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# Post University

## Annual Security and Fire Report for 2018

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Jeanne Clery Disclosure of Campus Security Policy,  
Campus Crime Statistics, and Fire Safety for 2015, 2016, and 2017

# Post University Annual Security and Fire Report for 2018

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## FOREWORD

This document is the Post University Annual Security Report.

It is the policy of the University that people will be notified about the report as follows:

- a) All Post University students will be told about it through the electronic e-mail system and will be provided with a direct electronic address so they can access the report.
- b) All employees will be told about the report and what the direct electronic address is through an e-mail, or it will be hand delivered to them at the work site.
- c) Prospective students that inquiry about Post University will be directed to our Post University website where the prospective student will have access to the report.
- d) Persons who apply for positions at Post will be provided with the web site link to access the report.
- e) Prospective Main Campus students will be told about it in writing when they receive their first mailing from the University as a result of a request for information. They will also be provided a direct electronic address so they can access the report.

All persons above will also be told where they can obtain a free hard copy of the report and it will be kept in at least the following offices: Main Campus Admissions, Associate Experience Team, Accelerated Degree Program, Dean of Students Office, Campus Safety and Emergency Management Office, Office of Residence Life, and the Traurig Library. This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off campus buildings or property owned or controlled by Post University; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning gender-based sexual misconduct and other matters. You can obtain a copy of this report by contacting the Dean of Students Office, the Campus Safety and Emergency Management Office, or see it electronically by accessing the following webpage: <http://post.edu/student-services/campus-security/security-report>

Scott Stevenson

Director of Campus Safety and Emergency Management, Post University

## POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The Director of Campus Safety and Emergency Management prepares this report with the Dean of Students to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). This report is prepared in cooperation with local law enforcement and fire protection agencies, the Office of Residence Life, and the Department of Student Life. Each entity provides updated information on their educational efforts and programs to comply with the Clery Act.

The Residence Director responsible for compiling this information prepares pertinent data derived from campus conduct cases and forwards it to the Director of Campus Safety and Emergency Management. The Director of Campus Safety and Emergency Management is responsible for coordinating campus residential and non-residential crime statistics with criminal activity reported by the local law enforcement and fire prevention agencies from non-residential areas of campus. The compiled data is input electronically by the Dean of Students, or their designee. Copies of the final report are provided to all campus divisions.

Campus crime, arrest, and referral statistics include those reported to Post University Campus Safety officers, designated campus officials (including, but not limited to, the Dean of Students, department heads, Office of Residence Life personnel, academic advisors, student organization advisors, athletic coaches), and local law enforcement and fire protection agencies. These statistics may also include crimes that have occurred in private residences or businesses. Connecticut General Statutes §§ 17a-93, 17a-101, 17a-101(a)-(d) (2008) requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at the Office of Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or is a result of assaultive or abusive conduct. Counseling Center staff members inform clients of the procedures to report crimes to a Campus Safety officer on a voluntary or confidential basis, should they feel it is in the best interest of the individual.

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Annually, an email notification that provides the link to access this report will be made to all enrolled students and associates that provides the link to access this report. Copies of the report may be obtained at the Office of Campus Safety and Emergency Management located in the East Hall Annex, or by calling (203) 596-4501. All prospective employees may obtain a hard copy of this report from the Associate Experience Team in Torrance Hall and through the Post University website.

### **POLICY CONCERNING CAMPUS LAW ENFORCEMENT**

Post University contracts its security guards through Securitas USA. Securitas USA personnel are “interaction and prevention” employees. The security guards will contact the professional staff member on duty as they respond to any situation where they may need additional help. The security guards carry handcuffs, pepper spray, and have the authority to call the police, if necessary. The police, not Securitas USA guards, have arrest powers. Campus Safety has an established relationship with the Waterbury and Middlebury Police Departments. The University does not have a memoranda of understanding with these agencies, however the University does have a memoranda of understanding with Safe Haven of Greater Waterbury. All Post University employees and Securitas USA personnel are to inform the student or victim of a crime and their right to call the police and file a report if the aforementioned personnel have not already contacted the police. Post University encourages accurate and prompt reporting of all crimes to the police when the victim of a crime elects to or is unable to make such a report.

### **POLICY FOR REPORTING CRIMES AND EMERGENCIES**

Post University encourages individuals to report all crimes in a timely and accurate manner for safety, timely warning reports and the annual statistical disclosure. Contact Campus Safety at (203) 596-4502, or by using the blue emergency telephones located across campus. Any suspicious activity or persons seen in parking lots or loitering around vehicles, inside buildings, or around residence halls should be reported. In addition, you may report crime to any of the following University officials:

- Any Resident Assistant (assigned to all residence halls)
- Any Residence Director, Leever Student Center – (203) 596-4540
- Dean of Students, East Hall Annex – (203) 596-8527
- Director of Campus Safety and Emergency Management, East Hall Annex – (203) 596-4501
- Health Services, East Hall Annex – (203) 596-4503

For off-campus options you may refer to any of the following services.

For crimes that occur on campus, except for Drubner Fitness Center:

- Waterbury Police Department, 255 East Main Street – (203) 574-6922
- Waterbury Fire Department, 235 Grand Street – (203) 597-3425

For crimes that occur in the campus Drubner Fitness Center:

- Middlebury Police Department, 200 Southford Road – (203) 577-4028
- Middlebury Volunteer Fire Department, 200 Southford Road – (203) 577-4028

All reports will be investigated. Violations of the law will be referred to law enforcement agencies and when appropriate, to the University Judicial Board for review.

For more information regarding previously reported crimes, please reference the chart on page 26.

### **VOLUNTARY AND CONFIDENTIAL REPORTING OF CRIMES**

The University has procedures for voluntary, confidential reporting of annual crime statistics through anonymous reporting and the victims or witness to a crime are encouraged to report what they know about the crime. Also, the counseling center provides confidential services with licensed counselors available for students.

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## UNFOUNDED CRIMES ON CAMPUS

There were no “unfounded” crimes on campus during 2015, 2016, and 2017.

## TIMELY WARNINGS

After responding to an emergency it is the responsibility of Senior Post Management and or the Post University Threat Assessment Team to determine if it is necessary to warn the campus community regarding the occurrence of a crime. All staff will be trained annually or when they begin their employment, how to determine what activity rises to the level necessary to require warning according to 668.46(c)(1) of the Higher Education Act. When in doubt, the employee is required to contact the Dean of Students or designee for guidance.

The University will issue a warning through a combination of an Eagle E-lert, which includes text messages, emails, voicemail, and other means such as flyers, phone calls, and direct communication to students from associates. As directed by the Director of Campus Safety and Emergency Management, Securitas USA personnel will place signs in strategic places around the campus.

## EMERGENCY RESPONSE AND EVACUATION

The University publicizes the emergency response and evacuation procedures and is designed to reach both students and associates. The University uses the Eagle E-lert system in which students and associates are registered for to deliver critical information about a variety of situations including campus alerts to class cancellations. It sends messages through multiple contact methods, phone call, text and email. The University will notify the campus community upon a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees on the campus.

The University will respond immediately when a situation is reported and will immediately investigate. The university uses the Incident Command System (ICS) structure for emergencies and the system would be implemented if and when the release of information is deemed necessary and appropriate. Test emergency responses and evacuations are completed on an annual basis.

All campus buildings are equipped with fire alarm systems that when activated alert the occupants to leave the building. There are also evacuation signs posted with instructions in the campus buildings and students are provided safety training at each orientation. The University holds regular drills and holds campus wide evacuation drills lead by the University Threat Assessment Team. The institution has also installed emergency phones inside the classrooms on campus.

Not every emergency situation or crisis event will warrant the evacuation of the University either in part or fully. The following situations may require the partial or full evacuation of the University. The list below is not inclusive, and is not listed in a priority order.

- Flammable liquid spill and/or release
- Bomb threat
- Power/Power line failure
- Hostage situation
- Hazardous chemical spill and/or release
- Hurricanes/Tornados and or high winds
- Flooding
- Winter storms

In the event of a fire alarm, the on duty Campus Safety officer(s) and the professional staff member on call are dispatched to the location of the alarm to lead the evacuation efforts. In the event of fire, elevators are not to be used.

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Residential buildings are equipped with fire alarms that reach all floors. Upon activation of the fire alarm system, in buildings where they are installed, the elevators in those structures are disabled. The elevator will move to the lowest floor and the doors will open.

Areas of Refuge are located at each fire stairway landing. Fire Stairways are located at the ends of each buildings

### **Evacuation of the Physically Challenged**

In the event that physically challenged individuals are involved in an evacuation, the on duty Campus Safety officer(s) on scene will make every attempt to lead them to safety. As a precaution, anyone confined to a wheelchair is housed in designated apartments on the ground floor of Okinaga Hall. Hearing impaired individuals are served by the use of strobe lights connected to the fire alarm system.

### **Evacuation Assembly Areas**

Six assembly areas have been designated around the campus and are marked by purple signs with white lettering. Due to the proximity of the crisis or emergency, individuals may choose to evacuate to an assembly area further away from their location. The designated assembly areas are as follows:

- Assembly area 1 is located at Lamoy Field. Individuals located in or near the team locker rooms, MacDermid Hall, or North Hall will evacuate to this location.
- Assembly area 2 is located at the Great Lawn near the Leever Student Center. Individuals located in or near the Traurig Library, Hess Hall, Torrance Hall, or the Leever Student Center will evacuate to this location.
- Assembly area 3 is located at the outdoor basketball court near West Hall. Individuals located in or near any residence hall, except Okinaga Hall, will evacuate to this location.
- Assembly area 4 is located at the practice field across from Okinaga Hall. Individuals located in or near Okinaga Hall will evacuate to this location.
- Assembly area 5 is located at the Drubner Fitness Center parking lot. Individuals located in or near the Drubner Fitness Center will evacuate to this location.
- Assembly area 6 is located at the front parking lot of the Crossroads building located on Straits Turnpike. Individuals located in or near the Crossroads building will evacuate to this location.

If an assembly area becomes compromised or unsafe, individuals should evacuate to any of the other five designated areas. It should be noted that emergency responders may, depending on the emergency, direct individuals to areas other than the six designated campus assembly areas.

### **Types of Evacuations**

#### *Short-Term Evacuations*

- All individuals are moved to the designated assembly area for their residence hall.
- If required by weather conditions and/or length of evacuation, individuals are moved to the Leever Student Center.
- Auxiliary support services are employed as required (emergency food, showers, medical- or disability-related needs are arranged as needed with other campus services). Support services will be determined by the University Incident Command Team and obtained accordingly.

#### *Medium-Term Evacuations*

- Students are assigned to the Leever Student Center and/or other University public area spaces that can be satisfactorily arranged.
- Students are assigned to vacant spaces in the housing system.
  - In the event of a lack of vacant on-campus house spaces, the Incident Command Team will determine the level of need and coordinate for additional housing resources within the local area. Once obtained, specific guidance from the Incident Command Team will be provided to affected students.
- Support services will be determined by the University Incident Command Team and obtained accordingly.

#### *Long-Term Evacuations*

- All items under Medium-Term Evacuations (above) are initiated unless a substantial part of the

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campus is under evacuation order.

- All students are advised to go to their home address if possible or off campus facilities.
- The local chapter of the American Red Cross may be enlisted for assistance and advice.
- Support services will be determined by the University Incident Command Team and obtained accordingly. This may include the need to obtain transportation from the University to civilian transportation nodes.

### **DAILY CRIME AND FIRE LOGS**

The University compiles crime and fire log data in preparation for the annual security report on a daily basis. The two primary locations for collection of data are the Office of Campus Safety and Emergency Management and the Residence Life staff person responsible for the weekly Conduct Report. These two individuals work together in a timely manner to compile all of the data required to be reported in the annual Campus Crime and Security Survey of the USDOE. The most up-to-date daily crime and fire logs, which cover the most recent sixty (60) days, can be accessed through the Office of Campus Safety and Emergency Management during normal business hours. Any statistics older than sixty (60) days are available upon request.

### **AVAILABLE RESOURCES**

The University will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the school and in the community. These resources are detailed through brochures, which can be obtained through the Counseling Center.

### **ACCESS TO CAMPUS FACILITIES**

In the case of periods of extended closing, the University will admit only those with prior written approval to any/all facilities. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Drubner Fitness Center, Traurig Library, and Leever Student Center. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Post University secures all building open to the public, office buildings, classroom buildings, library, etc. each night. They are reopened in the morning before the first class or before the first scheduled use of the building. All six residence halls are locked 24 hours a day. Students are issued a key to the exterior door of the building in which they live. Students are told not to let anyone who does not live there in when they enter or leave the building. The Post University Student Handbook addresses residence hall access and visitation policies. The Student Handbook link is provided to all students at the start of each academic year.

Facilities requests are filed via the Post University Zen Desk electronic system which can be done 24 hours a day. If there is an emergency when facilities are not open, the professional staff member on duty contacts the on-call facilities worker (and/or Facilities Manager) and they come to campus or dispatch an outside contractor as soon as possible to correct the emergency. Safety and security issues have the highest possible rating.

During business hours, Post University (excluding residence hall facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all University facilities is by key, if issued, or by admittance via the Campus Safety personnel. All visitors to the campus must be issued a visitors pass through the campus security gatehouse.

### **POLICY ON ALCOHOL AND ILLEGAL DRUGS**

Students at Post University are expected to become aware of and abide by state laws and University policy regarding use of alcohol and illegal drugs. The State of Connecticut sets twenty-one (21) years old as the minimum age to

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purchase, possess, or consume any alcoholic beverages. Specific ordinances regarding violations of alcohol and laws, including driving while intoxicated, are available for review via the Internet. Post University's alcohol and illegal drug policies are designed for the safety of all students and associates and is in accordance with all federal and state laws.

### **General Alcohol Guidelines**

The University's policies regarding alcohol are as follows:

- In accordance with federal and Connecticut state law, persons under the age of twenty-one (21) shall not consume or have in their possession alcoholic beverages or alcohol paraphernalia on the Post University campus and Post-utilized off-campus sites
- Alcohol paraphernalia (e.g., kegs, excessive empty cans or bottles, taps, funnels, etc.) are not permitted on campus. Collections of special bottles/cans are not permitted
- Alcohol promotional/decorative items (beer signs, lamp shades, etc.) are not permitted in residence hall windows, displayed on the outside of room/apartment doors, or in public lounges, or to be visible from outside of a residence hall room
- Public intoxication is prohibited. Public intoxication is defined as any intoxication which causes a disturbance or is dangerous to self, others or property, or in any way requires the attention of university staff
- Consuming or possessing alcoholic beverages at public events such as plays and other performances, concerts, trips to off-campus venues, or athletic events, is prohibited; for those of legal drinking age, prior approval for specific events where alcohol is present must be obtained from the appropriate University official(s)
- Consuming/possession of alcoholic beverages by any student or student organization while riding in University-owned/operated vehicles, or vehicles used in the name of the University is prohibited
- Post University prohibits activities that encourage increased alcohol consumption. Such activities include, but are not limited to, beer pong, Kings, and other alcohol drinking games. Party buses are prohibited from all campus grounds and events
- All persons in a room/apartment, lounge, vehicle, or public campus area where alcohol and/or alcohol paraphernalia is present may be subject to disciplinary action and/or referral to the University's alcohol and drug education program. This policy extends to any and all off-campus sites used/rented by or on behalf of the University
- Persons driving under the influence of alcohol on Post University grounds will be subject to a higher level of responsibility and sanction, in addition to criminal action and/or referral to the University's alcohol and drug education program
- Community sources of alcohol are prohibited in University residence halls. Community sources include, but are not limited to, kegs, beer balls, garbage cans, and any container that is intended as a primary source of alcohol for one or more people. Possession of a community source of alcohol will be subject to a higher level of responsibility and sanction
- No student shall be found in public areas on campus with an open container (solo cups, etc.). This includes lounges, hallways, picnic tables, etc.

### **Alcohol Guidelines for Students of the Legal Drinking Age**

The University permits persons of state-mandated legal drinking age (21 or older) to possess or consume alcoholic beverages in the residence halls, provided that all individuals consuming alcohol are of the legal drinking age.

While University policy permits the use of alcohol in moderation by students of legal age, it denounces excessive consumption. Students who chose to drink must remain in control of their behavior; they are responsible for their actions and must respect the rights of others. Promotions that encourage the consumption of alcohol are prohibited.

The use or non-use of alcohol by students of legal age should be decided by each individual. The University shall ensure practices and procedures that respect the decisions of those who choose to abstain. The University shall stress the importance of moderation for those of legal age who choose to use alcohol. Intoxication will not be accepted as an excuse for irresponsible behavior.

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The University's policies regarding alcohol for students of the legal drinking age are as follows:

- Persons of legal drinking age may consume or possess alcohol in the privacy of their own bedroom if it is a single room or if his/her roommate(s) are 21 or older. Privacy is defined as a room with the door closed. Residents of legal drinking age residing in Okinaga Hall, which is the focus of this clause since it is the only suite style residence hall on campus, with underage roommates may consume or possess alcohol in their apartment common areas only if the quantity is less than one case of beer (30-12 oz. containers) and/or less than four containers of liquor or wine, either empty or full; underage roommates are not permitted to consume alcohol under Connecticut state law
- Persons of legal drinking age may transport closed (sealed) containers of alcohol through public areas (e.g., between a vehicle and their room/apartment, or between of-age students' rooms). Any student transporting alcohol may be stopped for inspection at any time by University officials and/or Resident Assistants
- Persons of legal drinking age shall not consume or have in their possession an open container (seal broken) of alcoholic beverage in hallways, lounges or public areas. Residence Life staff are authorized to question the contents of any cup or container, and may ask that the contents be thrown out regardless of alcohol content. All alcohol must be kept behind a lockable room door of a person(s) of legal drinking age only
- At any one time, a maximum of one case of beer (30 12-oz. containers) or a maximum of four containers of liquor or wine, either empty or full, is permitted per room or apartment common area
- It is the responsibility of all students of legal drinking age to have proof of age of anyone consuming alcohol in their presence. For a student's protection, this may require asking for a driver's license, another state-issued photo ID or birth certificate
- Providing alcohol to a person under the age of 21 is prohibited
- Being in the presence of alcohol, quantity consisting of a maximum of one case of beer (30-12 oz. containers) and/or a maximum of four containers of liquor or wine, with a person under the age of 21 is prohibited; University officials may determine intent to provide to minors

### **General Guidelines for Marijuana and Other Drugs**

The State of Connecticut law prohibits possession, use, manufacture, or distribution of illegal substance or drug paraphernalia or of any illegal drug or narcotic, including barbiturates, hallucinogens, amphetamines, cocaine, opium, heroin, marijuana or any other substance not chemically distinguishable from them except as authorized by medical prescription.

For the safety of students, faculty and staff, and in accordance with all Federal and state laws, Post University expressly prohibits the use, possession, distribution, or sale of illegal and/or unprescribed drugs, inhalants, or any other substance being used for purposes other than the manufacturer's intended use. The University reserves the right to surrender substances for testing by local authorities if there is a question regarding its legality.

The term "controlled substances" when used in the above section includes any substance defined in subdivision (9) of section 21a-240 of the Connecticut Penal Law. The term "marijuana" when used in the above section is as defined in subdivision (29) of section 21a-240 of the Connecticut Penal Law. Post University defines "odor of marijuana" as the distinct scent associated with the burning or use of marijuana.

The University's policies regarding marijuana and other drugs are as follows:

- Use, possession, being in the presence of, or loitering with the intent to use controlled substances or marijuana constitutes an illegal act and will be subject to disciplinary action independent of other action taken by civil authorities, possible referral to the local authorities, and/or referral to the University's Counseling Center. This policy applies to all on- and off-campus Post University utilized sites including, but not limited to, parking lots and areas adjacent to academic buildings, Drubner Fitness Center, residence halls and vehicles
- The odor of marijuana in or around on- and/or off-campus Post University utilized sites is prohibited. This policy applies to areas including, but not limited to, parking lots and areas adjacent to academic buildings, the Drubner Fitness Center, residence halls and vehicles
- Reasonable suspicion that a controlled substance or marijuana has been used will result in disciplinary action. Faculty or staff may determine use of controlled substances or marijuana by using any

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combination of methods including, but not limited to finding a towel or other item(s) blocking the door, fans directing air out through a window, the covering of any smoke detectors, residue (e.g. ashes, burns, roaches), the apparent physical/behavioral condition of the student, and the excessive odor of air freshener used for concealment

- Allowing the consumption of marijuana within your designated residence hall room is prohibited, whether the occupant is providing the substance or not. Hosts (residents of the room/apartment or vehicle) where controlled substances or marijuana are being used may be subject to a higher level of responsibility and sanction, and possible criminal action and/or referral to the University's Counseling Center
- Public drug/marijuana intoxication (up to and including obvious physical or mental impairment) is prohibited
- Use/possession of controlled substances or marijuana by any student or student organization while riding in Post University-owned/operated vehicles, or vehicles used in the name of the University is prohibited
- Selling/intent to sell or providing controlled substances or marijuana to any person is illegal and may result in referral to the local authorities as well as disciplinary action
- Drug paraphernalia (e.g., bong, pipes, spoofs) are not permitted on campus and/or Post utilized off-campus sites and will be confiscated by the University
- Drug promotional items (drug posters, signs, etc.) must not be placed in residence hall windows, displayed on the outside of room/apartment doors, or in public lounges or be visible from outside of a residence hall room
- Persons suspected of driving under the influence of marijuana/illicit drugs at Post University utilized on- and off-campus sites will be subject to a higher level of responsibility and sanction, in addition to police referral and/or referral to the University's alcohol and drug education program

### General Sanctions for Alcohol and Drugs

Incidents involving alcohol and substance abuse are the primary causes for disciplinary action at colleges and universities nationwide. The Alcohol and Drug policy is intended to support a safe, healthy and academically-focused learning environment for all students. Violations of the University's alcohol and drug policy will result in the following sanctions below.

#### *Alcohol*

Low Level (health and safety violation, alcohol paraphernalia- funnels, empty bottles, etc.)

- **1<sup>st</sup> Offense** – Written warning
- **2<sup>nd</sup> Offense** – Probation, 5 hours of University service
- **3<sup>rd</sup> Offense** – See 1<sup>st</sup> Offense High Level sanctions

High Level (all other violations)

- **1<sup>st</sup> Offense** – Probation, 10 hours of University service, educational assignment, parents/guardians of underage students notified
- **2<sup>nd</sup> Offense** – Extended probation, 20 hours of University service, educational assignment, counseling, parent/guardian notification for underage students
- **3<sup>rd</sup> Offense** – Removal from residence halls at the discretion of the University, probation extended up to graduation, parent/guardian notification for both underage and of-age students

#### *Drugs*

Low Level (scent, paraphernalia- bong, pipes, hookahs, bowls, etc.)

- **1<sup>st</sup> Offense** – Written warning, educational assignment
- **2<sup>nd</sup> Offense** – Probation, 10 hours of University service, educational assignment
- **3<sup>rd</sup> Offense** – See 1<sup>st</sup> Offense High Level sanctions

High Level (drugs found)

- **1<sup>st</sup> Offense** – Probation, 20 hours of University service, educational assignment, counseling, parent/guardian notification

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- **2<sup>nd</sup> Offense** – Removal and potential ban from residence halls, probation extended, parent/guardian notification

A violation of any law regarding alcohol and or illegal drugs is also a violation of the University Student Conduct Code and will be treated as a separate conduct matter through the University Conduct System. Drug and alcohol education programs are provided throughout the year at new student orientation, peer health educator programs, the Counseling Center, and the Department of Student Life.

### **Alcohol and Drug Education and Prevention Programs**

The Department of Student Life provides educational programming throughout the year. Some of the trainings and programs provided are listed below:

- Residence Directors/Resident Assistants are trained in dealing with alcohol and drug use and abuse
- All first year students receive educational programming during fall orientation
- Counseling is available for students with substance abuse related concerns and educational programming is provided
- Students and associates participate in a sexual assault prevention program, which includes alcohol education, via EverFi
- All student athletes are required to attend the National Collegiate Athletic Association mandatory educational program every year, which is facilitated by the Counseling Center; this event is incorporated into the College to Career courses and new student orientation
- Department of Student Life sponsors “Wellness Day” each semester, which teaches healthy coping skills
- Counseling Center and Residence Hall Association host “Nugs Not Drugs”, which discusses and educates about substance abuse while offering chicken nuggets
- Resident Assistants provide alcohol and drug awareness programming on campus, such as collaborating with the local police department to bring drunk goggles onto campus
- Empowering Peers Inspiring Community, which is a student group of health educators, sponsors alcohol and drug awareness programming on campus
- Department of Student Life sponsors its annual Senior Pub Night, which brings an inflatable pub to campus for students who are 21 years or older and educates about drinking responsibly
- Student Government Association hosted its annual senior trip at an off campus winery, which offered wine tasting and educated on drinking responsibly
- University offers anonymous monthly testing for sexually transmitted diseases, which addresses safe sex and the impact that alcohol and drugs can have on risky sexual behavior
- Counseling Center annually hosts “Reefer Madness” to discuss drug consequences
- Football team participates in a Counseling Center facilitated substance abuse awareness program
- On campus student organizations sometimes use alcohol and drug education as the focus of their programming
- Resident Assistants and members of Empowering Peers Inspiring Community create educational bulletin boards around campus
- Committee of students and associates meet each summer to evaluate on campus alcohol and drug education prevention programs
- Associate Experience Team offers an employee assistance program, which is a confidential service for associates through Behavioral Health Consultants, LLC; more information can be found at the following website: <http://www.bhcservices.com/>

### **WEAPONS ON CAMPUS**

The possession and/or use of firearms, fireworks, dangerous weapons or unauthorized chemicals are strictly prohibited and in many cases also violate state and federal law. Police will be notified immediately if a weapon is found on campus.

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## **MONITORING OFF CAMPUS STUDENT ORGANIZATIONS**

Post University does not recognize any off campus student organizations or off campus housing facilities.

## **CRIME PREVENTION, SECURITY AWARENESS PROGRAMS, AND SAFETY RESPONSIBILITIES**

### **Education**

The Office of Residence Life works closely with Campus Safety, the Counseling Center, and community resources to provide presentations on sexual assault, theft, personal safety, and the importance of not compromising the security of the residence halls.

### **Campus Safety Escorts**

Campus Safety officers will transport students and associates within the campus as requested.

### **Facilities Upkeep**

Facilities and grounds are maintained with safety in mind. The Facilities Department inspects facilities regularly, promptly makes repairs, affecting safety and security, and responds to reports of potential safety and security hazards. Individual awareness, cooperation and involvement are critical to the success of campus safety. Everyone must assume responsibility for their own personal safety and the safety of others.

- Lock your door when you leave your room and when you are sleeping.
- Keep wallets, purses, checkbooks, and jewelry out of sight and locked up if possible. Do not keep large sums of money on hand.
- Keep record of your valuables, noting description, serial number, and approximate value.
- Lock your car.

Post University offers multiple educational programs throughout the academic year designed to inform students and employees about campus security and to encourage students and employees to be responsible for their own security and the security of others. During new student orientation in the fall, students are informed of services offered by Post University's Office of Campus Safety and Emergency Management. Students are told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees.

The Department of Student Life, in conjunction with other University departments and outside agencies, presents crime prevention awareness sessions, sexual/gender-based misconduct, sexual assault and interpersonal violence primary prevention and awareness programming, theft and vandalism, domestic violence, and educational sessions on personal safety and residence hall security. Specific discussions and presentations on the topic of crime prevention awareness include, but are not limited to, new student orientation each fall semester, all-hall meetings at the start of each semester, semester closing meetings, health and safety room inspections, and other health and wellness programs. In addition to educational programming, information is disseminated to students and employees through crime prevention awareness packets, security alert postings, and displays.

## **MISSING STUDENT POLICY**

In the event that a student is deemed to be missing from the residence halls or from campus, all persons should immediately notify Campus Safety at (203) 596-4502. Reports should also be made to the Residence Life Office and the Dean of Students. Students fill out an emergency contact form upon their arrival to campus, which notes the individual(s) that the University would contact if the student is reported missing. This contact information is registered confidentially and is only to be accessed by authorized University officials and, in the event of a missing student, law enforcement officials to assist with their investigation.

Campus Safety and/or Residence Life will attempt to locate the student immediately upon receiving the information. If it is determined that the student is missing local law enforcement agencies and the student's emergency contact(s) will be notified no later than 24 hours after the student has been determined missing.

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In the case of any missing student under the age of 18 and who is not an emancipated individual, the University will notify the student's parent/legal guardian immediately after a determination that the student has been missing for more than 24 hours. The University will notify local law enforcement within 24 hours of the determination that the student is missing, unless the local law enforcement agency made the determination that the student is missing. If the University is unable to contact an emergency contact person or parent/guardian as provided above, the University will contact that person's local law enforcement agency to make contact with such person(s).

## **SEXUAL/GENDER-BASED MISCONDUCT, INTIMATE PARTNER VIOLENCE, AND STALKING**

### **Post University Statement of Sexual Values**

Post University is committed to providing a learning, working and living environment that is open, supportive, and safe. As a community, this University will not tolerate sexual/gender-based misconduct of any kind. Post University expressly prohibits the sexual/gender-based misconduct noted below, and students found engaging in it will be subject to University disciplinary action, and may be subject to criminal charges and prosecution under Federal and State laws.

This policy informs the Post University community of our values and outlines violations of a sexual/gender-based nature. This policy identifies a student's rights, options, and resources, and describes actions individuals may take if they experience an incident of sexual misconduct, intimate partner violence, and stalking or are accused of those violations.

Post University recognizes that part of students' development at the University may include learning and understanding themselves as sexual individuals. Post University also respects and upholds the principle that not all students find it necessary to explore their sexual nature or sexuality. Post therefore aims to provide an environment that is comfortable and respectful of all students regarding sex and their sexuality. Understanding and applying this policy to the behavior and behavioral expectations of all members of the community helps to ensure Post's goal of being a safe, open community regarding sexuality. Failure to comply with this policy may result in a complaint of sexual/gender-based misconduct.

Post University strives to promote an environment where mutual respect, communication, cultural competency, understanding, and awareness are the foundation for any sexual behavior or activity. Mutual respect and communication are keys to maintaining each student's personal integrity when engaging in relational and sexual behavior.

Title IX Statement: Post University must comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination. Post University has designated Title IX/Sexual Misconduct Coordinators to coordinate Post's compliance with and response to inquiries concerning Title IX.

For more information about Title IX, please contact the University's Title IX and Disability Coordinator, Jennifer Labate, at (203) 596-6027, or the Deputy Title IX/Sexual Misconduct Response Coordinators, Karin Mann, at (203) 596-4669, or Crystal Vuole at (203) 596-4553. A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting [www2.ed.gov/about/offices/list/ocr/complaintintro.html](http://www2.ed.gov/about/offices/list/ocr/complaintintro.html) or calling (800) 421-3481.

### **Sexual/Gender-Based Misconduct Violation Definitions**

Please visit <https://www.federalregister.gov/documents/2014/10/20/2014-24284/violence-against-women-act> for definitions contained in the Violence Against Women Act amendments to the Clery Act.

1. *Sexual Assault*: Any non-consensual sexual contact with the Reporting Party's intimate parts is a sexual assault. Physical resistance need not occur to fulfill the definition of sexual assault. Sexual assault includes, but is not limited to the following: rape (e.g. by a friend, classmate, peer, co-worker, partner, etc.), sexual assault with an object, forcible sodomy, forcible oral sex, and forcible fondling. Drug facilitated sexual assault will not be tolerated.
2. *Sexual Exploitation*: Sexual Exploitation is taking nonconsensual, unjust, or abusive advantage of

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another in a sexual or intimate context. Sexual exploitation includes, but it is not limited to: sexting, slandering or prostituting another person; engaging in permitting, reproducing, or facilitating nonconsensual viewing, videotaping, photographing, or audio taping of sexual or intimate activity; knowingly infecting another person with a sexually transmitted disease; or secretly giving another person or pushing another person to use drugs or alcohol for the purpose of making the person submit to sexual activity.

3. *Sexual Harassment*: Sexual Harassment is defined as unwelcome sexual advances, requests for sexual favors, and any other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical or otherwise, when one or more of the following conditions are present:
  - a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events or activities sanctioned by the university;
  - b. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events or activities sanctioned by the university;
  - c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.
4. *Gender-Based Harassment*: *Gender-based harassment* includes harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature. Gender-based harassment can occur if students are harassed either for exhibiting what is perceived as a stereotypical characteristic of their sex or for failing to conform to stereotypical notions of masculinity or femininity. To constitute harassment, the conduct must unreasonably interfere with another person's education or participation in the educational programs or activities or create an intimidating, hostile, demeaning, or offensive academic or living environment.
5. *Stalking*: Stalking is repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include:

- a. Repeated, unwanted, intrusive, and frightening communications by phone, mail, e-mail, text, social media, etc.
- b. Following or lying in wait at places such as home, school, work, or recreation place.
- c. Repeatedly leaving or sending unwanted items or presents.
- d. Making direct or indirect threats of harm against the Reporting Party, the Reporting Party's children, relatives, friends, or pets.
- e. Damaging or threatening to damage the Reporting Party's property.
- f. Harassing the Reporting Party through the Internet.
- g. Posting information or spreading rumors about the Reporting Party on the Internet, in a public place, or by word of mouth.
- h. Obtaining personal information about the Reporting Party by accessing public records, using Internet search services, hiring private investigators, going through the Reporting Party's garbage, following the Reporting Party, contacting the Reporting Party's friends, family, work, or neighbors, etc.

To an outsider, stalking behavior can appear friendly and unthreatening, such as showering the Reporting Party with gifts or flattering messages. The Reporting Party may find themselves needing to explain to others just how intrusive and frightening unwanted attention can be. Stalking is sometimes dismissed when it is done via technology (cell phones, computers, networking sites, surveillance equipment, and so on), but the medium is not what matters—it is the pattern of repeated, unwanted communication.

6. *Intimate Partner Violence*: Intimate partner violence means any abusive behavior against an individual by a current or former person in a dating/romantic relationship. Intimate partner violence can be physical, sexual, emotional, economic, or psychological actions of threats that influence another person. Intimate partner violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or

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maintain power and control over another intimate partner.

Forms of intimate partner violence include:

- Emotional abuse includes words and/or actions, which manipulate or hurt an individual emotionally and psychologically.
- Physical abuse refers to actions that threaten or harm an intimate or romantic partner's physical safety.
- Resource abuse includes words and/or actions, which manipulate the financial or legal situation of an intimate or romantic partner.
- Sexual abuse (see sexual assault).
- Spiritual abuse refers to the utilization of a partner's spiritual or religious beliefs to manipulate and/or hurt a partner. It may also include forcing or preventing a partner to practice certain beliefs.
- Verbal abuse is the use of words or the withholding of conversation to manipulate and/or hurt a romantic or intimate partner.

Examples of intimate partner violence may include, but not be limited to, the following:

- Leaving their partner somewhere with no way to get home.
  - Pulling hair or pinching skin as a form of punishment.
  - Blocking a partner's exit when they try to leave the room.
  - Throwing, smashing, or breaking objects.
  - Hitting, punching, grabbing, choking or pushing their partner.
  - Saying their partner is crazy, ugly, stupid, etc.
  - Constantly calling or texting their partner when they are not together.
  - Threatening to "out" the partner if in a same-sex relationship.
  - Insisting on always knowing the location of their partner.
  - Refusing to acknowledge a problem that their partner feels is important.
  - Persuading partner from doing something they want to do.
  - Insisting how their partner should dress.
  - Calling someone degrading names.
  - Withholding sex and/or affection as a form of punishment.
  - Forcing another faith practice on their partner.
  - Mocking, ridiculing, or insulting their partner's religious or spiritual beliefs.
  - Excessively criticizing how their partner spends their money.
7. *Attempted Act*: Any attempts to commit sexual/gender-based misconduct are also prohibited under this policy, as is aiding in the acts of sexual/gender-based misconduct as an accomplice.
  8. *Retaliation*: Retaliation against the individual who initiates a sexual/gender-based misconduct complaint, participates in an investigation, or pursues legal action, is prohibited. Independent action may be taken against anyone engaging in retaliation. This includes any witnesses, advisors, or any Sexual Misconduct Board Members.

## **Affirmative Consent and Related Definitions**

1. *Affirmative Consent*: Affirmative consent is the equal approval, given freely, willingly, and knowingly of each participant to desired sexual involvement. Consent is an affirmative, conscious decision, indicated clearly by words or actions to engage in mutually accepted sexual contact. A person forced to engage in sexual contact by force, threat of force, or coercion has not consented to contact. Lack of mutual affirmative consent is the crucial factor in any sexual assault. If there is confusion or ambiguity, participants in sexual activity need to stop and verbally clarify each person's willingness to continue.
2. Consent CANNOT be given if a person's ability to consent is substantially impaired because of a mental or physical condition. Examples of such mental or physical conditions include, but are not limited to: incapacitation, unconsciousness, coercion, physical force, substantial impairment because of a psychological health condition, substantial impairment because of voluntary intoxication; or substantial impairment because of the deceptive administration of any drug, intoxicant or controlled substance. Mutual intoxication or substance impairment does not exonerate any individual nor lessen the consequences. Consent can NEVER be given by anyone under the age of sixteen.

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3. *Coercion*: Unlike seduction, coercion involves unreasonable and unwanted pressure to engage in sexual activity. Engaging in sexual activity should be the result of a freely given choice. Persons should engage in sexual activity because they want to do so, and not because someone has pressured them into it. Threatening and pressuring someone until they finally say "Okay, just get it over with" does not mean an individual has obtained consent.
4. *Incapacitation*: Incapacitation means being in a state where a person lacks the capacity to appreciate the fact that the situation is sexual, or cannot appreciate (rationally and reasonably) the nature and/or extent of the situation. A person who knows or should reasonably have known that another person is incapacitated may not engage in sexual activity with that person.

A person's state of incapacity is a subjective determination that will be made after the incident in light of all of the facts available because people reach incapacitation at different points and as a result of different stimuli. They exhibit incapacity in different ways. The following factors bear on incapacity:

- Body weight, height and size
- Tolerance for alcohol and other drugs
- Amount and type of alcohol or other drugs consumed, and the mixture taken
- Amount of food intake prior to consumption
- Voluntariness of consumption
- Vomiting
- Propensity for blacking out (mentally or physically)
- Genetics

Alcohol related incapacity results from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. It is less severe than alcohol poisoning or overdose, which may lead to coma or death. Evidence of incapacity may be detected from context clues, such as:

- Slurred speech
- Bloodshot eyes
- The smell of alcohol on their breath
- Shaky equilibrium
- Vomiting
- Outrageous or unusual behavior
- Unconsciousness

None of these facts, except for unconsciousness, will constitute – in and of itself –incapacitation. Indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of another person.

### **If You Believe That an Incident Has Occurred**

Post University is committed to providing support and services in order to help you through this process. A student who has experienced an incident of sexual/gender-based misconduct, intimate partner violence, or stalking should seek help, support, and information. There are many sources for information, assistance and support. If you have experienced such an incident, you should consider the following immediate actions:

- Remember, you are not alone and this is not your fault.
- Try to get to a safe place.
- Consider notifying a member of Residence Life, Campus Security, the Counseling Center, Health Services or the Title IX/Sexual Misconduct Response Coordinators. Many of these resources have after-hours and emergency contacts (see chart in the Student Handbook for contact information).
- You have the right to notify law enforcement, file a report, or obtain a court-issued restraining order. You may also have a campus authority make a notification for you.
- If you have been assaulted, try to avoid showering, bathing, douching, urinating, or cleaning up in any way. This will prevent the loss of valuable evidence, though evidence can still be collected even if you do. Do not wash any clothes, towels, or sheets that may contain evidence. Evidence can be preserved and collected for up to five days.
- Preserve all physical evidence in a paper bag (not plastic) or deliver directly to law enforcement.

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- Preserve all communications, pictures, texts, or other items that might be used in cases of sexual/gender-based misconduct, stalking or intimate partner violence.
- Utilize University and community resources for immediate and long-term assistance.
- Go to Health Services or an area hospital (Waterbury or Saint Mary's Hospital). Individuals are encouraged to seek medical attention as soon as possible after an act of sexual assault or intimate partner violence. Medical care is important to address any injuries you may have and to protect against sexually transmitted diseases and pregnancy.
- Counseling Services are available to all Post University main campus students. Students may call (203) 596-4585 to schedule an appointment. These services are free and confidential.
- Post University's Crisis Hotline Available 24/7: (203) 228-8706. This is a limited-confidential resource.

### **Reporting Resources**

Post University is committed to creating an environment in which students who have experienced an incident of sexual/gender-based misconduct are encouraged to come forward and make a report. Members of the Post community are strongly encouraged to seek support and information from available reporting sources. Reporting may help you to gain some control over the situation and make informed decisions using information provided by the reporting source. Your prompt reporting will not only benefit and support you, but it will also help the University in maintaining a safe community. Ultimately, this is your decision. All sources will provide the Reporting Party with information about obtaining support, resources, and the process associated with making a report or a formal complaint with the University or with a law enforcement agency.

Post employees are "responsible employees", meaning they are required by law to share your disclosure with the Title IX/Sexual Misconduct Coordinator. This includes professors, staff members, administrators, and Resident Assistants (RAs). The only employees who can keep your disclosure confidential are employees at the Counseling Center and Health Services. The Counseling Center and Health Services are fully confidential reporting sources. They do not file reports with the Title IX/Sexual Misconduct Response Coordinator. They will keep your information and name confidential unless it is determined that you and/or the campus are in imminent danger. They will provide free, confidential support, crisis intervention, community outreach and referrals, as well as help you explore your options to address the incident.

### **Interpersonal Violence Response Team**

Post University's Interpersonal Violence Response Team supports students by providing services and guidance in regards to sexual/gender-based misconduct incidents. The Interpersonal Violence Response Team consists of a diverse group of Post employees and community members that are well versed in the Post University Sexual/Gender-Based Misconduct Policy and procedures. Interpersonal Violence Response Team professionals are able to explain what options are available to the student and will guide them in accessing these resources. The Post University Interpersonal Violence Response Team is committed to supporting individual's rights and needs, and respects that all choices are left up to the Reporting Party.

Professionals on campus with a Sexual Misconduct Safe Place sticker (see below) in their office are trained in the University's Sexual/Gender-Based Misconduct Policy. These faculty and staff members are able to support students who have been involved in a sexual/gender-based misconduct situation. If you have concerns about a friend, roommate, fellow student, or employee in regards to sexual/gender-based misconduct these people are also here to help you. Please seek out these professionals if you need their support. These individuals and Interpersonal Violence Response Team members are required to report the incident of sexual/gender-based misconduct to the Title IX/Sexual Misconduct Response Coordinator.

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### Sexual Misconduct Safe Place Sticker



### Confidentiality and Communication Types

With respect to any report or complaint of sexual/gender-based misconduct, Post University will endeavor to maintain the confidentiality of the matter and all individuals involved to the extent permitted by law. Post University will balance the needs of individuals involved with its obligation to protect the safety and wellbeing of the community at large. In all cases, Post University will respect the privacy and dignity of all individuals involved. According to state and federal laws, if an individual under the age of sixteen is involved in an act of sexual/gender-based misconduct, the informed party must report the incident to the local police and the Department of Children and Families.

**Limited Confidential:** Limited confidential sources must notify the Title IX/Sexual Misconduct Response Coordinator. Any other report sharing will be limited, based on your safety and the safety of the community. The source will call the police only at the request of the student.

**Confidential:** Confidential sources are prohibited from breaking confidentiality unless (i) given permission by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves the suspected abuse of a minor under the age of 16; or (iv) as otherwise required or permitted by law or court order.

**Anonymous:** If you wish to file an anonymous complaint, you may do so online at <http://go.post.edu/misconductreporting/Default.aspx>. This complaint will be sent to the Title IX/Sexual Misconduct Response Coordinators.

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### Important Phone Numbers and Resources – For emergency response, call 9-1-1.

Resource	Location	Hours	Type of Communication	Services Provided
Sexual Misconduct Board Chair: Sandra Wilson	Library- Lower Level	9:00am-5:00pm	Limited Confidential	Hearing board official. Provides students with guidance on procedures and trained advisors. (203) 596-4664
Campus Safety *	Security Kiosk	24/7	Limited Confidential	Special confidentiality rules apply regarding sexual assaults. (203) 596-4502
Counseling Center * Lisa Antel George Hayes	Leever- First Floor	9:00am-5:00pm	Confidential	Licensed counselors available for students and staff. Services are free. (203) 596-4585
Dean of Students: Erica Peryga *	East Annex	9:00am-5:00pm	Limited Confidential	Provides support, referrals for students, and guidance with procedures and protocol. (203) 596-8527
Health Services * Kellie Brown	East Annex	M-TR: 10:00am-4:00pm F: 10:00am-2:00pm	Confidential	Medical assistance and referral for students. (203) 596-4503
Title IX/Sexual Misconduct Response Coordinators * Jennifer Labate Karin Mann, Deputy Crystal Vuole	Leever Drubner Traurig Lower Level	9:00am-5:00pm	Limited Confidential	Informs a student of their rights, as well as support services.  (203) 596-6027 (203) 596-4669 (203) 596-4553
National 24 hour Sexual Assault Hotline	Off campus	24/7	Confidential	Rape, Abuse and Incest National Network hotline 1 (800) 656-HOPE (4673)
Post's Crisis Hotline	On campus	24/7	Limited Confidential	Connects directly to the Residence Director on duty (203) 228-8706
Residence Life Staff*	Lower Level Leever	M-F: 9:00am-5:00pm	Limited Confidential	Will provide support and resources, and assist the Reporting Party at residence halls. (203) 596-4540
Safe Haven's Sexual Assault Program *	29 Central Ave. Waterbury, CT	24/7	Confidential	Provides support services, including medical and legal advocacy, for the Reporting Party and survivors of sexual assault and domestic violence. (203) 753-3613
St. Mary's Hospital	43 Cole St. Waterbury, CT	24/7	Confidential	Emergency care, including sexual trauma care. (203) 709-6004
Statewide 24 hour toll free hotline	Off campus	24/7	Confidential	Connecticut Sexual Assault Crisis Services hotline 1 (888) 999-5545
Waterbury Hospital	64 Robbins St. Waterbury, CT	24/7	Confidential	Emergency care, including sexual trauma care. (203) 573-6500
Waterbury Police	255 E Main St. Waterbury, CT	24/7	Limited Confidential	Emergency- Call 9-1-1. Non-emergency call (203) 574-6911
Anonymous Reporting Form	<a href="http://go.post.edu/misconductreporting/Default.aspx">http://go.post.edu/misconductreporting/Default.aspx</a>	24/7	Anonymous	Your anonymous report will be sent to the Sexual Misconduct Response Coordinator

\* *Interpersonal Violence Response Team Members*

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## **Significant Threat to the Community**

In cases where the Responding Party poses a significant risk to the general safety of the campus community, the Title IX/Sexual Misconduct Response Coordinator will contact the Sexual/Gender-Based Misconduct Review Team. If this Team concludes that a significant threat exists, they will take necessary action to protect the community while preserving the Reporting Party's privacy, which includes, but is not limited to issuing a temporary ban to the Responding Party from Post University's campus.

## **Reporting to Law Enforcement**

Because sexual misconduct, intimate partner violence, and stalking may constitute both a violation of University policy and criminal activity, the University encourages students to report alleged incidents promptly to local law enforcement agencies. However, it is your decision whether or not to file a criminal report. We encourage you to seek out the support system that feels most appropriate and helpful. Criminal investigations may be useful in gathering relevant evidence, particularly forensic evidence. Because the standards for finding a violation of criminal law are different from the standards for finding a violation of University Policy, criminal investigations or reports are not determinative of whether sexual/gender-based misconduct, for purposes of this Policy, has occurred. In other words, conduct may constitute sexual/gender-based misconduct under this Policy even if law enforcement agencies lack sufficient evidence of a crime and therefore decline to prosecute.

The filing of a complaint of sexual/gender-based misconduct under this Policy is independent of any criminal investigation or proceeding, and the University will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and provide interim measures to protect the parties and the University community, if necessary.

## **Law Enforcement Process**

When the police arrive, they will take a statement and ensure that you are physically safe. The police will also interview you about what happened. This may be difficult, but it is very important in order to complete a police report. The interview is conducted in private, but you can request to have a friend or another supportive person accompany you if you wish. The police will get as much information as possible about the incident and investigate the case further.

Once an investigation is completed, the police refer the case to the District Attorney's office. The District Attorney's office decides whether or not your case will be prosecuted by considering factors such as the amount of evidence available to prove the charge(s) in court.

## **Student Conduct Process for Sexual/Gender-Based Misconduct**

### ***Definitions of Participants***

- a. *Reporting Party*: The person filing a complaint of a violation of the Sexual/Gender-Based Misconduct Policy by another student, employee, or civilian.
- b. *Responding Party*: The student accused of violating the Sexual/Gender-Based Misconduct Policy.
- c. *Trained Sexual/Gender-Based Misconduct Support Person for the Reporting Party (Support Person)*: The Support Person is a Post Community staff or faculty member appointed by the Sexual Misconduct Board Chair who is trained to support the Reporting Party and to provide information regarding the University's Sexual Misconduct Policy and the Campus Conduct process.
  - Support Persons are available at the request of the Reporting Party.
  - Reporting Parties may choose from a diverse list of potential Support Persons and may switch at any point should they choose.
  - While students can elect not to use a Support Person, students are strongly encouraged to choose and to work with a Support Person.
  - The Support Person may assist the Reporting Party throughout the Campus Conduct Process, including being present at the conduct hearing. Support Persons may not speak at the conduct hearing.
  - In consultation with other University officials or faculty members where appropriate, a Support Person may assist in arranging accommodations which may include:
    - Change of on-campus student housing to different on-campus location
    - Exam (paper, assignment) rescheduling
    - Taking an incomplete in a class

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- Transferring of sections
  - Alternative course completion options
  - Change of work arrangements
  - Change of campus transportation options
  - No contact orders
- d. *Trained Sexual/Gender-Based Misconduct Support Person for the Responding Party (Support Person):* The Support Person is a Post Community staff or faculty member appointed by the Sexual/Gender-Based Misconduct Board Chair who is trained to support the Responding Party and to provide information regarding the University's Sexual/Gender-Based Misconduct Policy and the Campus Conduct process.
- Support Persons are available at the request of the Responding Party.
  - The Responding Party may choose from a diverse list of potential Support Persons and may switch Support Persons at any point should they choose.
  - While students can elect not to use a Support Person, students are strongly encouraged to choose and to work with a Support Person.
  - The Support Person is trained to help the student understand the nature of the formal complaint and to discuss the Policy and all processes involved.
  - The Support Person assists the Responding Party to understand the alleged violation of the Policy, the severity of the accusations against them, the process, and all possible sanctions.
  - The Support Person may assist the Responding Party throughout the Campus Conduct Process, including being present at the conduct hearing. Support Persons may not speak at the conduct hearing.
  - In consultation with other University officials or faculty members where appropriate, a Support Person may assist in arranging accommodations which may include:
    - Change of on-campus student housing to different on-campus location
    - Exam (paper, assignment) rescheduling
    - Taking an incomplete in a class
    - Transferring of sections
    - Alternative course completion options
    - Change of work arrangements
    - Change of campus transportation options
    - No contact orders
- e. *Advisor:* The Reporting Party and the Responding Party may each bring an Advisor to the Hearing. The Advisor is an ally who provides comfort and helps the Reporting Party or Responding Party. The Advisor may be any member of the Post University community (student, faculty, or staff) or an outside party. The Advisor may be an attorney. The selected Advisor must meet with the Sexual/Gender-Based Misconduct Board Chair prior to the Hearing. The selected Advisor may attend any informal or formal meeting; however, they may not participate in the Hearing.
- f. *Sexual/Gender-Based Misconduct Board:* The Sexual/Gender-Based Misconduct Board (herein Board) consists of five trained Post University faculty and/or staff members in addition to the Board Chair. All Board Members receive annual training regarding the dynamics of sexual misconduct, stalking and interpersonal violence, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the University's policies and procedures.

Sexual/Gender-Based Misconduct Review Team: This Review Team is comprised of three trained Board members. This Team may institute an interim suspension, elevate the level of resolution, or take other remedies if a situation poses a significant threat to the campus community.

- g. *Title IX/Sexual/Gender-Based Misconduct Response Coordinator (or Deputy):* The Title IX/Sexual Misconduct Response Coordinator (herein Coordinator) manages the day-to-day responsibilities associated with the University's Title IX compliance, the Violence Against Women Act, and Connecticut State Statutes regarding gender-based misconduct. The Coordinator ensures that students are aware of their rights as well as support services in regard to gender-based misconduct. The Coordinator also collects the relevant facts related to the reported incident, and assesses whether a further review or investigation is necessary in order to ensure the safety of the impacted student and the community. If the Reporting Party decides to file a formal complaint, the Coordinator, as a neutral party, will investigate the incident; notify

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and interview the Reporting Party, the Responding Party, and witnesses; obtain and review relevant documents; and present the Investigation Summary at the Sexual Misconduct Board Hearing. The Investigation Summary will make no findings, conclusions or recommendations.

The Coordinator also receives annual training regarding the dynamics of sexual misconduct, stalking and interpersonal violence, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, and the application of the preponderance of the evidence standard, as well as the University's policies and procedures.

### **Timeframe for Reporting**

There is no time limit on reporting or filing complaints of policy violations, although the University's ability to respond fully may be limited with the passage of time. If the Responding Party is no longer affiliated with the University (e.g., the report is made after the student has left or graduated), the University will provide reasonably available remedial measures to assist the Reporting Party in identifying external reporting options, and may take other appropriate action.

Upon receipt of a report, the University will impose reasonable and appropriate interim measures designed to eliminate the hostile environment and protect the parties involved. The University will make reasonable efforts to communicate with the parties to ensure that all safety and emotional and physical well-being concerns are being addressed. Interim measures may be imposed regardless of whether formal disciplinary action is sought by the Reporting Party or the University.

A Reporting Party or Responding Party may request a No Contact Order or other protective measure, or the University may choose to impose interim measures at its discretion to ensure the safety of all parties, the safety of the broader community, and/or the integrity of the process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The University will take immediate and responsive action to enforce a previously implemented measure. Interim measures will be kept private, to the extent that maintaining the confidentiality would not impair the ability of the University to provide the interim measures.

### **Range of Interim Measures**

Interim measures will be implemented at the discretion of the University. Potential remedies, which may be applied to the Reporting Party and/or the Responding Party, include:

- Providing access to counseling services and assistance in setting up an initial appointment, both on and off campus.
- Imposing a No Contact Order between parties.
- Rescheduling of exams and assignments (in conjunction with appropriate faculty).
- Providing alternative course completion options (with the agreement of the appropriate faculty).
- Changing a class schedule, including the ability to take deferral, drop a course without penalty or transfer sections (with the agreement of the appropriate faculty).
- Changing a work schedule or job assignment.
- Changing an on-campus housing assignment.
- Providing assistance from University support staff in completing housing relocation.
- Limiting an individual or organization's access to certain University facilities or activities pending resolution of the matter.
- Providing a voluntary leave of absence.
- Providing an escort to ensure safe movement between classes and activities.
- Providing access to medical services.
- Providing academic support services, such as tutoring.
- Assisting with transportation needs.
- Imposing interim suspension or leave.
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

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### **Interim Suspension or Leave**

Where the report of sexual harassment, sexual violence, stalking, or intimate partner violence poses a substantial and immediate threat of harm to the safety or well-being of an individual or members of the campus community, or to the performance of normal University functions, the University may place a student on interim suspension. Pending resolution of the case, the individual may be denied access to campus, campus facilities and/or all other University activities or privileges for which the individual might otherwise be eligible. When interim suspension or a leave is imposed, the University will make reasonable efforts to complete the investigation and resolution within an expedited time frame.

Students may be placed on interim suspension at the discretion of the Sexual/Gender-Based Misconduct Review Team.

### **Sexual/Gender-Based Misconduct Reporting Resolution**

#### ***Meeting with Title IX/Sexual Misconduct Coordinator***

Upon receipt of any allegation of sexual/gender-based misconduct, the Title IX/Sexual Misconduct Coordinator (herein Coordinator) will schedule a meeting with the Reporting Party. At the meeting, the Coordinator will provide the Reporting Party with a general understanding of this Policy and identify forms of support or immediate interventions available to the Reporting Party. This may involve accommodations regarding the Reporting Party's housing, academic schedule, University employment or transportation options, and other protective remedies outlined in the Interim Measures section above. This also includes No-Contact orders.

The Reporting Party has the right to choose how to proceed after the report has been made. There are internal options within the University as well as options with local law enforcement. The Reporting Party has the right to decide upon the course of action to be taken after the report has been filed. The Reporting Party may seek a Formal or Alternative resolution or request confidentiality and/or no resolution.

The University will endeavor to honor the resolution choice of the Reporting Party to the extent permitted by law. Post will balance the needs of individuals involved with its obligation to protect the safety and wellbeing of the community at large. In exceptional cases, such as cases threatening community safety, the University may make a determination that further action is required even if the Reporting Party desires no action or an informal, remedies-based resolution. As set forth in the Sexual Misconduct and Harassment Policy, reports of sexual misconduct undergo a Title IX Review to determine the appropriate response in such cases. In such circumstances, the reasons and the steps the University will take will be explained to the Reporting Party.

In making this determination, the University may consider:

- The seriousness of the alleged conduct.
- The respective ages and roles of the Reporting Party and Responding Party,
- Whether there have been other complaints or reports of harassment or misconduct against the Responding Party.
- The rights of the Responding Party to receive notice and relevant information before disciplinary action is sought.
- If circumstances suggest there is an increased risk of the Responding Party committing additional acts of sexual misconduct or other violence.
- Whether the Responding Party has a history of arrests or records from a prior school indicating a history of violence.
- Whether the alleged perpetrator threatened further sexual violence or other violence against the student or others.
- Whether the sexual misconduct was committed by multiple perpetrators.
- If the circumstances suggest there is an increased risk of future acts of sexual misconduct under similar circumstances.
- Whether the sexual violence was perpetrated with a weapon.
- Whether the school possesses other means to obtain relevant evidence.

The Title IX/Sexual Misconduct Coordinator in consultation with the Sexual/Gender-Based Misconduct Review Team will balance the Reporting Party's request with its obligation to provide a safe and non-hostile environment

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for the campus community.

The University will respond to the report in a prompt, impartial, procedurally fair, and effective manner. Upon receipt of a report, the University will strive to complete the investigation and adjudication processes (excluding the appeal process) within sixty (60) calendar days.

### ***Alternative or Remedies-Based Resolution***

The Alternative Resolution is a remedies-based, non-judicial approach designed to eliminate a hostile environment without taking formal disciplinary action against a Responding Party. The Reporting Party may request an Alternative Resolution and Formal Resolution. Where the Title IX Coordinator concludes that an Alternative Resolution may be appropriate, the University will take immediate and corrective action by applying individual and community measures designed to maximize the Reporting Party's access to educational, extracurricular, and/or University employment activities and to eliminate a hostile environment. Examples of such remedies are detailed in the Interim Measures section outlined above. (See Interim Measures) Other potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Responding Party and/or indirect action taken by the Title IX Coordinator, Deputies, or University. Depending upon the form of the Alternative Resolution used, it may be possible to maintain the Reporting Party's anonymity.

The University will not compel a Reporting Party to engage in mediation or a restorative justice process, to directly confront the Responding Party, or to participate in any particular form of an Alternative Resolution. Mediation, even if voluntary, **may not** be used in cases involving sexual violence or assault. The decision to pursue an Alternative Resolution will be made when the University has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in an Alternative Resolution is voluntary, and a Reporting Party may request to end the Alternative Resolution at any time.

The Title IX Officer will maintain records of all reports and conduct referred for an Alternative Resolution. An Alternative Resolution will typically be completed within thirty (30) business days of the initial report.

### **Appeal Procedure for Interim Measures or Alternative/Remedies-Based Resolution**

#### ***Basis and Process for Appeal***

The written appeal will be submitted to the Dean of Students or designee within 48 hours of notice of a decision and must include specific grounds the student considers appropriate to support his/her challenge of the interim suspension. The appeal must establish that:

- a. There was a material and prejudicial departure from the procedures set forth in these guidelines, and/or
- b. The evidence presented clearly does not support the decision, and/or
- c. The sanction imposed is not consistent with the gravity of the offense

The person reviewing the written appeal must render a decision within one (1) week of receiving the written request. The status from the initial decision remains in effect until the review and final decision are rendered. However, the Dean of Students may, in special circumstances where he/she believes the student's academic standing or well-being may be jeopardized, suspend the sanctions until the decision about the appeal is rendered and communicated to the student.

#### ***Formal Resolution***

If the Responding Party is a currently enrolled student, any person who has experienced an incident of sexual/gender-based misconduct may file a formal complaint with the Title IX and Disability Coordinator, Jennifer Labate ((203) 596-6027) or Deputies Karin Mann ((203) 596-4669) or Crystal Vuole ((203) 596-4553). Incident reports can be found in Human Resources, Residence Life, the Counseling Center, Health Services, Academic Affairs, and in the Drubner Fitness Center. The complaint shall contain a concise statement of the alleged violations of the Sexual Misconduct Policy and a detailed statement of the facts supporting the alleged violations. Although there is no time limit on the filing of a formal complaint with the University, the University strongly encourages a prompt filing so that a more satisfactory and complete investigation can be conducted.

Filing a formal complaint launches an investigation into the sexual/gender-based misconduct violation. The Sexual Misconduct Board will hear the case and make a determination.

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### ***Responding to a Formal Complaint***

The Responding Party shall receive written notification of the filing of a formal complaint, along with a copy of the formal complaint, after the Title IX/Sexual Misconduct Response Coordinator has received the complaint. The Responding Party must arrange and meet with the specified Sexual Misconduct Board Chair or designee within three (3) business days after receiving the complaint in order to discuss the nature of the complaint, the rights and responsibilities of the Responding Party, and the Hearing process. The Responding Party shall receive a written copy of this policy at that time.

A Trained Sexual Misconduct Support Person and/or Advisor may accompany the Responding Party to the meeting with the Sexual Misconduct Board Chair. If the Responding Party fails to arrange and meet with the Sexual Misconduct Board Chair, the complaint will be determined by the Board for adjudication.

### ***Prehearing Process***

- The University reserves the right to extend any time periods identified in this policy in accordance with the law.
- Once the Responding Party has been notified of the formal written complaint, the Reporting Party and Responding Party will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.
- All relevant reports and documents are to be made available to the Responding Party and Reporting Party once they are prepared and no later than three (3) business days prior to the Hearing.
- The Responding Party and Reporting Party have the right to petition that any member of the Sexual Misconduct Board be removed on the basis of bias at least three (3) days prior to the Hearing.
- Each Board Member must indicate to the Sexual Misconduct Board Chair within three (3) days prior to the Hearing whether they have knowledge of the participants in the case that may impair – or may be perceived to impair – their ability to hear and determine a case impartially, and to recuse them if their participation might compromise the integrity of the Hearing process.
- One (1) week prior to the Hearing, the Responding Party and Reporting Party will be informed in writing of the date and time of the Hearing.
- The Responding Party and Reporting Party shall have the opportunity to make a request to the Sexual Misconduct Board Chair for witnesses to testify on their behalf. The Sexual Misconduct Board Chair shall determine which witnesses shall testify based on the relevance of their testimony.
- The Responding Party and Reporting Party must notify the Sexual Misconduct Board Chair of any advisors, support people, and witnesses attending the Hearing five (5) business days prior to the Hearing.
- Any additional scheduling requests must be directed to the Sexual Misconduct Board Chair to be determined.
- If a sexual misconduct case is also being heard by a civil or criminal court, the University retains the right to hear the case regardless of the timing of the civil or criminal case, and to implement appropriate actions (such as No Contact Orders, removal from campus residence facilities, removing a student from a class or classes or Interim Suspension, and changing campus transportation and/or working arrangements) to maintain the safety of the campus.
- The Campus Conduct Process shall be private to the extent possible and as allowed by law.
- The University will attempt to schedule a hearing within fifteen (15) business days after the Responding Party has received the formal complaint.

### ***Rights of the Reporting Party***

- The right to request a No Contact Order against a student who presents a danger to the welfare of the Reporting Party or others.
- The right to be assisted by a Trained Sexual Misconduct Support Person and/or Advisor throughout the Campus Conduct Process.
- The Sexual Misconduct Board Chair is available to inform the Reporting Party of legal and other appropriate off-campus resources.
- The right to seek outside remedies, such as local law enforcement agencies and Safe Haven.
- The right to provide a written Impact Statement to be read by the Board at the conclusion of the Hearing provided the Responding Party was found to have violated the Sexual Misconduct Policy, and to have that statement considered by the Board in determining its sanctions.

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- For the Reporting Party, alternative testimony options will be provided. Options include, placing a privacy screen in the Hearing room, digital conferencing, or other options that provide a safe space for participation while not depriving the Responding Party of their rights in the process.

### ***Rights of the Responding Party***

- The right to be assisted by a Trained Sexual Misconduct Support and/or Advisor throughout the Campus Conduct Process.
- The Sexual Misconduct Board Chair is available to inform the Responding Party of legal and other appropriate off-campus resources.
- The right to provide a written Impact Statement to be read by the Board at the conclusion of the Hearing provided the Responding Party was found to have violated the Sexual Misconduct Policy, and to have that statement considered by the Board in determining its sanctions.

### ***Rights of Both the Reporting Party and Responding Party***

- All parties involved in a sexual misconduct complaint process have the right to a prompt, fair, and impartial investigation and resolution of the complaint.
- The right to have a hearing.
- The right to have a Trained Support Person, Advisor or Attorney present during the Hearing, provided that these parties do not cause the meeting to be delayed or postponed. (The Reporting Party and Responding Party have the right to consult with an attorney at their own expense.) The Support Person, Advisor or Attorney can participate in the sexual misconduct campus conduct process, in an advisory capacity, but may not take part directly in the Hearing itself, though the student may request reasonable breaks to confer with their respective Support Person, Advisor or Attorney.
- The right to request that disciplinary procedures begin promptly and are conducted by a University Official trained in issues related to sexual/gender-based misconduct.
- The right to receive written notice of the outcome and sanction(s) of the Sexual Misconduct Board Hearing.
- The right to appeal the finding and sanction of the Sexual Misconduct Board in accordance with the provisions of this policy.
- The right to petition that any member of the Sexual Misconduct Board be removed on the basis of bias.
- The right to bring a Trained Support Person and/or Advisor to all phases of the investigation and hearing.
- The right to present relevant witnesses to the Sexual Misconduct Board, including expert witnesses.
- The rights to have the University compel the presence of student, faculty and staff witnesses.
- The right to be present for all testimony given and evidence presented before the Sexual Misconduct Board.
- The right to be free from retaliation.
- The Reporting Party and the Responding Party are entitled to be informed in writing of the results of the disciplinary proceeding no later than 1 business day after it concludes and have their identities kept private, except as necessary to carry out a disciplinary proceeding or as permitted under state or federal law.
- Post University shall not disclose the identity of the Reporting Party or the Responding Party, except as necessary to carry out a disciplinary proceeding or as permitted under state and federal law.

### **Special Procedures**

1. *False Reports:* The University will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.
2. *Leniency:* For the Reporting Party: The University encourages reporting of incidents of sexual misconduct. Sometimes, Reporting Parties are hesitant to make reports because they fear that they may be charged with violations of the Student Code of Conduct, such as underage drinking at the time of the incident. To encourage reporting of sexual misconduct incidents, the University will exercise leniency towards a Reporting Party with respect to taking action for other violations of the Student Code of Conduct.

For the Good Samaritan: The welfare of students in our community is paramount. At times, students on and off campus may need assistance. The University encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to assist another student

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who experienced an incident of sexual misconduct.) The University will exercise leniency towards the Good Samaritan with respect to taking action for other violations of the Student Code of Conduct.

3. *Notification of Determination:* The determination made after a hearing is part of the education record of the Responding and Reporting Party, and is protected from disclosure under federal law. However, there are two exceptions as follows:
  - Reporting Parties shall be informed of the formal complaint against the Responding Party, the determination made after a hearing, and any sanctions imposed.
  - Students who bring any sort of sexual misconduct complaint against faculty or staff will be informed of the determinations made and sanction imposed.
4. *Past Sexual History/Character:* If, in the past, a Responding Party was found to have violated the Sexual Misconduct Policy (“Past Violation”), the information related to the Past Violation may be considered by the Hearing Board if:
  - The previous violation was substantially similar to the present complaint; and
  - The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the Responding Party.

### **The Hearing**

- The Sexual Misconduct Board Chair shall assemble a Board of five trained members of Post’s administration and/or faculty to hear sexual conduct cases. Each Board shall be composed of representatives of both genders.
- All hearings shall be closed to the public.
- All hearings will be audio-recorded. A digital file will be made available to the Reporting Party and/or Responding Party in the event a request for an appeal is filed.
- With the exception of the official audio recording of the Hearing, cell phones and electronic devices are prohibited from the Hearing room.
- Board Members shall be provided with access to written information and evidence at least 72 hours prior to the Hearing.
- The Responding Party and Reporting Party may be accompanied by their Support Person and/or Advisor. The Support Person and Advisor are present to act as counselors and to support the Responding Party and Reporting Party, and to provide advice on procedural matters. The Support Person and Advisor do not have speaking privileges during the Hearing. A hearing will not be cancelled or postponed in the event a scheduled Support Person or Advisor does not attend. If the scheduled Support Person or Advisor is not able to attend, the Reporting Party/Responding Party should arrange for a substitute.
- If the Responding Party or Reporting Party fails to appear at the Hearing, the matter will be resolved in their absence.
- Witnesses may be present at the Hearing only at the time they are called to testify. A hearing will not be canceled or postponed if a scheduled witness does not attend.
- Individuals testifying before the Board may not communicate with each other during the Hearing process.
- The Board, if approved by the Chair, shall consider written and notarized statements of witnesses not in attendance due to extraordinary circumstances.
- In making its determination, the Board shall consider only the evidence admitted at the Hearing and the admission of evidence shall be within the discretion of the Board.
- At the start of the Hearing, the Chair shall ask the Responding Party if they have received the formal complaint, and if they understand the nature of the formal complaint.
- The Title IX/Sexual Misconduct Response Coordinator will present the formal complaint along with the information obtained through the investigative process to the Sexual Misconduct Board. The Hearing Board shall consider only the information and evidence related to the alleged violations set forth in the formal complaint.

The remainder of the Hearing shall customarily proceed in the following order:

1. Opening statement from Reporting Party.
2. Opening statement from Responding Party.
3. Board questioning of Reporting Party and Responding Party.
4. Board questioning of witnesses (each witness will be questioned separately).
5. Reporting Party and Responding Party questioning of witnesses (each witness will be questioned separately then excused).

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6. The chair will facilitate questions by the Reporting Party and Responding Party.
  7. Final questions from the Board.
  8. Reporting Party's closing statement.
  9. Responding Party's closing statement.
- The Board will deliberate in private and make an appropriate determination based on the information and evidence presented during the Hearing.
  - The Board, by majority decision, will determine whether or not the Responding Party violated the Sexual Misconduct Policy as alleged in the formal complaint by finding either: "Did violate" or "Did not violate" the Sexual Misconduct Policy. The Board's determination shall be based on a "Preponderance of the Evidence" standard that means, "It is More Likely than Not" that a violation of the Sexual Misconduct Policy occurred.
  - If the Board renders a determination of "Did violate", the Board will review the Impact Statements provided by the Reporting Party and Responding Party and will recommend a sanction consistent with those specified in the Post University Code of Conduct.
  - The Board shall have one business day to render a decision.
  - The Title IX and Disability Coordinator will notify both the Reporting Party and Responding Party in writing of the Board's decision.

### Formal Appeal Process

- Both the Reporting Party and the Responding Party may file a written appeal of the Board's decision. The appeal must be based on one or more of the following:
  - New information directly related to the case that was unavailable during the investigation period or during the Hearing itself that would materially impact the decision.
  - Procedural error that might have affected the decision.
  - Sanction imposed is disproportionate to the violation.
  - An evidentiary error, such as the refusal to hear material evidence or reliance upon clearly in appropriate and/or prejudicial evidence, which may have had an effect upon the outcome of the proceedings.
  - Clear and convincing evidence that the investigator's findings were arbitrary and capricious, that the investigator had a conflict of interest or a bias against one of the parties.
- The purpose of the appeal is not to rehear the underlying case; rather, it is to determine if there is sufficient information presented to allow reconsideration of the Hearing Board's decision.
- Appeals must be made, in writing, to the Dean of Students within five (5) business days of the notification of the decision.
- The Dean of Students may decide the appeal or ask the original Hearing Board to reconsider the case based on new information presented that was unavailable prior to the Hearing.
- The Dean of Students will review the appeal and render its decision within five (5) business days after receiving the notice of appeal.
- The decision of the Dean of Students is final.

### Official University Sanctions

1. *Formal Verbal Warning*: A verbal statement to a student about their violation of University policies.
2. *Disciplinary Warning*: A written notice to a student indicating that specific behavior or activity is in violation of University policies.
3. *Campus Restrictions*: Loss of designated campus privilege(s).
4. *Community Service*: Mandated service hours on campus or with off-campus business organizations.
5. *Education*: Mandated educational course with professional staff for a period determined by the University's designee.
6. *Disciplinary Probation*: A designated period in which a student is formally put on notice for his/her behavior, while not severe enough to warrant expulsion, was severe enough to warrant a serious course of action. While on Disciplinary Probation, a student may be subject to expulsion should additional infractions occur. Disciplinary Probation is a status that may include periodic reporting sessions with an appropriate administrator, loss of privilege to represent the University or attend University activities.
7. *Residence Hall Reassignment*: Mandatory reassignment from one residence hall to another for inappropriate behavior. Loss of visiting privileges in the former building may accompany this sanction.

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8. *Residence Hall Suspension*: The University reserves the right to suspend a student's Housing Agreement for any specified period. This period may range from one day to one semester or more.
9. *Residence Hall Dismissal/Ban*: Dismissal and/or ban from the University residence halls. Students must apply for re-entry to the Dean of Students or their designee.
10. *Institutional Suspension*: Disciplinary suspension of a student's registration for a specific period. Residential students' Housing Agreements are also suspended during this time. Students removed from the University for conduct that presented a threat to themselves, other persons, or property may not re-enter without prior approval from the Dean of Students.
11. *Institutional Dismissal*: Attendance at the University is terminated, constituting the maximum disciplinary penalty. Students are banned from all campus facilities, grounds and events. Only the Vice President or their designee may grant re-admission.
12. This Sexual/Gender Based Misconduct Policy contains the most current university language in compliance with the laws of the State of Connecticut, the United States Department of Education's Office of Civil Rights Title IX Amendments, and the Violence Against Women Act.

### **Awareness, Bystander Intervention, Prevention, and Risk Reduction**

Post University educates the student community about sexual misconduct through first year student orientations, programs listed below and throughout the year regarding. Literature on Sexual Misconduct is available through the Office of Residence Life, Health Services, Counseling Center, Associate Experience Team, and across the campus.

### **Gender-Based Sexual Misconduct/Dating Violence Programming for 2017**

ATIXA Level 2 Investigator Training and Certification course for Sexual Misconduct Board Members. The course emphasized practical skills that Title IX Coordinators, Administrators and Deputies need to fulfill their duties and hone their expertise. The course explored key topics and provided participants with greater intentionality and skill building through case study and scenario discussions.

- Sexual Misconduct Board training, led by Djuna Perkins, who provided a comprehensive Title IX overview. Her three hour presentation was comprised of lectures, discussions, exercises, policy exploration and mock scenarios. The Sexual Misconduct Board also received webinar training, including: Peter Lake on Title IX Under Our New Administration; and Due Process: Ensuring Fair & Just Procedures in Student Conduct Proceedings.
- Resident Assistant Training on Sexual/Gender-Based Misconduct, including discussion of their roles as Responsible Employees/Mandatory Reporters; comprehensive overview of Title IX; misconceptions about sexual assault; clarification of consent; first responder tactics; and support services for survivors.
- Orientation Training for new students by Reality Check: A Title IX Prevention Program game show. Students engaged in a competition to correctly answer questions on sexual assault, dating violence and domestic violence, and then received instruction and clarification on these issues.
- Guest Speaker Robert Hackenson, Jr. presented, "Sober Thoughts," a program on Alcohol Awareness, which emphasized the impact that underage or excessive drinking has on victims, family and friends, and how one's choices affect lives.
- Title IX Coordinator Training: Campus-Wide Approach to Sexual Assault Prevention webinar; Sexual Violence Dynamics and Intervention Strategies workshop; Culture of Respect: Helping Colleges End Sexual Violence on Campus webinar; Building Your Exemplary Sexual Assault Prevention Plan webinar; Intersections of Anti-LGBTQ Bias and Sexual Violence workshop; Are We In Oz?: The State of Sexual Assault on College Campuses webinar; UVM Conference on Legal Issues in Higher Education; and Preventing the Perpetration of Campus Sexual Violence workshop.
- Employee Training program: Preventing Harassment and Discrimination in the Workplace.
- Safe Haven of Greater Waterbury representative stationed weekly in Leever Student Center to answer questions regarding domestic violence, distribute informational materials and provide service referrals.
- Safe Haven of Greater Waterbury workshop on Healthy versus Unhealthy Relationships, Myths vs Facts, and Slut Shaming.
- Donation Drive held to collect items for Safe Haven of Greater Waterbury, to assist with the needs of domestic violence survivors.
- Domestic Violence & Violence Against Women Social Justice Dialogue Series, including a presentation by the Susan B. Anthony Project, which promotes safety, healing, and growth for all survivors of domestic and sexual abuse and advocates for the autonomy of women and the end of interpersonal violence.

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- City of Waterbury Department of Public Health presentation on safe sex and the prevention of STD's and HIV, including the distribution of condoms to students.
- Dirty Bingo was a fun filled night of prizes and safe sex facts.
- Sex in the Dark, an event where students anonymously submitted questions about sex practices and received answers by Residence Life staff, in addition to condoms, candy and prizes.
- Presentation by Jane Doe No More, an organization dedicated to raising society's awareness of sexual assault and its effects on the victims, their families and society. In collaborating with colleges, universities and law enforcement, they seek to heighten awareness about sexual assault on campuses nationwide and change the perceptions of and behavior toward victims.
- Presentation by the Connecticut Alliance to End Sexual Violence to promote healthy environments and behaviors that can reduce the likelihood and frequency of sexual assault and domestic violence.
- One Love Foundation Escalation Workshop, a film based discussion that opened student's eyes to the warning signs of relationship abuse.
- Telling Their Stories: Domestic Violence Discussion Panel. A panel of survivors, family members and advocates discussed their experiences with domestic violence and abuse.
- Talk About It!: student-led event to discuss sexual misconduct and its prevention.
- World AIDS Day Bingo to raise money for AIDS related charities and raise awareness of safe sex practices
- Wonderful World of Wellness Days, including free and confidential STD and HIV Testing on campus
- Counseling 101 with Resident Assistants: Overview of Counseling Center and training on mental health, sexual misconduct and substance abuse issues.
- "Women's Rights & Systems of Sexism, Racism, Classism and Homophobia": a social justice dialogue discussion on women's rights and issues.
- Women's Leadership Panel held to bring awareness to sexism and structural oppression.
- Sexual/Gender-Based Misconduct Policy Brochures distributed in Orientation packets; placed in all academic, administrative and residential buildings; and found in Post University Student Handbook and on Post University website.
- Blue light emergency call boxes placed throughout campus grounds, with immediate link to Campus Safety and Security and automatic location identification.

### **REGISTERED SEX OFFENDERS INFORMATION**

Post University is located in two towns in Connecticut, Middlebury and Waterbury. For information about Sex Offenders who are registered with the State of Connecticut please follow these directions. For more information, go to the following computer address: [http://www.communitynotification.com/cap\\_main.php?office=54567](http://www.communitynotification.com/cap_main.php?office=54567). Read the information on this page and then click on Search for Offenders. In Town Name, search both Middlebury and Waterbury 800 Country Club Road. If you have any questions, please contact the Dean of Students at (203) 596-8527.

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### CRIME STATISTICS

Please note that the abbreviations below are as follows:

OC = on campus

OCSHF = on campus student housing facility

PP = public property

	2017				2016				2015			
	OC	OCHF	PP	Total	OC	OCHF	PP	Total	OC	OCHF	PP	Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	2	0	2	0	0	0	0	1	1	0	1
Fondling	0	0	0	0	1	1	0	1	1	1	0	1
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	1	1
Aggravated Assault	0	0	0	0	3	3	0	3	1	1	0	1
Burglary	5	5	0	5	5	2	0	5	7	6	0	7
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	12	12	0	12	5	5	0	5	17	17	0	17
Drug Law Arrests	0	0	0	0	0	0	0	0	0	0	1	1
Drug Law Disciplinary Referrals	21	21	0	21	23	23	0	23	7	7	0	7
Weapon Law Arrests	0	0	0	0	1	1	0	1	0	0	0	0
Weapon Law Disciplinary Referrals	1	1	0	1	0	0	0	0	0	0	0	0
	<b>Subtotal</b>			<b>41</b>	<b>Subtotal</b>			<b>38</b>	<b>Subtotal</b>			<b>36</b>
<b>VAWA Statistics</b>												
Domestic Violence	0	0	0	0	0	0	0	0	1	0	0	1
Dating Violence	0	0	0	0	4	4	0	4	4	4	0	4
Stalking	1	1	0	1	0	0	0	0	0	0	0	0
	<b>Subtotal</b>			<b>1</b>	<b>Subtotal</b>			<b>4</b>	<b>Subtotal</b>			<b>5</b>
	<b>TOTAL</b>			<b>42</b>	<b>TOTAL</b>			<b>42</b>	<b>TOTAL</b>			<b>41</b>

\* Public property is defined as local off site facilities utilized by Post University, which include Catalyst Health & Fitness, UMBERFIELD ROAD, and STRAITS TURNPIKE

# Post University Annual Security and Fire Report for 2018

## HATE CRIMES

Federal law requires that all hate crimes in the mandated categories be reported. Those crimes are further broken down by the nature of the bias; for example: race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and disability. The nature of these hate crimes are detailed in the chart below.

### Hate Crime Statistics

Please note that the abbreviations below are as follows:

OC = on campus

OCSHF = on campus student housing facility

PP = public property

Summary of Hate Crimes									
	2017			2016			2015		
	OC	OCHF	OC	OCHF	OC	OCHF	OC	OCHF	PP
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0

# Post University Annual Security and Fire Report for 2018

## FIRE SAFETY

### 2018 Annual Fire Safety Report - Fire Statistics for On Campus Housing Facilities

Summary of Fires									
	2017			2016			2015		
Name of Facility	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
Paparazzo Hall	0	0	0	0	0	0	0	0	0
Middle Hall	0	0	0	0	0	0	0	0	0
South Hall	0	0	0	0	0	0	0	0	0
East Hall	0	0	0	0	0	0	0	0	0
West Hall	0	0	0	0	0	0	0	0	0
Okinaga Hall	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	0

#### Description of On Campus Housing Fire Safety Systems

All campus housing, apartments, and residence halls have addressable fire alarm systems tied directly to Fire Department Emergency Dispatch along with sprinkler systems.

#### Fire Drills

All student occupied residence halls and apartments participate in mandatory fire drills. Seven (7) fire drills occurred in 2015, seven (7) fire drills occurred in 2016, and ten (10) fire drills occurred in 2017.

#### Building Evacuation

All residents and visitors are required to exit a building when a fire alarm sounds or if directed to do so by a University staff member. Fire drills are held regularly in the residence halls so that residents gain first-hand knowledge of the appropriate procedures to follow in the event that the alarm sounds. It is important that residents evacuate the building promptly and without panic. Individuals who do not cooperate with specified fire evacuation procedures may face disciplinary action and potential fines. Once outside, follow the directions of a University staff member. Please note that it is encouraged to use emergency exits during an evacuation.

#### Fire Procedures

In case of fire, please follow the steps below:

1. Immediately pull the fire alarm.
2. Dial 9-1-1 and provide the following information:
  - Location
  - Building name, room number, and floor number
  - Type of material involved (if known)
  - Description of the situations
  - Note if anyone is injured and request and ambulance if necessary
3. If it is a small fire and you are a designated persona trained on how to use a fire extinguisher, attempt to put the fire out (see small fire instructions in the subsection below)
4. If possible, turn off all ignition sources in the room before you leave.
5. When a fire alarm sounds, complete evacuation is required. Walk, do not run, to the nearest stairway exit and proceed to the ground level. Close doors as you leave. The alarm may not sound continuously. If the alarm stops, continue the evacuation and warn others who may attempt to enter the building after the alarm stops.
6. Do not use elevators during a fire emergency.

## Post University Annual Security and Fire Report for 2018

7. Leave the building and move away from it, leaving walks and drives open for arriving fire fighters. Proceed to prearranged assembly area (please see the Emergency Response and Evacuation section on page 3 for locations) for head count.
8. The professional staff member on call or associate who knows the area involved should meet the fire department.
9. Everyone must follow the orders of the fire and police departments when they arrive.
10. Notify fire fighters on the scene if you suspect that someone may be trapped inside the building.

### *Small Fires*

A small fire is defined as the approximate size of a waste basket. If a small fire is rapidly spreading, do not use an extinguisher. Only fight small fires if:

- You are familiar with the material that is on fire, understand all associated hazards, and feel comfortable dealing with it.
- You have the correct extinguisher for that material.
- Fire is small enough that it can be put out by an extinguisher.
- You are a designated person that has been properly trained to use a fire extinguisher.

Small fires can be extinguished without evacuation, but you must constantly evaluate and be ready to evacuate if the fire cannot be controlled. **Never enter a smoke filled room.**

### *Instructions on Fire Extinguisher Usage*

1. Maintain an accessible exit.
2. Avoid smoke and fumes.
3. Smother the fire or use the correct extinguisher.
4. If fire is NOT extinguished immediately, evacuate and get help.
5. Please notify the Facilities Department to replace the exhausted extinguisher.

### **Fire, Fire Alarms, and Fire Equipment**

Fire is a serious concern to the residential community. For the safety of all residents, specific guidelines and procedures have been implemented to adequately minimize the threat of fire, loss of life, and/or property damage due to fire. The University reserves the right to enter student rooms when an alarm sounds.

Fire alarm pull stations, smoke detectors, emergency exit signs, alarm units, sprinklers and fire extinguishers are located throughout the residence halls and are provided for use in emergency situations. These items are only to be used in the event of a fire. Tampering with and/or misuse of this equipment is a serious matter and will lead to disciplinary and legal action as well as a fine. All students in the residence hall will be charged for any fire equipment tampering if the person(s) responsible cannot be identified.

When closed, emergency exit doors keep fire and smoke from spreading. When the doors are propped open, their effectiveness is lost. Thus, a consistent effort must be made by all members of the residential community to keep these doors closed. Fire doors should be used for emergencies only. Any doors found propped will result in community fines.

### **False Alarms**

Post University follows the laws of the State of Connecticut in regards to the sounding of a false alarm. The following is a statement from Title 17A, Section 509 of the Connecticut Revised Statutes:

A person is guilty of false public alarm or report if:

1. He/she knowingly gives or causes to be given false information to any law enforcement officer, member of a fire fighting agency, including a volunteer fire department, or any other person knowing that such other is likely to communicate the information to a law enforcement officer or member of a fire fighting agency, concerning a fire, explosive or other similar substance which is capable of endangering the safety of persons, knowing that he has no information relating to the fire, explosive or other similar substance.
2. False public alarm is a Class D Crime.

### **Restricted Items**

Due to electrical limitations, fire codes, and general safety, certain items are not permitted to be used or stored in student rooms. Prohibited items include but are not limited to:

- Full size refrigerators
- Air conditioners
- Hot plates/hot pots/open coil burners
- Stoves or fryers (unless used in designated kitchen area)

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- Any appliance not UL labeled
- Space heaters
- Immersion heaters
- Extension cords or outlet strips (unless surge protected, grounded, or insulated)
- Toasters/toaster-oven-broilers (unless used in designated kitchen area)
- Dart boards
- Lofts
- Water beds and 'kiddie' pools
- Torchiere lamps with non-fluorescent bulbs
- Any items hanging from the ceiling, fire equipment, or sprinklers
- Candles, with or without wick
- Multiple outlet plugs (unless surge protected, grounded, or insulated)
- Incense, either burned or unused
- Stored flammables (gasoline, lighter fluid, charcoal, propane tanks, etc.)
- Hover boards
- Motorized bikes or other combustible engines
- Live holiday trees or wreaths
- Dangerous and flammable room decorations
- Weapons

### **Food Preparation and Cooking**

Limited cooking is allowed within the confines of traditional residence hall rooms. Due to the electrical structure of the residence halls, the only acceptable appliances within residence hall rooms are coffee makers, hot air popcorn poppers, teapots, blenders, and small microwave ovens. Indoor grills (i.e: George Foreman™) are only to be used in residence hall kitchens, not in individual rooms. All other appliances are considered fire hazards and are prohibited.

Any prohibited appliances found within a residence hall room will be confiscated and any student found in violation of this policy (or in possession of a prohibited appliance) will be subject to disciplinary action. Special exceptions to this may occur only with written permission obtained from the Residence Director and the Dean of Students.

### **Fire Safety Training**

Basic fire safety instruction is provided to all students each year who live in the residence halls during their all hall meetings at the beginning of each semester. The Residence Life staff also receives fire safety training during their fall spring trainings each year.

### **Fire Reporting**

For purposes of including a fire in the statistics in the annual fire safety report, students and associates should report that a fire occurred to Campus Security, Residence Life, Facilities, and the Dean of Students. **For emergency response, call 9-1-1.**

### **Plan for Future Improvements**

Post University will continue hosting fire drills and fire safety programming to ensure that all students and associates are properly educated on campus evacuation policies. This will be formed through Resident Assistant programming and campus wide event initiatives.