analysis may also produce a method for measuring the success or failure of any corrective action.



## Campus Safety and Crime Prevention

Student Life Staff, especially Residence Life Directors and RAs, have several meetings beginning shortly after orientation week in which they distribute information to all students regarding personal safety and the importance of good judgment. These programs have two parts: (1) a presentation on the appropriate material and (2) an open forum discussion on policies and making decisions that will keep members of the community safe. Students are also trained during Fall Orientation weekend in a Campus Safety meeting, which includes materials on general safety tips, reporting procedures, bystander intervention, etc. At this meeting the following tips for personal safety and security are presented and discussed:

When walking or jogging

- Go with someone
- Stay away from isolated areas
- Try to stay near streetlights
- Wear reflectors on the road
- Dress sensibly: tight pants, clogs, or heels make movement difficult
- Don't hitchhike

When going out

- Let someone in your room or in the dorm know where you are going
- Only take enough money with you for the evening with a little extra
- If you're going to be later than arranged get in the habit of calling your roommates or someone on campus to let them know

If you're being followed

- Cross the street or change direction
- Keep looking back so the person knows you can't be surprised
- Go to a well lighted area: enter a store, house, residence hall, classroom, or library anywhere there are people
- Notice and remember as much as possible about the person so you can give a good description

Where you live

- Do not use emergency exits except in case of emergency
- Do not prop locked doors open
- Do not let strangers into the college's buildings
- Put the Dean On-Call and your RA on your mobile phone's speed dial.

### **Bystander Intervention**

All members of the Magdalen College of the Liberal Arts community are responsible for campus safety and for reporting crimes and *Clery Act* violations. If a student or another member of the community suspects that someone is being harassed, abused, or discriminated against, they should not ignore it. Bystanders can take positive, safe steps to intervene for others by:

- Asking the person being harassed if they want to talk or need help
- Expressing observations and concerns to an RA, Dean or other a Campus Security Authority

## Student Alcohol and Drug Policy

The unlawful possession, use, or distribution of illicit drugs and alcohol by students on college property or at a College-sponsored activity is strictly prohibited. Local, state, and federal laws prohibit the unlawful use, manufacture, possession, control, sale and dispensation of any illegal narcotic or other drugs. These laws carry penalties for violations, including monetary fines and imprisonment.

The risks associated with the use of illicit drugs and the abuse of alcohol are numerous and include physical and mental impairment, emotional and psychological deterioration, and devastating effects on family and friends. There are obvious risks, such as suffering a hangover, being charged with driving under the influence or while intoxicated and sustaining or causing personal injury. There are several less obvious risks associated with alcohol and other drug abuse that students might not realize, including:

- Poor academic performance
- Poor job performance
- Unwanted sexual activity
- Sexually transmitted diseases, including HIV/AIDS
- Jeopardizing future career prospects (e.g., admission to law school, government employment)

In addition, alcohol and other drug abuse puts the user at considerable health risk, which can include nausea, vomiting, cancer, liver damage, elevated blood pressure, psychotic episodes, hallucinations and, in some cases, death. In addition to the risk to the abuser of illicit drugs and alcohol are the risks to other students and the public.

The Student Life Staff can help students who have problems related to alcohol and drug use to connect with counselors and/or programs in the area. The College offers free and confidential shuttles to all licensed medical services/professionals.

Individuals whose performance is impaired because of the use or abuse of drugs or alcohol (either on or off campus); who illegally use or abuse drugs or alcohol on campus; who violate any provision of the Student Alcohol and Drug Policy are subject to severe sanctions. These can include required completion of an appropriate rehabilitation program, suspension, expulsion, and referral to law enforcement authorities.

In addition, the possession and/or use of alcohol on campus is prohibited. Beer or wine may be occasionally made available at formal dinners in honor of visiting dignitaries or celebrations of significant feasts. Authorization of the use of alcohol on campus rests with the President and will follow state law and regulations. Otherwise, the possession of empty alcoholic beverage containers on campus or at college-sponsored events is prohibited; any level of intoxication on campus or at college sponsored events is prohibited.

## Drug Policy

Federal and state laws control the possession, use, and sale of drugs and include severe penalties for violations. Magdalen College of the Liberal Arts prohibits the illegal possession or transfer of any illicit drug so defined under state or federal law, and views the use, possession, or sale of any illicit drug as contradictory to the welfare of both the person and the College community. The harmful effects of drug abuse on physical and mental health are well established, as are the costs of such actions both academically and legally.

It is critical that all members of the community understand and anticipate the College's response to individual cases of illegal use, possession, transfer, distribution, and trafficking in illicit drugs or the attempt, solicitation, or conspiracy to commit any such offenses. The College has zero-tolerance for violations of the College Drug Policy.

The College is not a law enforcement agency and does not assess the penalties specified in state and federal laws. Adjudication of violations of the Drug Policy, however, may reflect current medical and legal standards related to different classes of illicit drugs. Additionally, the College will cooperate with local, state, and federal authorities. Student Life Staff reserves the right to confiscate observed drug paraphernalia or apparently illegal drugs, and to search, without warning, all campus buildings/property for suspected evidence of drugs. Confiscated drugs and drug paraphernalia are turned over to law enforcement authorities, who may initiate an investigation. Drug offenses that involve immediate and substantial danger to the community will be reported to the appropriate authorities at once and may result in immediate temporary suspension.

A violation of federal, state, or local laws concerning drugs is a violation of college regulations and is subject to college disciplinary action up to and including expulsion. Students are accountable for their own decisions regarding the use of illicit drugs; they are also responsible for knowing and complying with applicable College regulations and local, state, and federal laws related to illicit drugs.

## College Policy for Students

These regulations apply to all students at Magdalen College of the Liberal Arts. They also apply in connection with student programs, events, and activities officially recognized by, and under the jurisdiction of, the College and its recognized student organizations, both on- and off-campus. Violation of these regulations may subject an individual or organization to disciplinary action.

- I. No student shall possess, use, transfer, distribute, manufacture, or attempt to manufacture, or traffic in illicit drugs in violation of state or federal law or attempt, solicit or conspire to commit any such offenses. In addition, the College prohibits the possession or use of drug paraphernalia. Violation of this policy may subject an individual or recognized organization to disciplinary action.
- II. The College relies on outside educational programs, cooperation with area experts, and disciplinary procedures to minimize the use of illicit drugs. Students are urged to seek help for themselves or on behalf of others in any matter of drug usage. Student Life Staff and Chaplains may be consulted when a student needs assistance; as well the Student Life Staff can help students who have problems related to alcohol and drug use to connect with counselors and/or rehabilitation/substance abuse assistance programs in the area.
- III. Whenever, in the opinion of the Dean of Students, there is sufficient and credible information or other evidence from within the College or without that a student is or has been distributing, transferring or trafficking in illicit drugs or attempting, soliciting or conspiring to commit any of these offenses with others, or is or has been in possession of such amounts as to make this a reasonable supposition, the student may be temporarily suspended by the Dean of Students until the Board of Discipline hears the case.

## Adjudication of Violations of the Drug Policy

Violation of the Drug Policy will subject students to a College disciplinary hearing that may result in sanctions ranging, from verbal reprimands with a referral to a drug education program, or expulsion from the College, depending upon the nature and circumstances of the case. Sanctions are not automatic.

In determining the appropriate sanction for violation of the policy, the Dean of Students, his or her designee and/or the Board of Discipline will, at a minimum, consider the following circumstances:

1. The details of the violation committed (who, what, when, where how);
2. The amount and nature of the drug(s) involved;
3. The level of knowledge and intent of the student(s);
4. Delivery or attempted delivery of drugs; and
5. Prior offenses of the student(s).

This list is not exhaustive and other circumstances may be considered in the determination of a sanction. There may also be legal consequences for criminal charges that may result from the use, possession, or distribution of illegal drugs.

## **State and Federal Drug Laws**

The following summary of some pertinent drug laws is not exhaustive and is subject to change. If students have questions concerning the scope and applications of the law, they should consult legal counsel.

Importantly, any person who is convicted of possession or trafficking of a controlled drug under a state or federal drug statute will be ineligible for Federal benefits for a proscribed period. This includes the Federal benefit of Federal Financial Aid. 21 U.S.C.A. § 862. For more detailed information on federal laws regarding drug offenses and penalties see 21 USC Part D or contact the Office of the General Counsel at (603) 646-2444.

All students are reminded that it is illegal under New Hampshire law to:

1. Possess, manufacture, control, sell, purchase, administer, transport, dispense, possess with an intent to sell, package or repackage any controlled drug or controlled drug analog. Penalties for this offense vary according to the nature and the amount of the drug. See NH RSA 318-B:26 for a list of all penalties.
2. Deliver, possess with intent to deliver, or manufacture with intent to deliver, drug paraphernalia, knowing that it is intended to be used to plant, grow, harvest, manufacture, produce, process, prepare, test, analyze, pack, store, conceal, ingest, inhale, or otherwise introduce into the controlled substance into the human body. NH RSA 318-B:2. Violation is a misdemeanor, up to one year in jail, up to \$2,000 fine.
3. Drive a motor vehicle while under the influence of any controlled drug. NH RSA 265-A:2. Violation is a Class B misdemeanor, minimum fine of \$750, completion of impaired driver intervention program, revocation of privilege to drive for minimum of 9 months, and possible drug or alcohol treatment.

## **Alcohol and Drug Abuse Education**

Any student who requires counseling for drug and/or alcohol abuse should seek the necessary assistance. Student Life Staff have a directory of counselors in the area. In addition, a directory of Narcotics Anonymous or Alcoholics Anonymous meetings in the area is available from the Student Life Office.

## Student Off-Campus Criminal Activity

Any student's behavior on campus or off campus that seriously disturbs the peace of the collegiate community, the local community, or damages the College's reputation will cause the student to be subject to a disciplinary hearing and possible suspension and/or expulsion. Students arrested for off-campus criminal activity or in any way receiving discipline from local, state or federal law officials for illegal activity will be subject to a college disciplinary hearing and possible suspension and/or expulsion.

## Registry of Sex-Offenders

Information regarding registered sex offenders is available at the New Hampshire Department of Safety <https://business.nh.gov/nsor/>.

Magdalen college of the Liberal Arts is committed to providing a learning, working, and living environment free from all forms of sexual harassment, sexual assault, and other forms of sexual violence, dating violence, domestic violence, and stalking (hereafter "Sexual Misconduct"). Thus, the College flatly prohibits conduct which constitutes sexual harassment, sexual assault, and other forms of sexual violence, dating violence, domestic violence, and stalking as those terms are defined in the College's written Policy on Discrimination, Harassment and Sexual Misconduct which can be found in Appendix A to this document.

All employees of Magdalen College of the Liberal Arts (except for confidential advocates, professional counselors, priests and other designated pastoral personnel, and health care professionals) are obligated to report alleged incidents of sexual misconduct, sexual harassment, sexual assault, sexual violence, dating violence, domestic violence, and stalking to the Title IX Coordinator to assure that the matter is handled promptly and appropriately by qualified and trained personnel and that corrective and remedial actions may be taken as warranted, including interim measures. Prompt reporting of such incidents enhances the College's ability to remedy such misconduct and to prevent its recurrence.

Students reporting incidents of alleged interpersonal violence sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged violence. In such cases, the Title IX Coordinator (or designee) will inform the student that honoring the request may limit the College's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator, and will explain that College Policy and the law include protections against retaliation.

If the student still requests that his or her name not be disclosed to the alleged perpetrator or that the College not investigate or seek action against the alleged perpetrator, the Title IX Coordinator (or designee) will determine whether or not the College can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the student who reported the incident of alleged violence. Resources and services are available to students, faculty, and staff who experience sexual assault and other forms of sexual violence, domestic violence, dating violence, and instances of stalking. In these situations, the College is committed to providing crisis intervention measures for students, faculty, and staff, as well as appropriate administrative

response for the complainant and respondent; referring individuals to criminal authorities; and educating and promoting discussion on abuse and violence issues.

A victim of sexual violence, dating violence, domestic violence, or stalking has the option of filing a criminal complaint. Telling one's experience to the Title IX Coordinator (or designee) does not obligate the individual to report it to the police, nor does reporting it to the police obligate someone to file a formal complaint under the College's policy; these are separate processes. College process and criminal process can occur simultaneously, or they can occur independently. If a victim would like to notify law enforcement, the Title IX Coordinator (or designee) can assist with that notification. The College encourages victims of sexual assault and other forms of sexual violence, dating violence, domestic violence, and stalking to report these matters to the police.

Magdalen College of the Liberal Arts prohibits retaliation by its officers, administrators, employees, agents, students, and other members of the College community against any individual who exercises his/her rights or responsibilities under College Policy, Title IX of the Education Amendments, the Clery Act, Campus SaVE Act, or any other applicable federal or state law, rule, or regulation. The College will take steps to prevent retaliation and will also take strong responsive action if it finds that retaliation has occurred.



## If you are a victim of sexual misconduct:

- Don't blame yourself. Remember you are not to blame for what happened to you, no matter what the circumstances were.
- Get to a safe place. Victims will be notified in writing of the procedures to follow if they become a victim of sexual misconduct. This notification will include:
  - The importance of preserving evidence as the evidence may assist with the investigation, serve as proof of offense, and/or as proof in connection with obtaining a protection from abuse order. Avoid destruction of the evidence by bathing, changing/washing clothes, or cleaning up in any way. Preserve evidence in a paper bag for possible future action. Also, keep copies of emails, text messages, and voice messages. The notification will include information on where to get a forensic examination, which does not require the filing of a police report. The preservation of evidence, including a forensic examination, may be helpful if a victim later decides to file a report with the police. A forensic examination can be provided at a local emergency room.
  - To whom and how the alleged offense should be reported.
  - The following options regarding notification to law enforcement:
    - Option to notify local police.
    - Option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses; and
    - The option to decline to notify such authorities. Where applicable, the rights and responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court. (See the section titled "Sanctions and Protective Orders" below for more information about how to obtain a protection order).

## Services to Victims

- Victims will also be notified in writing about existing counseling, health, mental health, victim advocacy, student financial aid, and visa and immigration assistance and other services available for victims both on and off-campus.
- **Student Financial Aid:** Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator (or designee) can assist in facilitating this conversation if desired.
- Victims also will be notified in writing about options for available assistance in changing academic, living, transportation and working situations (to the extent those matters are under the control of the College). The College will provide such accommodations or protective measures if requested to do so by the victim and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. To request an accommodation, a victim should contact the Title IX Coordinator.

At any time after receiving notice of an allegation of a violation of this policy, the College may provide reasonable and appropriate interim measures to address the immediate effects of discrimination, harassment, sexual misconduct, or retaliation to ensure equal access to its education programs and activities and to protect the alleged victim and the campus community as necessary. The Title IX Coordinator (or designee) will notify the alleged victim of his/her options for interim measures. Additionally, the Title IX Coordinator (or designee) has sole discretion to implement or stay an interim measure imposed under this policy and to determine its conditions and duration. The measures that the College implements will vary depending on the facts of each case. Factors that might be considered during this process include, but are not limited to the following: the specific need expressed by the alleged victim; the age of the students involved; the severity or pervasiveness of the allegations; any continuing effects on the alleged victim; whether the alleged victim and alleged perpetrator share the same residence hall, class, transportation or job location; and whether other judicial measures have been taken to protect the victim (e.g., civil protection orders). The College will keep interim measures as confidential as possible, provided the confidentiality does not impair the College's ability to provide the accommodations or protective measures.

These interim measures may include, but are not limited to:

- Imposition of a "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals.
- Interim suspension of a student or employee.
- Referral to counseling and health services.
- Rescheduling of exams and assignments.
- Change in class schedule, including the ability to transfer course sections or withdraw from a course.

- Change in work schedule or job assignment.
- Change in campus housing as available and extracurricular activities.
- Denying access to campus housing, facilities, events and/or activities.
- Any other remedy that can be used to achieve the goals of this policy.

In the event any cleric or religious, for whom there is reasonable cause to suspect unwelcome sexual contact against a student, will be immediately suspended from private interactions with students until such time as the matter is resolved. So too, in the event any non-cleric employee for whom there is reasonable cause to suspect unwelcome sexual contact against a student, will be immediately suspended from private interaction with students, until the matter is resolved, or the Title IX Coordinator (or designee) determines such restrictions are no longer needed. The Title IX Coordinator (or designee) is responsible for determining what necessary information about a victim should be disclosed and to whom this information will be disclosed to provide accommodations or protective measures in a timely manner. The Title IX Coordinator (or designee) will carefully consider who may have access to this information to minimize the risk to a victim's confidentiality. If necessary to disclose personal information for this purpose, the College will notify the victim in advance as to which information will be shared, with whom it will be shared and why.

## **Responsible Employee Title IX Guidelines:**

If you are a Magdalen College of the Liberal Arts Faculty or Staff member and a complainant approaches you to disclose or expresses a desire to disclose an incident of sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, or stalking you should do the following:

### **1. Talk about confidentiality.**

Explain your mandatory reporter status the moment you realize a student might be about to discuss sexual assault or harassment. Confidential resources (i.e., professional counselor, priest, pastoral counselor, or health care professional) are not required to report the incident to the College's Title IX Coordinator. Tell the student that you will be required to report their assault or harassment to Magdalen College and cannot guarantee them complete confidentiality. Assure the student that the Title IX officials will do their best to respect his/her wishes but must consider the safety of other students on campus as well.

If the student is willing to talk with you about the situation without the guarantee of confidentiality, then move to Step #3.

### **2. Explain how to receive confidential services.**

Explain to the survivor that they may discuss their experience in a free, confidential environment with a counselor at Catholic Charities. They can arrange for these services by requesting an appointment via [this link](#).

### **3. Report the Assault.**

Talk to the survivor about reporting the incident to the local police. Remind the survivor that reporting the assault is not the same as prosecuting the assault. They can contact the police and weigh their options before making a decision about filing a criminal complaint. The police can provide valuable information that might assist the student in making an informed decision. If the survivor is willing, contact the Warner Police Department at (603) 456-3433 or dial 911.

If the survivor does not want to call the police, move on to the next step.

### **4. Seek Professional Assistance.**

Inform the survivor about national sexual assault telephone hotline. RAINN advocates are on call 24/7 to provide support, information, and referrals. Call 800-656-HOPE to contact an advocate. When the survivor calls the hotline, he/she will be routed to a local RAINN affiliate organization based on the first six numbers of the phone number placing the call. Cell phone callers have the option to enter the ZIP code of their current location to locate the nearest sexual assault service provider more accurately.

If the survivor does not want to call the hotline, move on to the next step.

### **5. Recommend Medical Attention.**

Encourage the survivor to seek medical attention. Getting medical attention as soon as possible after an assault is important, whether a survivor plans to file a criminal complaint. Medical attention can detect, document, and treat physical injury, sexually transmitted infections and pregnancy. Options to consider would be Concord Hospital or Dartmouth Hospital.

### **6. Seek Emotional Support.**

Encourage the survivor to seek emotional support and assistance. Refer to step #2 for more information.

### **7. Seek Judicial Support through the Title IX Coordinator (Mandatory and must be completed as quickly as possible)**

Explain to the survivor that the Office of Student Life can assist with filing a complaint against the alleged assailant, help initiate a “No Contact Order,” help arrange interim protective measures (such as class schedule changes) and complete an investigation. Make note that involving Office of Student Life is not the same as filing a police report. The Office of Student Life is responsible for the judicial process for students alleged to have violated a provision of the Student Code of Conduct. To make a report, contact Title IX Coordinator Ms. Mazel Belt at (702) 343-9625.

## On-Campus Investigation and Adjudication

The College has detailed processes and procedures for resolving complaints of sexual misconduct (i.e., sexual harassment, sexual assault, domestic violence, dating violence, stalking and other forms of sexual violence) as set forth in the Policy on Discrimination, Harassment, and Sexual Misconduct (“Policy”). Individuals who believe they have been subjected to sexual misconduct can file a complaint with:

Name	Title	Contact Information
Dr. Ryan Messmore	President	<a href="mailto:rmessmore@magdalen.edu">rmessmore@magdalen.edu</a>
Kenneth Cramer, MA, MA	Director of Campus Safety/ Dean of Students/ Title IX Coordinator	<a href="mailto:kcramer@magdalen.edu">kcramer@magdalen.edu</a>
Any Resident Assistant		

Where discrimination, harassment and sexual misconduct are involved, this Policy shall supersede all other policies and procedures set forth in all other College policies and handbooks. All allegations of misconduct not involving discrimination, harassment or sexual misconduct will be addressed through the procedures elaborated in the respective student, faculty or staff/employee handbooks. If the accused individual has dual status, or in cases where there are multiple accused individuals with varying statuses, the Title IX Coordinator (or designee) will determine the appropriate resolution process under this policy.

Where the accused individual is not a member of the College community (such as a vendor, contractor, third party or visitor), the College is not required to follow the entire process described in this Policy or in the above specified handbooks. In such cases, the College reserves the right to take summary action. When there are multiple complainants making complaints against a single respondent, or a single complainant making complaints against multiple respondents, each complaint will usually be addressed separately under these procedures. If the complaints arise from the same set of facts, the investigator and Title IX Coordinator (or designee) may merge the complaints into a single complaint for investigation and resolution purposes.

Similarly, reciprocal allegations by a respondent against a complainant or additional allegations raised by a complainant after the initial complaint may be combined for investigation and resolution purposes. Certain forms of sexual misconduct (i.e., sexual assault and violence, dating violence, domestic violence, and stalking) may constitute criminal conduct. Whether or not someone who has been subjected to such conduct chooses to pursue criminal charges externally, they have the right to pursue an internal complaint under this policy, regardless of the status of any external proceedings.

Further, the College may have an obligation to pursue an investigation or make a complaint and/or take remedial action directly even if a victim chooses not to pursue the matter internally at the College and/or requests that his/her name not be disclosed to the alleged perpetrator.

### **Initiation of the Process under this Policy**

The investigation and adjudication of complaints under this policy will be prompt, fair and conducted by qualified persons who receive appropriate annual training on the issues and the subject matters encompassed by this policy as well as address the latest issues and techniques for conducting proceedings. This training may be delivered in person or by electronic means, such as webinar or video. Upon receiving a report for a violation of this policy, the Title IX Coordinator (or designee) will begin a preliminary review. Upon completing the preliminary review, the Title IX Coordinator (or designee) will determine whether or not there is reasonable cause to initiate a formal investigation (see below) and whether or not there is reasonable cause to move toward adjudication through either the Informal Resolution Process or Formal Resolution Process as described below. If reasonable cause is found, the Title IX Coordinator (or designee) will contact the complainant if someone other than the complainant made the report. In cases in which someone other than the complainant made the report, the reporting party may have no further involvement in the process.

The Title IX Coordinator (or designee) will notify the complainant in writing of available resources (such as counseling services, medical and mental health services, victim advocacy services), the right to report/file a criminal complaint with local law enforcement, and the option to seek a protection/restraining order from a court of law. The Title IX Coordinator (or designee) will initiate the resolution process by notifying the respondent in writing that a complaint has been filed against him or her and inform the respondent of the nature of the complaint, providing a written copy or a summary of the complaint to the respondent and will notify the complainant of available resources (such as counseling services, medical and mental health services, advocacy services).

### **The written notice will include the following information:**

- (i) The actual allegations and facts that would constitute sexual harassment
- (ii) A presumption of innocence
- (iii) A statement that the parties are entitled to the advisor of their choice
- (iv) A statement that parties can request to review and inspect certain evidence
- (v) Information regarding the code of conduct and false statements

The Title IX Coordinator (or designee) shall explain to both parties the avenues for informal and formal action, including a description of the process and the relevant avenues to the complainant and respondent and provide each of them with a copy of this policy. The Title IX Coordinator (or deputy coordinator) shall have the authority to take all reasonable and prudent interim measures to protect the party's pending completion of the investigation and during the informal or formal procedures to resolve the complaint, including interim disciplinary measures if necessary and appropriate.

### **Informal Resolution Process:**

The College encourages informal resolution when the parties desire to resolve the situation cooperatively. Informal resolution may include inquiries into the facts but does not rise to the level of a formal investigation. The informal resolution process is designed to resolve complaints quickly, efficiently, and to the mutual satisfaction of all parties involved. Where circumstances allow, the informal process will be initiated as soon as possible after the filing of the complaint or receipt of a report of an alleged violation, absent any unusual circumstances. With the concurrence of the complainant and the respondent, an investigator assigned by the Title IX Coordinator (or designee) and/or the Title IX Coordinator (or designee) will seek an outcome through informal resolution with the assistance of an appropriate College official designated by the Title IX Coordinator (or designee). Any resolution through this informal resolution procedure must be mutually agreed upon by the parties involved. Both the complainant and the respondent have the right to bypass or end the informal resolution process at any time and initiate a formal resolution investigation and hearing. Any failure to comply with the terms of an informal resolution agreement may result in disciplinary action/sanctions and/or, if warranted, a further allegation of misconduct. Informal resolution includes, but is not limited to mediation, separation of the parties, referral of the parties to counseling programs, conducting educational and/or training programs, or other remedial measures. Situations that are resolved through informal resolution are usually subject to follow up after a period. Steps taken by the Title IX Coordinator (or designee) to help the parties achieve informal resolution will be documented. Some reports of alleged violations of this policy may not be appropriate for informal resolution and may require a formal investigation at the discretion of the Title IX Coordinator (or designee). The Title IX Coordinator (or designee) will review the resolution and may approve it, reject it, or require modification. If the resolution is approved, the investigator will prepare a written memorandum and will present the memorandum to the parties for their review and approval. The investigator will then provide the parties with simultaneous written notice that the complaint has been resolved. Typically, an Informal Resolution will be completed within 45 days of the receipt of the complaint. If additional time is needed, both parties will be notified.

### **Formal Resolution Process:**

If the allegation of alleged violation of this policy has not been resolved because of the informal process or is not suited for informal efforts, or if either the complainant or the respondent requests to invoke the formal resolution process, a formal investigation will be initiated.

The formal resolution process will involve an investigation and a hearing panel determination. An investigation by the College and a decision by the hearing panel will, in most cases, be rendered within sixty (60) calendar days of the filing of a complaint. This time can be modified for good cause at the discretion of the College's Title IX Coordinator (or designee), if deemed necessary to conduct a thorough investigation or to protect the rights of all parties. If the investigation and resolution for the alleged violation will not be completed within 60 calendar days from the filing of the complaint, the complainant and the respondent will be notified.

Because sexual misconduct may constitute both a violation of this policy and criminal laws, the College encourages individuals to report alleged criminal sexual misconduct to law enforcement agencies. Although individuals are encouraged to notify law enforcement agencies, they are not required to do so. Whether or not an individual who has been subjected to sexual misconduct

chooses to pursue criminal charges externally, they have the right to pursue an internal complaint under this policy, regardless of the status of any external proceedings. As such, a victim may seek recourse under this policy and/or pursue criminal action. In certain circumstances, the College may have an obligation to pursue an investigation, make a complaint, and/or take remedial action directly, even if a victim chooses not to pursue the matter internally at the College and/or requests that their name not be disclosed to the alleged perpetrator.

Law enforcement's determination of whether or not to prosecute a respondent, nor the outcome of any criminal prosecution, is determinative of whether a violation of college policy has occurred. The College will assist a victim, at the victim's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a victim decides to pursue the criminal process. In addition, the College will assist an alleged victim of sexual misconduct, who is interested, in obtaining a protection/restraining order from a court of law. If a complainant obtains such a court order, Campus Security will enforce the court order on campus. The investigation and proceedings under this policy may be carried out prior to, simultaneously with, or following any external civil or criminal proceedings occurring off-campus. At the request of law enforcement, the College may agree to defer its fact gathering for a brief period during the initial evidence-gathering stage of a criminal investigation.

The College will nevertheless communicate with the complainant and respondent regarding support, options for resolution and the implementation of interim measures to address concerns regarding their safety and well-being. The College may also take immediate and prompt steps that it deems necessary to protect the College community. The College will promptly resume its fact gathering as soon as it is informed that law enforcement has completed its initial investigation.

## **Formal Investigation**

This policy provides for a thorough, prompt, fair and impartial investigation. The trained investigator appointed by the Title IX Coordinator (or designee) will conduct the formal investigation. The College reserves the right to utilize outside trained investigators as needed. During an investigation, the complainant will have the opportunity to describe his or her allegations and present supporting witnesses or other evidence. The respondent will have the opportunity to respond to the allegations and present supporting witnesses or other evidence. The investigator will review evidence presented and will meet with additional witnesses identified by the complainant, the respondent, or third parties, as determined appropriate by the investigator.

All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information throughout the investigation process. In some cases, the investigator may interview the parties on more than one occasion. The investigator may visit relevant sites or locations and record observations through written, photographic, or other means. Additionally, the investigator may consult medical, forensic, technological, or other experts when expertise on a topic is needed in order to achieve a fuller understanding of the issues under investigation. Evidence that is irrelevant or whose prejudicial effect substantially outweighs its probative value may be excluded from consideration by the investigator or the Hearing Panel.

## **Investigation Report**



Upon completion of the investigation, the investigator will provide both the complainant and the respondent with the opportunity to review the written report and submit the written report to the Title IX Coordinator (or designee). The report will detail the allegations made by the complainant; summarize the statements of the complainant, respondent, and witnesses; describe the findings and conclusions of the investigation; and include a recommendation as to whether or not there is sufficient evidence, by a clear and convincing evidence standard, to support a finding that the respondent violated this policy. The Title IX Coordinator (or designee) will refer the case for a hearing before the Hearing Panel for further proceedings as outline in this policy.

### **Hearing Panel:**

At the conclusion of the hearing, the Hearing Panel will deliberate in private regarding whether the respondent is “In violation” or “Not in violation” of this policy. The Chairperson and Hearing Panel may confer with the Title IX Coordinator, (or designee) as needed. Evidence will be evaluated under a “clear and convincing evidence standard,” meaning that the evidence is highly and substantially more likely to be true than untrue. The respondent will be found “In violation” of the policy if, based upon the entirety of the evidence presented during the hearing, it is determined that “it is highly probable” that the respondent violated the policy in question. A majority vote is required. If there is a finding that the respondent is “In violation” of this policy, sanctions will be imposed as described below. The parties will be advised in writing of the decision and the imposed sanctions, if applicable.

The written decision will summarize the hearing panel’s rationale for the decision and, where applicable, will summarize credibility determinations that were important to the decision.

### **Sanctions:**

- If there is a finding that the respondent is “In violation” of this policy, a sanction will be imposed.
- Sanctions for students will be determined by the Dean of Students (or designee) and may include: warning, restitution, disciplinary probation, suspension for a definite period of time after which the student is eligible to return (Note: Conditions for readmission may be specified), permanent dismissal, specialized treatment off-campus, no contact orders, trespass from campus, housing restrictions, adjustments to course schedules, revocation of admission, restrictions on participation in graduation and/or other College programs or activities, and/or other educational sanctions deemed appropriate under the circumstances.
- Sanctions for College employees (other than faculty) will be determined by the Human Resources Director (or designee) and may include, warning, restitution, suspension for a definite period after which the employee is eligible to return (Note: Conditions for reemployment may be specified), permanent termination from employment, required counseling, educational measures, and/or other sanctions deemed appropriate under the circumstances

- Sanctions for College faculty will be determined by the Academic Dean (or designee) and may include, warning, restitution, suspension for a definite period of time after which the faculty member is eligible to return (Note: Conditions for re-employment may be specified), permanent termination from employment, required counseling, educational measures, termination of an appointment with tenure or of a non-tenured appointment (for faculty) and/or other sanctions deemed appropriate under the circumstances.
- Imposed sanctions will remain in effect pending the outcome of any appeal process; although a request may be made to the Chairperson of the Hearing Panel to delay implementation of the sanctions until the appeal is decided.
- Both parties will be notified in writing simultaneously of the panel's decision. The parties will also be informed of the sanctions imposed, if applicable, and the College appeal procedures. The Chairperson will also promptly notify the Title IX Coordinator (or designee) in writing of the decision and the sanctions imposed, if applicable. Regardless of the outcome of the formal hearing, interim measures may be provided to the complainant or respondent by the Title IX Coordinator (or designee). Such interim measures (as described hereinabove) include any appropriate remedy warranted by the circumstances.

## Appeals:

Complainants and respondents may file a written appeal with the College's Title IX Coordinator (or designee) within seven (7) calendar days from the date of the decision. To file an appeal, please use the College's Request for Appeal or contact the Title IX Coordinator (or designee) to obtain a paper version of the Request for Appeal Form. The non-appealing party will have an opportunity to provide a written response to the request for appeal via by contacting the Title IX Coordinator (or designee) to obtain a paper version of the Response Statement. This Response Statement must be submitted within seven (7) calendar days of receipt of Request for Appeal. If the appeal request is not timely filed with the College's Title IX Coordinator (or designee), the appeal will be dismissed, and the Hearing Panel's decision and imposed sanctions (if applicable) will stand. However, as to respondent faculty members, if the proposed sanction includes suspension or dismissal of a faculty member and the appeal is dismissed, the matter will be referred to the College's President, who will decide whether to initiate the process set forth in the Faculty Handbook for imposition of such a sanction. The only grounds for appeal are as follows:

- The appropriateness of the sanction(s) relative to the violation(s);
- A conflict of interest on the part of a Title IX Coordinator, an investigator who compiled evidence, or a decision maker, and the conflict of interest affected the outcome.
- To consider substantive new evidence, unavailable during the investigation or at the time of the hearing, that could substantially impact the original finding or sanction.
- A procedural or substantive error occurred that significantly impacted the outcome of the hearing; and/or

- The decision of the Hearing Panel was unsupported by substantial evidence. Substantial evidence refers to evidence that a reasonable person could accept as adequate to support the decision.

If an appeal is timely filed, the President (or designee) will review the case and may issue the following outcomes:

- Affirm the decision and imposed sanction(s) rendered.
- Affirm the decision and change the sanction(s) imposed to a lesser or more severe sanction.
- If the President (or designee) determines that a procedural or substantive error(s) occurred in the Formal Resolution Process, the case may be remanded to the Hearing Panel with specific instructions to correct the error(s) and reconsider the case.
- If the President (or designee) determines that the appeal request contains substantive new information, the case shall be remanded to the Hearing Panel to reconsider the case in light of the new information.
- Reverse the decision (and imposed sanctions if applicable) rendered as the decision was unsupported by substantial evidence. The decision of the President (or designee) will be final. The President (or designee) will generally decide an appeal within twenty (20) calendar days from when the appeal was received; if the decision will take longer, the President (or designee) will let the parties know.

The President (or designee) will provide written notification to the complainant and respondent after a decision has been determined. Sanctions and Protective Orders Sanctions, protective orders, and corrective actions will be implemented on a case-by-case basis for violations of the College's Policy on Discrimination, Harassment and Sexual Misconduct and they will be appropriate to the circumstances and gravity of the violation. The College will assist a victim of sexual misconduct, who is interested, in obtaining a protection/restraining order from a court of law.

If a victim has obtained an order of protection or restraining order or other no contact order against the alleged perpetrator, the victim must provide such information to the Title IX Coordinator (or designee) so that the College can take all reasonable and legal action to implement the order in the College's jurisdiction. Moreover, a victim can obtain a "no contact order" through the College by contacting the College's Title IX Coordinator or a Deputy Title IX Coordinator. The possible sanctions for employees, faculty and students are set forth in the section hereinabove. The College will take appropriate steps to prevent recurrence of any violations and to remediate the effects on the complainant and the campus community, if and as appropriate. Protective measures will also be taken if and as necessary (for example, the continuation of no-contact orders and other accommodations such as those discussed above under interim measures).

## **Simultaneous Notifications**

In the process described above, there will be simultaneous notification, in writing, to both the complainant and the respondent, of:

- the result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking.
- the institution's procedures for the accused and the victim to appeal the result of the disciplinary proceedings, if such procedures are available.
- any change to the result; and
- when such results become final. Advisors During the process described above, each party has the right to choose and consult with an advisor of their choice throughout the investigation and resolution process. The advisor may be any person who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their respective advisors at any interview, meeting or proceeding related to the investigation and resolution process. While the advisors may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties or otherwise participate in such interviews, meetings, or proceedings. An advisor shall keep all information acquired during the process confidential. The College reserves the right to dismiss an advisor who fails to follow this policy.

## **Victims to Receive Written Explanation of Rights and Options**

When a student or employee reports being a victim of domestic or dating violence, sexual assault, or stalking, whether on or off-campus, the College will provide a written explanation of the victim's rights and options as described above.

## **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

The College will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, USC), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased because of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

## Education, Awareness, and Prevention Practices

The College strives to foster a safe living, learning, and working environments for all members of the campus community. To accomplish this, Magdalen College of the Liberal Arts provides educational and ongoing communication programs that address all aspects of sexual assault, sexual violence, and other forms of sexual misconduct, dating violence, domestic violence, and stalking. Incoming students and new employees participate in primary prevention and awareness programs related to sexual violence and assault (including rape and acquaintance rape), domestic violence, dating violence, and stalking.

*Among other topics, these training programs include:*

- A statement that the institution prohibits these offenses
- The definitions of these offenses, including the definitions under Ohio law where applicable (see Appendix A)
- The definition of consent, including under Ohio law (see Appendix A)
- Safe and positive options for bystander intervention to prevent harm or intervene in risky situations
- Recognition of signs of abusive behavior and how to avoid personal attacks
- The impact that these acts have on victims
- The College's policies and procedures related to sexual misconduct, including what has been covered in the prior sections of this report

While these programs undoubtedly have an impact, the College is committed to integrating prevention and awareness of sexual violence, dating violence, domestic violence, and stalking into its culture. To achieve this goal, Magdalen College of the Liberal Arts provides an ongoing prevention and awareness campaign for all students and employees. This training is designed to increase understanding of topics relevant to and skills for addressing instances of sexual misconduct using a range of strategies. This includes but is not limited to:

- Primary education programs for faculty, staff, and new students
- Annual education programs for the entire campus community
- A communication campaign that promotes:
  - The understanding and responsibility of the campus community
  - The understanding of the impact of these acts on victims and the cognizance of resource available to victims
  - Utilization of safe bystander intervention strategies
  - Prompt and effective reporting of alleged misconduct in accordance with established College procedures. Furthermore, the College strives to offer education, prevention, and awareness programming, consistent with its Catholic and Magdalen values

- The following list is a sample of the programs offered over the last year:
  - Online Title IX Training
  - Title IX Orientation Presentation
  - New Student Formation
  - Brochures for Title IX, Bystander Intervention, Sexual Violence and Safety and Security
  - Title IX Training for Resident Directors and Resident Assistants
  - Safety Training
  - Bulletin Boards
  - Violence Prevention Training Risk Reduction Tips

**The following are some strategies to reduce one’s risk of sexual assault or harassment:**

- Acknowledge that use of alcohol and drugs can lower your inhibitions and make you more vulnerable.
- Lock the doors and windows in your vehicle and/or residence hall.
- Have your keys in hand when approaching your vehicle and/or residence hall.
- Don’t be afraid to ask for help if you find yourself in a situation that makes you uncomfortable.
- Try to avoid isolated areas, particularly with people that you don’t know or don’t trust.
- Walk with others especially after dark and in isolated areas. Trust your instincts. If a situation or location feels unsafe or uncomfortable, go with your gut. Call 911.
- Being intoxicated is not an excuse for immoral sexual activity or for using force. It does not diminish personal responsibility for violent behavior in either a criminal court or a college disciplinary hearing. Remember, consent cannot be given if one or both parties are incapacitated, including by alcohol or drugs.
- 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. Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated, or is acting out of character, get him or her to a safe place immediately. Support your friends; intervene if you see them making decisions that are harmful to themselves or others.
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one. Don’t accept drinks from people you don’t know or trust.
- Don’t compromise. Set clear boundaries that respect your moral choices.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way out of a bad situation. 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?

## How To Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. The College desires to promote a culture of community accountability in which bystanders are actively engaged in the prevention of violence without causing further harm. You may not always know what to do even if you want to help. Below is a list of some ways to be an active bystander.

- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see people who look like they could be in trouble or need help, ask if they are OK.
- Talk to your friends about ways to intervene. Provide a distraction that interrupts the situation. Pull one of the parties aside and speak with them.
- Make an excuse to separate those involved. • Create a plan to look out for friends when at parties.
- Confront people or speak up when someone discusses plans to take advantage of another person, particularly if the other person is incapacitated.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on-or off-campus resources listed in this document.

## Warning Signs and Prevalence of Abuse

Domestic abuse often escalates from threats and verbal abuse to violence. And while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic abuse are also severe. Emotionally abusive relationships can destroy your self-worth, lead to anxiety and depression, and make you feel helpless and alone. No one should have to endure this kind of pain—and your first step to breaking free is recognizing that your situation is abusive. Once you acknowledge the reality of the abusive situation, then you can get the help you need. Signs that you may be in an abusive relationship (the more “yes” answers, the more likely it is that you’re in an abusive relationship):

- Your inner thoughts and feelings: Do you feel afraid of your partner much of the time? Do you avoid certain topics out of fear of angering your partner?

- Do you believe that you deserve to be hurt or mistreated? Do you feel emotionally numb or helpless? Are you nervous around your partner?
- Are you afraid of disagreeing with your partner? Is your partner always questioning you about your whereabouts?
- Your partner's belittling behavior: Does your partner blame you for his or her own abusive behavior? Does he or she hurt you or threaten to hurt you? Does he or she humiliate you or yell at you? Does he or she have a bad and unpredictable temper? Does he or she threaten to commit suicide if you leave? Does he or she act possessive or jealous about where you go or what you do? Does he or she isolate you from your family and friends?

Sexual assault and violence are forms of physical abuse. Any situation in which you are forced to participate in unwanted or degrading sexual activity is abuse. Forced sex, even by a spouse or intimate partner with whom you also have consensual sex, is an act of aggression and violence. Furthermore, people whose partners abuse them physically and sexually are at a higher risk of being seriously injured or killed.

It's still abuse if:

- The incidents of physical abuse seem minor when compared to those you have read about, seen on television, or heard other people talk about. There isn't a "better" or "worse" form of abuse.
- The incidents of physical abuse have only occurred one or two times in the relationship. Studies indicate that if your spouse/partner has injured you once, it is likely he or she will continue to physically assault you.
- The physical assaults stopped when you became passive and gave up your right to express yourself as you desire, to move about freely and see others, and to make decisions. It is not a victory if you have to give up your rights as a person and a partner in exchange for not being assaulted!
- There has not been any physical violence. Many women are emotionally and verbally assaulted. This can be as equally frightening and is often more confusing to try to understand.

According to the CDC's National Intimate Partner and Sexual Violence Survey:

- Approximately 1 in 5 (21.3% or an estimated 25.5 million) women and about 1 in 14 men (7.1% or nearly 7.9 million) in the U.S. reported completed or attempted rape at some point in their lifetime.
- Over one-third of women (36.4% or 43.5 million) and over one-third of men (34.2% or 38.1 million) experienced psychological aggression by an intimate partner during their lifetime.
- Most female victims of completed or attempted rape first experienced such victimization early in life, with 81.3% (nearly 20.8 million victims) reporting that it first occurred prior to age 25.



- Nearly 1 in 6 women (16.0%, or 19.1 million) and 1 in 17 (5.8% or 6.4 million) men in the U.S. were victims of stalking at some point in their lifetime, during which they felt very fearful or believed that they or someone close to them would be harmed or killed. Effects of Abuse Men and women who experience rape or stalking by any perpetrator or physical violence by an intimate partner in their lifetime were more likely to report post-traumatic stress disorder, frequent headaches, chronic pain, difficulty with sleeping, activity limitations, poor physical health, and poor mental health than men and women who did not experience these forms of violence.

## **Domestic Violence Policy**

Domestic violence is abusive behavior that is physical, sexual and/or psychological and is intended to establish and maintain control over a partner.

Magdalen College of the Liberal Arts will not tolerate domestic violence including harassment of any employee or student while on our campuses and other facilities. This includes physical, verbal, and non-verbal threats, threatening behavior, related actions against Magdalen employees, students, visitors, guests, or other individuals by anyone on Magdalen property that may result in physical or emotional injury or otherwise place one's safety and productivity at risk. Any employee or student who threatens, harasses, or abuses someone at the institution or uses college resources such as work time, offices or classrooms, phones, fax machines, mail, email or other means to threaten, harass, or abuse someone may be subject to disciplinary action which may include dismissal and/or expulsion. Disciplinary action may also be taken against students or employees who are arrested, convicted, or issued a permanent injunction because of domestic violence when such action has a direct connection to the student's performance or the employee's duties at the college.

Individuals who apply for or obtain a protective or restraining order that lists Magdalen College of the Liberal Arts campus or other facilities as protected areas, should provide the Director of Campus Security with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order. Staff and students are directed to call the local 9-1-1 operator as a first response in case of an immediate threat or emergency.

Domestic violence victims and perpetrators are encouraged to tell a trusted class instructor, co-worker, supervisor or manager, human resources and/or a Title IX Coordinator and/or Campus Security Authority about their situation and ask for assistance. Work schedule adjustments or leave may also be provided if necessary for assistance with domestic violence situations in compliance with state and federal law. All reports of domestic violence will be treated with confidentiality and respect for the privacy of the reporting individual(s) as far as is reasonable in compliance with federal and state law and will be directed to the Title IX Coordinator. Reports of employee misconduct will be immediately referred to the Chief Operating Officer. Reports of student misconduct will be immediately referred to the Office of Student Life. There will be no reprisals taken against an employee or student solely for being a victim of harassment in the workplace or as a member of the College community.

The victim of a domestic violence may choose for the investigation to be pursued through the criminal justice system and the Board of Discipline, or only the latter. The Director of Campus Safety, Student Life staff member or another designated Campus Security Authority will support the victim in his or

her decision and put him or her in touch with professional services to educate them about the available options. Counseling and support services are available outside the College through the Rape and Domestic Violence Crisis Center.

College disciplinary proceedings are detailed in the *Student Handbook*. The *Handbook* provides, in part, that the accused and the victim will each be allowed to choose one person who has had no formal legal training and is a member of the College community to accompany them throughout the hearing. Both the victim and accused will be informed of the outcome of the hearing. If either the accused or the victim of such proceedings wish to appeal the result, they may do so according to the Appeal Process detailed in the *Student Handbook*. A student found guilty of sexual misconduct could be criminally prosecuted in the state courts and may be suspended or expelled from the College for the first offense. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault if such changes are reasonably available.

## Dating Violence Policy

Dating violence (or “relationship abuse”) is emotional, psychological, physical, sexual, or financial abuse (or, sometimes, a combination of these) perpetrated over a sustained period to gain and/or maintain power and control in a dating relationship.

Magdalen College of the Liberal Arts will not tolerate dating violence including harassment of any student while on our campuses and other facilities. This includes physical, verbal, and non-verbal threats, threatening behavior, related actions against Magdalen employees, students, visitors, guests, or other individuals by anyone on Magdalen property that may result in physical or emotional injury or otherwise place one’s safety and productivity at risk. Any student who threatens, harasses, or abuses someone at the institution or uses college resources such as work time, offices or classrooms, phones, fax machines, mail, email, or other means to threaten, harass, or abuse someone may be subject to disciplinary action which may include dismissal and/or expulsion. Disciplinary action may also be taken against students who are arrested, convicted, or issued a permanent injunction because of dating violence when such action has a direct connection to the student’s performance at the college.

Individuals who apply for or obtain a protective or restraining order that lists Magdalen College of the Liberal Arts campus or other facilities as protected areas, should provide the Director of Campus Safety with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order. Staff and students are directed to call the local 9-1-1 operator as a first response in case of an immediate threat or emergency.

Dating violence victims and perpetrators are encouraged to tell a trusted instructor, co-worker, supervisor or manager, human resources and/or a Title IX Coordinator and/or Campus Security Authority about their situation and ask for assistance. Work schedule adjustments or leave may also be provided if necessary for assistance with domestic violence situations in compliance with state and federal law. All reports of domestic violence will be treated with confidentiality and respect for the privacy of the reporting individual(s) as far as it is reasonable in compliance with federal and state law and will be directed to the Campus Security Authority. Reports of student misconduct will be immediately referred to the Office of Student Life and/or the Campus Security Authority. If either the accused or the victim of such proceedings wish to appeal the result, they may do so according to

the Appeal Process detailed in the *Student Handbook*. There will be no reprisals taken against an employee or student solely for being a victim of harassment in the workplace or as a member of the College community.

Students can find resources to off-campus professional physical and mental health resources through the Office of Student Life.

## **Stalking Incidents Policy**

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear. A “course of conduct” can be defined as a pattern of behavior composed of two or more acts over a period, however short, that evidence a continuity of purpose. A “reasonable person” standard asks if a reasonable person in similar circumstances would be made afraid by the perpetrator’s behavior. A reasonable person fear standard can help avoid various subjective perceptions of fear, as different people may not be fearful of the same things.

Magdalen College of the Liberal Arts will not tolerate incidents of stalking including harassment of any employee or student while on our campuses and other facilities. This includes physical, verbal, and non-verbal threats, threatening behavior, related actions against Magdalen employees, students, visitors, guests, or other individuals by anyone on Magdalen property that may result in physical or emotional injury or otherwise place one’s safety and productivity at risk. Any employee or student who threatens, harasses, or abuses someone at the institution or uses college resources such as work time, offices or classrooms, phones, fax machines, mail, email, or other means to threaten, harass, or abuse someone may be subject to disciplinary action which may include dismissal and/or expulsion. Disciplinary action may also be taken against students or employees who are arrested, convicted, or issued a permanent injunction because of stalking incidents when such action has a direct connection to the student’s performance or the employee’s duties at the college.

Individuals who apply for or obtain a protective or restraining order that lists Magdalen College of the Liberal Arts campus or other facilities as protected areas, should provide the Campus Security Authority with a copy of the related petition and declarations and/or the temporary or permanent protective or restraining order. Staff and students are directed to call the local 9-1-1- operator as a first response in case of an immediate threat or emergency.

Victims of stalking, witnesses and perpetrators are encouraged to tell a trusted instructor, co-worker, supervisor or manager, human resources and/or a Title IX Coordinator and/or Campus Security Authority about their situation and ask for assistance. Work schedule adjustments or leave may also be provided if necessary for assistance with stalking situations in compliance with state and federal law. All reports of domestic violence will be treated with confidentiality and respect for the privacy of the reporting individual(s) as far as is reasonable in compliance with federal and state law and will be directed to the Campus Security Authority. Reports of employee misconduct will be immediately referred to the Chief Operating Officer. Reports of student misconduct will be immediately referred to the Office of Student Life. There will be no reprisals taken against an employee or student solely for being a victim of harassment in the workplace or as a member of the College community.

Students can find resources to off-campus professional physical and mental health resources through the Office of Student Life.