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# Post University

## Annual Security and Fire Safety Report for 2022-2023 Academic Year

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Includes Policy Statements for the 2022-2023 Academic Year and  
Jeanne Clery Disclosure of Campus Security Policy,  
Campus Crime Statistics, and Fire Safety for the Calendar Years  
2019, 2020, and 2021

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# Post University Annual Security and Fire Safety Report for 2022-23

## FOREWORD

This document is the Post University Annual Security and Fire Safety Report.

It is the policy of the University that all stakeholders including Post University employees, applicants for employment, students, and prospective students will be notified about the report as follows:

- All Post University students are notified through the electronic e-mail system and will be provided with the exact electronic address so they can access the report. This report will be distributed to their personal email as well as their Post University email.
- All employees will be notified through their Post University employee email account of the availability of the report along with the exact electronic address to an electronic version of the document.
- Prospective students that inquire about Post University will be directed to the exact electronic address for access to the report.
- Persons who apply for positions at Post University will be provided with the exact electronic address to access the report and are notified during the completion of their personal information in our ADP payroll system.
- Prospective Main Campus students and Accelerated Degree Program Students will be told about the report during the completion of an admissions application. They will also be provided the exact electronic address so they can access the report from the website.

In the notice, all persons above will also be provided a description of the report's contents in addition to the exact electronic address and will be told that a free hard copy of the report is available and how to obtain one. A hard copy of the report is kept in at least the following offices: Main Campus Admissions, Associate Experience Team, Accelerated Degree Program, Vice President of Student Experience and Dean of Students, Campus Safety and Emergency Management, Campus Life, and the Traurig Library. This report includes statistics for the previous three calendar years concerning reported crimes that occurred in its defined Clery geography including 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. A copy of this report is available by contacting the Office of the Vice President of Student Experience and Dean of Students, the Campus Safety Office, or electronically at the following webpage: <https://post.edu/student-services/campus-safety/security-report/>

Jeffrey Olsen  
Vice President of Student Experience and Dean of Students, Post University

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## SEPARATE CAMPUS

Post University complies with the requirements described in each section for each separate campus as listed in its Clery geography in accordance with 34 CFR. 668.46(d).

## POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

### Crime Statistics Reporting and Disclosure Requirement

In accordance with 34 CFR 668.46(c), An institution must report to the Department of Education, and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the specified crimes, as listed in Appendix A, B and C of this report, that occurred on or within its Clery geography and that are reported to local police agencies or to a campus security authority. The crimes are categorized as follows:

- Primary Crimes
  - Criminal homicide
    - Murder and nonnegligent manslaughter
    - Negligent manslaughter
  - Sex Offenses
    - Rape
    - Fondling
    - Incest
    - Statutory rape
  - Robbery
  - Aggravated Assault
  - Burglary
  - Motor Vehicle Theft
  - Arson
- Arrests and Referrals for Disciplinary Actions
  - Liquor law violations, drug law violations, and illegal weapons possession
- Hate Crimes
  - Primary crimes listed above
  - Larceny-theft
  - Simple assault
  - Intimidation
    - Destruction/damage/vandalism of property
- Dating Violence, Domestic Violence, and Stalking

The Community Director, who is responsible for compiling this information, prepares pertinent data derived from campus conduct cases and forwards it to the Director of Campus Safety. The Director of Campus Safety 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 inputted electronically by the Vice President of Student Experience and Dean of Students or the Dean's 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 security authorities (including, but not limited to, the Vice President of Student Experience and Dean of Students, department heads, Office of Campus Life personnel, academic advisors, student organization advisors, athletic coaches), and local law enforcement and fire protection agencies. 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 exact electronic address to access this report along with a description of the report will be sent no later than October 1 to all enrolled students and employees. By October 1, copies of the current report may be obtained at the Office of Campus Safety and Emergency Management or by calling (203) 596-4501.

Prospective students that inquire about Post University will be directed to the exact electronic address for access to the report. Persons who apply for positions at Post University will be provided with the exact electronic address to access the report and are notified during the completion of their personal information in our ADP payroll system. Prospective Main Campus students and Accelerated Degree Program Students will be told about the report during the completion of an admissions application. They will also be provided with the exact electronic address so they can access the report from the website.

### Recording Crimes

Post University must include in its crime statistics all crimes listed in 34 CFR 668.46(c)(1). These are included in the Crime Statistics Table as reported herein occurring on or within its Clery geography that are reported to a campus security authority for purposes of Clery Act reporting. In addition, campus crime, arrest, and referral statistics include those statistics reported by Campus Safety Officers as well as local law enforcement and fire prevention agencies. For purposes of Clery Act reporting, Clery Act reporting does not require initiating an investigation or disclosing personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

Post University will not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar non-campus official.

In accordance with 34 CFR 668.46(c)(2)(iii), Post University may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section of the stated requirement. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

Post University will report to the Department of Education and disclose in the statistics outlined in Appendix A, B and C of this annual security report the total number of crime reports listed in the Crime Statistics tables that were “unfounded” and subsequently withheld from its crime statistics during each of the three most recent calendar years disclosed.

Post University will record each crime statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority. Reports of stalking that include activities in more than one calendar year, will be recorded in the reported crime statistics for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

Post University will record hate crime statistics by category of bias. The categories of bias include the victim's actual or perceived race; gender; gender identity; religion; sexual orientation; ethnicity; national origin; and disability.

Crimes will be recorded by location as defined under Clery geography and described below:

- On-campus including all buildings and property that are part of Post University’s campus.
- In or on a non-campus building or property including any building or property owned or controlled by a student organization that is officially recognized by the institution. This includes facilities used for our Equine Program: Acer Avallach Farm in Southbury. This also applies to all satellite sites including Mason care in Wallingford and Ability Beyond Disability in Bethel.
- Public property defined as property within or immediately adjacent to and accessible from the campus. This includes Catalist Health & Fitness, UMBERFIELD ROAD, and STRAITS TURNPIKE.

For the crimes that occur on-campus, Post University will specifically identify the number that took place in dormitories or other residential facilities for students on campus.

The Director of Campus Safety prepares this report with the Vice President of Student Experience and

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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 Campus Life, and the Department of Student Life. Prior to preparing the Annual Security Report, the Director of Campus Safety sends a letter to the local law enforcement and fire protection agencies to obtain information on criminal offenses and arrests for inclusion in the crime statistics.

The Community Director responsible for compiling this information prepares pertinent data derived from campus conduct cases and forwards it to the Director of Campus Safety. The Director of Campus Safety 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 inputted electronically by the Director of Campus Safety and Emergency Management, Director of Title IX and Disability Services, the Vice President of Accreditation, and the Associate Director of Compliance Accreditation. 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 security authorities (including, but not limited to, the Dean of Students, department heads, Office of Campus 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, confidential basis, should they feel it is in the best interest of the individual.

Annually, an email notification that provides the link to access this report along with a description of the report will be made to all enrolled students and employees. Copies of the report may be obtained at the Office of Campus Safety and Emergency Management located in the Okinaga Hall – 1<sup>st</sup> floor left, or by calling (203) 596-4501. All prospective employees may obtain a hard copy of this report from the Associate Experience Team in Hess Hall and through the Post University website. Prospective students that inquire about Post University will be directed to the Post University website for access to the report. Persons who apply for positions at Post University will be provided with the website link to access the report and are notified during the completion of their personal information in our ADP payroll system. Prospective Main Campus students and Accelerated Degree Program Students will be told about the report during the completion of an admissions application. They will also be provided a direct electronic address so they can access the report from the website.

In reference to stalking incidents by location, Post University will record each report of stalking as occurring at only the first location within the institution's Clery geography. Recording of stalking reports is more specifically outlined in the following paragraph.

Post University will record each report of stalking as occurring at only the first location within the institution's Clery geography in which a perpetrator engaged in the stalking course of conduct; or a victim first became aware of the stalking. When recording reports of stalking that include activities in more than one calendar year, Post University will record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

In accordance with 34 CFR 668.46(c)(7), Post University will not include the identification of the victim, or the person accused of committing the crime.

In accordance with 34 CFR 668.46(c)(8) Post University is not required to report crime statistics for crimes reported to a pastoral or professional counselor. However, if and when they deem it appropriate, the pastoral or professional counselor will inform the persons they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Post does not have a pastoral counselor.

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In complying with the statistical reporting requirements of 34 CFR 668.46(c)(11), Post University will make a reasonable, good-faith effort to obtain statistics for crimes that occurred on or within the institution's Clery geography and may rely on the information supplied by a local or state police agency. If Post University makes such a reasonable, good-faith effort, it is not responsible for the failure of the local or state police agency to supply the required statistics.

### *FBI's UCR program and the Hierarchy Rule.*

Post University will compile the crime statistics for murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program.

Post University will compile the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program.

Post University will compile the crime statistics for the hate crimes of the primary criminal offenses plus the statistics for hate crimes involving larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

Post University will compile the crime statistics for dating violence, domestic violence, and stalking using the definitions provided in the "Programs to Prevent Dating Violence Domestic Violence Sexual Assault and Stalking" section.

In counting crimes when more than one offense was committed during a single incident, Post University will conform to the requirements of the Hierarchy Rule in the "Summary Reporting System (SRS) User Manual.

If arson is committed, Post University will always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.

If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, Post University will record both the sex offense and the murder in its statistics.

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

Post University contracts its Campus Safety officers through Securitas USA. Securitas USA personnel are "interaction and prevention" personnel. The Campus Safety officers will contact the professional staff member on duty as they respond to any situation where they may need additional help. The Campus Safety officers carry handcuffs, pepper spray, and have the authority to call the police, if necessary. The police, not Securitas USA guards, have arrest powers. The Campus Safety officers have an established relationship with the Waterbury and Middlebury Police Departments. The University does not have a memorandum of understanding with these agencies; however, the University does have a memorandum 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 of 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 students and others to report all criminal actions or other emergencies occurring on campus in a timely and accurate manner for safety, timely warning reports and the annual statistical disclosure.



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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, who are campus security authorities:

- Any Resident Assistant (assigned to all residence halls)
- Any Community Director, Leever Student Center – (203) 596-4540
- Vice President of Student Experience and Dean of Students, Torrence Hall – (203) 596-6174
- Director of Campus Safety, Okinaga Hall – (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) 574-6911
- Waterbury Fire Department, 235 Grand Street – (203) 574-6911

For crimes that occur in the campus Drubner Fitness Center:

- Middlebury Police Department, 200 Southford Road – (203) 577-4028
- Middlebury Volunteer Fire Department, 65 Tucker Hill Road – (203) 577-4036

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 at the end of this report.

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

The University has procedures for voluntary, confidential reporting of annual crime statistics through anonymous reporting. There is an anonymous complaint link on the University website that is monitored by the University's Title IX Coordinators. Victims or witness to a crime are encouraged to report what they know about the crime so that they are included in the crime statistics. Also, the Counseling Center provides confidential services with licensed counselors available for students. The Associate Experience Team offers an employee assistance program, which is a confidential service for employees through CompPsych Guidance Resources.

Members of the Post University community are encouraged to report immediately and accurately any criminal offense, suspected criminal activity, or other emergency directly to the Campus Safety officers or the law enforcement agency with jurisdiction where the incident is taking place or occurred. If an individual affected by a crime is unable to report to a Campus Safety officer or the law enforcement, we encourage prompt reporting to a campus security authority. Campus Safety officers will investigate reports in a timely manner, conduct thorough and impartial investigations, and submit cases to the local law enforcement agencies for prosecutorial review, when appropriate, for crimes that take place on campus.

For detailed information related to the reporting of sexual assault, domestic violence, dating violence, and stalking, see the Reporting information in the section "Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, And Stalking."

Based on their role at the University, certain employees, as well as persons affiliated with the University (e.g., contractors and volunteers), may have legal obligations to report specific crimes pursuant to federal and/or state laws.

### **UNFOUNDED CRIMES ON CAMPUS**

There were no "unfounded" crimes on campus during 2019, 2020, or 2021.

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## **TIMELY WARNINGS**

A timely warning is issued when crimes that occur anywhere on the Post geography that are reported to campus security authorities, or the local police are considered by Post University to represent a serious or continuing threat to students and employees. It is the responsibility of Senior 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 considered by the institution to represent a threat to students and employees. All staff will be trained when they begin their employment and thereafter annually on how to determine what activity rises to the level necessary to require a timely warning according to 668.46(c)(1) of the Higher Education Act and should be reported to the campus security authorities. When in doubt, the employee is required to contact the Vice President of Student Experience and Dean of Students or designee for guidance.

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

Post University will, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), and that will aid in the prevention of similar crimes, report to the campus community on crimes that are described in the Policy for Reporting the Annual Disclosure of Crime Statistics as defined by Clery under the heading "Recording Crimes." These crimes will be reported to campus security authorities as identified under the institution's statement of current campus policies.

An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor. Post does not have a pastoral counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, as described in CFR 668.46(g)(1), Post University must follow these procedures which are specifically described in the "Emergency Response and Evacuation Procedures" section of this report. Although 668.46(g)(3) specifies that Post University is not required to issue a timely warning based on the same circumstances that follows its emergency notification procedures; Post University must provide adequate follow-up information to the community as needed.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

In accordance with 34 CFR 668.46(g), Post University's policy regarding its emergency response and evacuation procedures are outlined herein. The University publicizes the emergency response and evacuation procedures and is designed to reach both students and employees. Post University will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. A description of the processes is below:

It is the responsibility of Senior Management and the Post University Threat Assessment Team to confirm that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. This may involve communicating with the local police to confirm that there is a significant emergency or dangerous situation. Depending on the threat area, the Team will determine which segment or segments of the campus community are to receive a notification. The content of the notification will be determined by the Team based upon the determination of the situation. There will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants that action.

The Director of Campus Safety initiates the notification through its Eagle E-lert system in which students and employees are registered for it 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 Director of Campus Safety will also 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.

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The Director of Campus Safety, Senior Management, and the Post University Threat Assessment Team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. If emergency information needs to be disseminated to the larger community, the Director of Campus Safety will communicate to the local police authorities.

The Director of Campus Safety 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.

Post University Threat Assessment Team is comprised of:

- Manger of Network Service, ICT Department
- Chief Financial Officer
- Counseling Center Director & Associate Faculty
- School Nurse
- Vice President
- Counselor, Counseling Center-Student Service
- Director of University Communications
- Director of Undergraduate Public Service Programs
- Executive assistant to the Office of the President
- Assistant Director of the Associate Experience Team
- Direct of Campus Safety and Emergency Management
- Vice President of Student Experience and Dean of Students
- Risk Management Administrator/Executive Assistant to the CFO
- Title IX and Disability Coordinator

## Procedures to Test the Emergency Response and Evacuation Procedures

Test emergency responses and evacuations are completed on an annual basis. Tests may be announced or unannounced. Post University will publicize its emergency response and evacuation procedures in conjunction with at least one test per calendar year; and will document, for each test, a description of the exercise, the date, time, and whether it was announced or unannounced. This documentation is retained in the office of the Director of Campus Safety.

## Safety Information

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 Post University Threat Assessment Team. Documentation for fire drills is retained in the office of the Director of Campus Safety. 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

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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. 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 building

## **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 Travel Center” 115 Bank St for the Post Downtown Building (ADP) located at 140 Bank St. Individuals located in Howland Hughes building will evacuate to this location.

If an assembly area becomes compromised or unsafe, individuals should evacuate to any of the other six 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.

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## *Long-Term Evacuations*

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

### Maintaining the Crime Log

Post University's campus security department maintains a written, easily understood daily crime log which records, by the date the crime was reported, any crime that occurred within its Clery geography, as described the definition of Post University's Clery geography, and that is reported to the campus security department.

This log includes the nature, date, time, and general location of each crime; and the disposition of the complaint, if known. Post University makes an entry or an addition to an entry to the log within two business days of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

Post University may withhold information if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual; cause a suspect to flee or evade detection; or result in the destruction of evidence. Post University discloses any information withheld once the adverse effect described is no longer likely to occur. Post University may withhold only that information that would cause adverse effects.

The most up-to-date daily crime and fire logs, which cover the most recent 60-days, can be accessed through the Office of Campus Safety and Emergency Management during normal business hours. Any statistics older than 60 days are available within two business days of a request for public inspection.

## **AVAILABLE RESOURCES AT THE COUNSELING CENTER**

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. Employees can also receive additional services through the employee assistance program, Behavioral Health Consultants, LLC.

## **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 buildings 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.

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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 ZenDesk electronic system which can be done 24 hours a day. If there is an emergency when Facilities is 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 visitor's 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 21 as the minimum age to purchase, possess, or consume any alcoholic beverage. 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 employees and is in accordance with all federal and state laws.

#### **General Alcohol Guidelines**

The University's policies regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws are as follows:

- In accordance with federal and Connecticut state law, persons under the age of 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 dorm room, dorm/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.

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- 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 choose 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.

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. Campus 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**

As of July 1, 2021, the state laws in Connecticut changed to indicate possession of limited amounts of marijuana are legal for those over 21 years of age. However, federal laws continue to prohibit the use, possession and/or cultivation of marijuana on the property of educational institutions. Therefore, the use, possession and/or cultivation is not allowed in any Post University facility or property. Post University will continue to enforce its current policies regarding controlled substances and any student who violates the policy will be subject to disciplinary action.

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Federal law also penalizes the manufacture, distribution, possession with intent to manufacture or distribute, or possession of drugs (“controlled substances”). [Controlled Substances Act, U.S.C. Sections 841, 843-846 (1988).] Post University complies with the Drug-Free Schools and Campuses Regulations. Possession, use, sale, manufacture, or distribution of illegal or controlled substances is a violation of federal and/or state law and Post University policies.

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, 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.

Post 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 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 Athletic 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 Athletic 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 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 may result in referral to the local authorities as well as disciplinary action.
- Drug paraphernalia (e.g., bongs, 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.

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.

### **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.



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## *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
- **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**

In compliance with the requirements stated under section 120(a) through (d) of the HEA, otherwise known as the Drug- Free Schools and Communities Act of 1989, Post University has implemented programs to prevent the use of illicit drugs and the abuse of alcohol and is available to students and employees. This law requires the annual distribution of the standards of conduct, legal sanctions, health risks, available counseling and treatment and subsequent sanctions for violations of those standards. A biennial review of the programs is performed to determine its effectiveness and implement changes, determine the number of violations and fatalities, the number and type of sanctions and the enforcement of policy.

The Department of Student Life and Associate Experience team provide educational programming and resources throughout the year. Some of the training and programs provided are listed below:

- Community 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 employees 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.

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- 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 employees meet each summer to evaluate on campus alcohol and drug education prevention programs.
- The Policy on a Drug Free Workplace is provided to new employees during orientation in which they must sign, and it is kept in their file. The policy is also published on our internal web site, Our Post, to be retrieved at any time.
- Associate Experience Team offers an employee assistance program, which is a confidential service for employees 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.

### **MONITORING OFF CAMPUS STUDENT ORGANIZATIONS**

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

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

#### **Education**

The Office of Campus 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 employees within the campus as requested.

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## 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.

## Type and Frequency of Programs

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. There is also a new student orientation in the spring for spring starts. 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 both community-wide or audience-specific awareness programming to prevent theft and vandalism, domestic violence, educational sessions on personal safety and residence hall security and reduce perpetration. Specific discussions and presentations on the topic of crime prevention awareness include, but are not limited to, new student orientation each fall and spring semester, all-hall meetings at the start of each semester, semester closing meetings, health and safety room inspections, and other health and wellness programs.

Presentations are offered on campus for sexual awareness month each April and domestic violence awareness month each October. Courses are also required to be taken throughout the year by students and employees via EverFi. In addition to educational programming, information is disseminated to students and employees through crime prevention awareness packets, security alert postings, and displays.

## MISSING STUDENT NOTIFICATION POLICIES AND PROCEDURES

In accordance with 668.46(h), an institution that provides any on-campus student housing facility must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities in its annual security report.

In the event that a student is deemed to be missing from the residence halls or from campus, all persons must immediately notify Campus Safety at (203) 596-4502. Anyone can file a missing person's report and must not wait 24 hours or more. Reports should also be made to the Campus Life Office and the Vice President of Student Experience and Dean of Students. Any missing student report must be referred immediately to Post University's Campus Safety Department or to the local law enforcement agency that has jurisdiction in the area.

Students fill out an emergency contact form upon their arrival to campus, which notes the individual(s) that the University would notify within 24 hours of the determination that the student is missing if the student has been determined missing by Campus Safety or the local law enforcement agency. 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 Campus Life will attempt to locate the student immediately upon receiving the information that the student is missing.

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If it is determined that the student is missing, regardless of whether the student has identified a contact person, is above age 18, or is an emancipated minor, Post University will inform the local law enforcement agency that has jurisdiction in the area and the student's emergency contact(s) will be notified within 24 hours that the student is missing. 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 custodial parent or legal guardian immediately or no later than within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. The University will notify local law enforcement within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

### **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 those 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 one's rights, options, and resources, and describes actions individuals may take if they experience an incident of sexual misconduct, domestic/dating violence, and stalking or are accused of those violations.

Post University recognizes that part of a student's 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.

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 a Title IX Coordinator to coordinate Post's compliance with and response to inquiries concerning Title IX.

For more information about Title IX, please contact the University's Director of Title IX and Disability Services, Jennifer Labate, at (203) 596-6027, JLabate@Post.edu, 800 Country Club Road, Waterbury, CT 06723. One may also contact the Title IX and Disability Assistant Coordinator, Rachel Powell, at (203) 591-5231, or the Deputy Title IX/Sexual Misconduct Response Coordinators, Karin Mann, at (203) 596-4669, and 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.

The Post University Annual Security Report is available online <https://post.edu/security-report> and a printed copy of the report is available, upon request, at the Campus Security office.

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## Sexual/Gender-Based Misconduct Violation Definitions

Post University prohibits conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
3. Sexual assault, defined as:
  - Sex Offenses—Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent.
  - Rape - Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
  - Sexual Assault With An Object - To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the Complainant.
  - Fondling - The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, without the consent of the Complainant.
  - Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Connecticut law.
  - Statutory Rape - Sexual intercourse with a person who is under 16 years old, the statutory age of consent.
4. Dating Violence, defined as: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
  - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - Dating violence does not include acts covered under the definition of domestic violence.
5. Domestic Violence, defined as: a felony or misdemeanor crime of violence committed—
  - By a current or former spouse or intimate partner of the Complainant;
  - By a person with whom the Complainant shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Connecticut;
  - By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Connecticut.

Domestic Violence and Dating Violence may be physical, sexual, emotional, economic, technological or psychological actions of threats that influence another person. They include a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.

Forms include:

- Physical abuse refers to actions that threaten or harm an intimate or romantic partner's physical safety.
- Sexual abuse (see sexual assault).
- Emotional abuse includes words and/or actions, which manipulate or hurt an individual emotionally and psychologically.

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- Economic abuse includes words and/or actions which restrict a person's access to money, assets, credit, or financial information; unfairly use a person's personal economic resources, including money, assets, and credit, for one's own advantage; or exert undue influence over a person's financial and economic behavior or decisions, including forcing default on joint or other financial obligations, exploiting powers of attorney, guardianship, or conservatorship, or failing or neglecting to act in the best interests of a person to whom one has a fiduciary duty.
- Technological abuse includes an act or pattern of behavior that is intended to harm, threaten, intimidate, control, stalk harass, impersonate, exploit, extort, or monitor, except as otherwise permitted by law, another person, that occurs using any form of technology, including but not limited to: internet enabled devices, online spaces and platforms, computers, mobile devices, cameras and imaging programs, apps, location tracking devices, or communication technologies, or any other emerging technologies.
- Verbal abuse is the use of words or the withholding of conversation to manipulate and/or hurt a romantic or intimate partner.
- 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.

Examples 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.
6. Stalking, defined as: engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
- Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition—

- i. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- iii. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

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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 Complainant, their children, relatives, friends, or pets.
- e) Damaging or threatening to damage the Complainant's property.
- f) Harassing the Complainant through the Internet.
- g) Posting information or spreading rumors about the Complainant on the Internet, in a public place, or by word of mouth.
- h) Obtaining personal information about the Complainant (outside the context of a conduct process) by accessing public records, using Internet search services, hiring private investigators, going through their garbage, following them, contacting their friends, family, work, or neighbors, etc.

To an outsider, stalking behavior can appear friendly and unthreatening, such as showering the Complainant with gifts or flattering messages. The Complainant 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.

7. *Sexual Exploitation*: Sexual Exploitation is taking nonconsensual, unjust, or abusive advantage of another in a sexual or intimate context. Sexual exploitation includes, but it is not limited to: sexting, 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.
8. *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.
9. *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 individuals 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.

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10. *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.
11. *Retaliation:* Reta Retaliation is prohibited against any individual who has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under regulations implementing Title IX. Independent action may be taken against anyone engaging in retaliation. This includes any Complainants, Respondents, witnesses, Advisors, or any Sexual Misconduct Board Members. The exercise of rights under the First Amendment does not constitute retaliation. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this part, constitutes retaliation.

### **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. Affirmative consent may be revoked at any time during the sexual activity by any person engaged in the sexual activity. It is the responsibility of each person to ensure that he or she has the affirmative consent of all persons engaged in the sexual activity to engage in the sexual activity and that the affirmative consent is sustained throughout the sexual activity. The existence of a past or current dating or sexual relationship between the student or employee reporting or disclosing the alleged violation and the responding student and employee, in and of itself, shall not be determinative of a finding of affirmative consent. 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.
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.



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A person's state of incapacity is a subjective determination that will be made after the incident considering all 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 sleep or 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, domestic/dating 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 Campus Life, Campus Security, the Counseling Center, Health Services or the Title IX Coordinator. 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 protective order, apply for a temporary restraining order or seek enforcement of an existing protective or restraining order. You may also have a campus authority make a notification for you. Campus authorities will also honor any lawful protective or temporary restraining orders.
- 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 (5) days.
- Preserve all physical evidence in a paper bag (not plastic) or deliver directly to law enforcement.
- Preserve all communications, pictures, texts or other items that might be used in cases of sexual/gender-based misconduct, stalking or domestic/dating violence.
- Utilize University and community resources for immediate and long-term assistance.

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- 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 domestic/dating 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. The Complainant can then be provided 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 University's required reporters are officials with authority who are required to share your disclosure with the Title IX Coordinator. This excludes employees who are employees of the Counseling Center and Health Services, who can keep your disclosure confidential. The Counseling Center and Health Services are fully confidential reporting sources. They do not file reports with the Title IX 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.

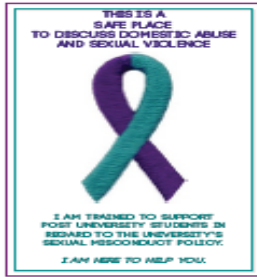
### **Interpersonal Violence Response Team**

Post University's Interpersonal Violence Response Team supports students by providing services and guidance regarding 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 can 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 Complainant.

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 can 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 regarding 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 Coordinator. For confidential resources, see [www.post.edu/healthservices](http://www.post.edu/healthservices) for Health Services, and [www.post.edu/counseling](http://www.post.edu/counseling) for the Counseling Center.

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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 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 given permission by the person who disclosed the information; there is an imminent threat of harm to self or others; the conduct involves the suspected abuse of a minor under the age of 16; or 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: <https://post.edu/title-ix-reporting>. This complaint will be sent to the Title IX Coordinator.

### Important Phone Numbers and Resources

<b>FOR ALL EMERGENCIES — DIAL 9-1-1</b>				
<b>Resource</b>	<b>Location</b>	<b>Hours</b>	<b>Type of Communication</b>	<b>Services Provided</b>
Sexual Misconduct Board Chair:  Sandra Wilson	Library - Lower Level	9:00 a.m.-5:00 p.m.	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 Aubrey Fappiano George Hayes	Leever - First Floor	9:00 a.m.-5:00 p.m.	Confidential	Licensed counselors available for students and staff. Services are free. (203) 596-4585
Vice President of Student Experience & Dean of	Torrence Hall	9:00 a.m.-5:00 p.m.	Limited Confidential	Provides support, referrals for students, and guidance with procedures and protocol.

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Students: Jeffrey Olsen *				(203) 596-6174
Health Services *	East Annex	M-TR: 10:00 a.m.-4:00 p.m. F: 10:00 a.m.-2:00 p.m.	Confidential	Medical assistance and referral for students. (203) 596-4503
Kellie Brown				
Title IX/Sexual Misconduct Response Coordinators *	Leever Drubner Traurig Lower Level	9:00 a.m.-5:00 p.m.	Limited Confidential	Informs a student of their rights, as well as support services.  (203) 596-6027 (203) 596-4669 (203) 596-4553
Jennifer Labate, Karin Mann, Crystal Vuole				
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 Community Director On duty (203) 228-8706
Campus Life Staff*	Lower Level Leever	M-F: 9:00am-5:00pm	Limited Confidential	Will provide support and resources and assist the Complainant 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 Complainant 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 Title IX Coordinator

\* *Interpersonal Violence Response Team Members*

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## **Significant Threat to The Community**

In cases where the Respondent poses a significant risk to the general safety of the campus community, the Title IX Coordinator will contact the Sexual Misconduct Board Chair. If they conclude that a significant threat exists, they will take necessary action to protect the community while preserving the Complainant's privacy, which includes, but is not limited to issuing a temporary ban to the Respondent from Post University's campus.

## **Reporting To Law Enforcement**

Because sexual misconduct, domestic/dating 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 a student's decision whether 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 enough 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 may not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation and provide supportive 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 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. *Complainant*: The person filing a complaint of a violation of the Sexual/Gender-Based Misconduct Policy by another student or employee that could constitute sexual harassment. The person must be participating in or attempting to participate in an educational program or activity.
- b. *Respondent*: The student accused of violating the Sexual/Gender-Based Misconduct Policy by committing an act that could constitute sexual harassment.
- c. *Trained Sexual/Gender-Based Misconduct Support Person for the Complainant and Respondent*: The Support Person is a Post Community staff or faculty member appointed by the Sexual Misconduct Board Chair who is trained to support and to provide information regarding the University's Sexual Misconduct Policy and the Campus Conduct process.
  - Support Persons are available upon request.
  - Individuals 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.

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- The Support Person may assist throughout the Campus Conduct Process, including being present at the conduct hearing. They are trained to help understand the nature of the formal complaint and to discuss the policy and all processes involved, including the alleged violations, severity of the accusations and possible sanctions.
  - 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
- d. *Advisor:* The Complainant and the Respondent may each bring an Advisor to the Hearing. The Advisor is an ally who provides comfort and helps the Complainant or Respondent. 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 Misconduct Board Chair prior to the Hearing. The selected Advisor may attend any informal or formal meeting. The Advisor will be responsible for cross-examining the opposing party and any witnesses during a live hearing.
- e. *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 domestic/dating 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.
- f. *Title IX Coordinator:* The Title IX 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 individuals are aware of their rights as well as support services regarding 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 Complainant decides to file a formal complaint, the Coordinator, as a neutral party, will investigate the incident; notify and interview the Complainant, the Respondent, and witnesses; obtain and review relevant documents; and present the Investigation Report at the Sexual Misconduct Board Hearing. The Investigation Report will make no findings, conclusions, or recommendations.

The Coordinator also receives annual training regarding the dynamics of sexual misconduct, stalking and domestic/dating 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.

### Time Frame 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 Respondent 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 Complainant in identifying external reporting options and may take other appropriate action.

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Upon receipt of a report, the University will impose reasonable and appropriate supportive 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. Supportive measures may be imposed regardless of whether formal disciplinary action is sought by the Complainant or the University. A Complainant or Respondent may request a No Contact Order or other protective measure, or the University may choose to impose supportive 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 a supportive measure. The University will take immediate and responsive action to enforce a previously implemented measure. Supportive measures will be kept private, to the extent that maintaining the confidentiality would not impair the ability of the University to provide the supportive measures.

These measures are non-disciplinary and non-punitive individualized services, and they are offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. They are designed to restore or preserve equal access to educational programs or activities without unreasonably burdening the other party.

### Range of Supportive Measures

Supportive measures will be implemented at the discretion of the University. Potential remedies, which may be applied to the Complainant and/or the Respondent, 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.
- Aiding 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 domestic/dating 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. Students may be placed on interim suspension at the discretion of the Sexual/Gender-Based Misconduct Chair. This will be done on an emergency basis only after undertaking an individualized safety and risk analysis. The Respondent student will be provided notice and an opportunity to challenge the decision; a non-student employee Respondent will be placed on administrative leave during the pendency of the process under existing procedures. 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.

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

### Meeting with Title IX Coordinator

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

The Complainant has the right to choose how to proceed after the allegation has been made. There are internal options within the University, as well as options with local law enforcement. The Complainant has the right to decide upon the course of action to be taken after the allegation has been filed. The Complainant 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 Complainant to the extent permitted by law. Post will balance the needs of individuals involved with its obligation to protect the safety and well-being of the community at large. In exceptional cases, such as cases threatening community safety, the University may decide that further action is required even if the Complainant desires no action or an Informal Resolution. As set forth in this 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 Complainant.

In making this determination, the University may consider:

- The seriousness of the alleged conduct.
- The respective ages and roles of the Complainant and Respondent,
- Whether there have been other complaints or reports of harassment or misconduct against the Respondent.
- The rights of the Respondent to receive notice and relevant information before disciplinary action is sought.
- If circumstances suggest there is an increased risk of the Respondent committing additional acts of sexual misconduct or other violence.
- Whether the Respondent 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.



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The Title IX Coordinator in consultation with the Sexual Misconduct Board Chair will balance the Complainant's request with its obligation to provide a safe and non-hostile environment for the campus community.

### Informal Resolution

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

The University will not compel or require the parties to participate in any Informal Resolution process, and the parties should voluntarily consent in writing. The parties should receive a written notice disclosing: the allegations; the requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations; the right to withdraw from the Informal Resolution process and resume the formal process with respect to the complaint; any consequences resulting from participating in the Informal Resolution process, including the records that will be maintained or could be shared.

The Informal Resolution process, even if voluntary, may not be used in cases involving sexual harassment of a student by an employee. The decision to pursue an Informal Resolution will be made when the University has enough information about the nature and scope of the conduct, which may occur at any time. An Informal Resolution will typically be completed within thirty (30) business days of the initial report.

### **Appeal Procedure for Interim Suspension or Informal Resolution**

#### Basis and Process for Appeal

The written appeal will be submitted to the Senior Vice President 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, and/or
- d. There was a conflict of interest or a bias against one of the parties by the decision maker.

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 Senior Vice President 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.

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## Formal Resolution

If the Respondent is a currently enrolled student, any person who has experienced an incident of sexual/gender-based misconduct may file a formal written complaint with the Director of Title IX and Disability Services, Jennifer Labate, (203) 596-6027. 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 decide.

Please see the following for a flow chart of the investigation and hearing process.

<https://post.edu/docs/sexual-misconduct-process-investigation-and-hearing-flow-chart/>

## Responding to a Formal Complaint

The Respondent shall receive written notification of the filing of a formal complaint, along with a copy of the formal complaint, after the Title IX Coordinator has received the complaint. The Respondent 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 Respondent, and the Hearing process. The Respondent shall receive a written copy of this policy at that time.

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

## Investigation Report

The University will respond to the allegation in a prompt, impartial, procedurally fair and effective manner. Upon receipt of the allegation, the University will strive to complete the investigation and adjudication processes (excluding the appeal process) within sixty (60) calendar days. The Title IX Coordinator will write an Investigation Report appropriately summarizing the investigation and all relevant evidence obtained. Prior to completion of the Investigation Report, the Title IX Coordinator will send to each party and the party's Advisor, if any, all evidence obtained that is directly related to the complaint, to review in an electronic format or a hard copy, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a party or other source.

The parties will be given at least ten (10) days to submit a meaningful written response, which the investigator will consider prior to completion of the Investigation Report. The University shall make all such evidence subject to the parties' inspection and review and give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination, whether included as relevant in the Investigation Report or not.

The Title IX Coordinator will finalize the Investigation Report that fairly summarizes relevant evidence and, at least ten (10) days prior to a hearing, send to each party and the party's Advisor, if any, the Investigation Report in an electronic format or a hard copy, for their review and written response.

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### Prehearing Process

- The University reserves the right to extend any time periods identified in this policy in accordance with the law.
- Once the Respondent has been notified of the formal written complaint, the Complainant and Respondent will be kept informed of all developments and will be advised of the procedures that will guide the resolution of the complaint.
- A formal complaint cannot proceed strictly under Title IX from anyone outside of the United States; if the conduct did not occur in the University's education program or activity; if the conduct did not occur against a person in the United States; or if at the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the University. However, while a formal complaint cannot proceed strictly under Title IX in these limited circumstances, Connecticut law and this policy permit advancement of this action under these processes.
- All relevant reports and documents are to be made available to the Respondent and Complainant once they are prepared and no later than ten (10) business days prior to the Hearing.
- The Respondent and Complainant have the right to petition that any member of the Sexual Misconduct Board be removed based on bias or conflict of interest 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 Respondent and Complainant will be informed in writing of the date and time of the Hearing.
- The Respondent and Complainant 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.
- After the Investigation Report has been sent to the parties and before reaching a determination regarding responsibility, Sexual Misconduct Board Chair must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. These questions and answers will not be provided to the Hearing Board. Because the Sexual Misconduct Board Chair is not a voting Hearing Board member, any information learned will not impact deliberations in the event a party refuses to participate in cross examination. The Sexual Misconduct Board Chair must explain to the party proposing the questions any decision to exclude a question as not relevant.
- The Respondent and Complainant 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 select a hearing date within fifteen (15) business days after the Respondent has received the formal complaint.

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## Rights of Both the Complainant and Respondent

- 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 burden of proof and the gathering of evidence sufficient to reach a determination regarding responsibility rests on the University and not on the parties.
- The right to be treated equitably and have any provisions, rules, or practices applied equally to all parties.
- The right to seek appropriate off-campus resources and outside remedies.
- The right to a live hearing.
- The right to have all relevant evidence, including both inculpatory and exculpatory evidence, evaluated objectively and to have credibility determined without respect to a person's status as a Complainant, Respondent or witness.
- The right to discuss the allegations under investigation and to gather and present relevant evidence.
- The right to a hearing that does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
- The right to have a parent or guardian act on behalf of a Complainant, Respondent, party or other individual, including the ability to file a formal complaint, if given consent to do so or if they have the legal right to act on their behalf.
- The right to reasonably prompt time frames for the conclusion of the hearing process, including appeals. This process allows for temporary delays or limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's Advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- The right to have a Trained Support Person, Advisor and Attorney present during the Hearing, provided that these parties do not cause the meeting to be unduly delayed or postponed. The Complainant and Respondent have the right to consult with an attorney at their own expense. The Support Person, Advisor and Attorney can participate in the sexual misconduct campus conduct process, in an advisory capacity.
- 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 based on bias or conflict of interest.
- 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 provide a written Impact Statement to be read by the Board at the conclusion of the Hearing provided the Respondent was found to have violated the Sexual Misconduct Policy, and to have that statement considered by the Board in determining its sanctions.
- The right to be free from retaliation.
- The Complainant and the Respondent 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 Complainant or the Respondent, except as necessary to carry out a disciplinary proceeding or as permitted under state and federal law.
- Post University shall not restrict any rights guaranteed against government action by the U.S. Constitution, including the First Amendment, the Due Process clauses of the Fifth and Fourteenth Amendments, and the Fourth Amendment. Post University will also not deny any individual's rights under Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq. or any regulations promulgated thereunder.

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## 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/Amnesty:* For the Complainant: 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 or amnesty towards a Complainant with respect to taking action for other violations of the Student Code of Conduct.
3. *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 aid 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 who experienced an incident of sexual misconduct. The University will exercise leniency or amnesty towards the Good Samaritan with respect to taking action for other violations of the Student Code of Conduct.
4. *Past Sexual History/Character:* If, in the past, a Respondent 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 like the present complaint; and the previous violation indicates a pattern of behavior and substantial conformity with that pattern by the Respondent.

Questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent

## 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 and transcript will be made available to the Complainant and/or Respondent for inspection and review and in the event a request for an appeal is filed.
- Except for 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 Respondent and Complainant may be accompanied by their Support Person and Advisor. The Support Person and Advisor are present to act as counselors and to support the Respondent and Complainant, and to provide advice on procedural matters. 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 and Advisor is not able to attend, the Complainant/Respondent should arrange for a substitute.
- If the Respondent or Complainant fails to appear at the Hearing, the matter will be resolved in their absence.

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- 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.
- The Sexual Misconduct Board Chair must permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Sexual Misconduct Board Chair must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's Advisor of choice and never by a party personally.
- If a party does not have an Advisor present at the live hearing, the University must provide without fee or charge to that party, an Advisor of the University's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
- Individuals testifying before the Board may not communicate with each other during the hearing process.
- At the start of the Hearing, the Chair shall ask the Respondent if they have received the formal complaint, and if they understand the nature of the formal complaint. The Hearing Board will presume that the Respondent is not responsible for the alleged misconduct until a determination regarding responsibility is made at the conclusion of the hearing process.
- Hearings may be conducted with all parties physically present in the same geographic location or, at the University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the University must provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Sexual Misconduct Board and the parties to simultaneously see and hear the party or the witness answering questions.
- The Title IX 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 Complainant.
  2. Opening statement from Respondent.
  3. Board questioning of Complainant and Respondent.
  4. Complainant and Respondent's cross examination of opposing parties, including previously submitted questions.
  5. Board questioning of witnesses (each witness will be questioned separately).
  6. Complainant and Respondent questioning of witnesses, including cross examination.
  7. The chair will facilitate questions by the Complainant and Respondent.
  8. Final questions from the Board.
  9. Complainant's closing statement.
  10. Respondent's closing statement.
- The Board will deliberate in private and make an appropriate determination based on the information and evidence presented during the Hearing. 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.
- The Board, by majority decision, will determine whether the Respondent 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 Complainant and Respondent 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 Coordinator will notify both the Complainant and Respondent simultaneously in writing of the Board's decision.

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- The written determination must include identification of the allegations; a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held; findings of fact supporting the determination; conclusions regarding the application of the University code of conduct and policies to the facts; a statement of, and rationale for, the result as to each allegation, including any disciplinary sanctions imposed on the Respondent and whether remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the Complainant.
- The determination regarding responsibility becomes final either on the date that the parties are provided with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### Formal Appeal Process

- Both the Complainant and the Respondent 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 or irregularity 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 inappropriate and/or prejudicial evidence, which may have influenced 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 enough information presented to allow reconsideration of the Hearing Board's decision.
- Appeals must be made, in writing, to the Senior Vice President within five (5) business days of the notification of the decision. If one party files an appeal, the other party will be notified in writing. The parties will be given a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome. Appeals procedures will be implemented equally for all parties.
- The Senior Vice President will review the appeal and render its decision within five (5) business days after receiving the notice of appeal.
- The decision of the Senior Vice President 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.
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.

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9. *Residence Hall Dismissal/Ban*: Dismissal and/or ban from the University residence halls. Students must apply for re-entry to the Senior Vice President.
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 Senior Vice President.
11. *Institutional Dismissal*: Attendance at the University is terminated, constituting the maximum disciplinary penalty. Students are banned from all campus facilities, grounds and events.

### Record Keeping

The University will maintain the following records for a period of seven years:

- Each sexual harassment investigation including any determination regarding responsibility
- Any required audio or audiovisual recording or transcript
- Any disciplinary sanctions imposed on the Respondent
- Any remedies provided to the Complainant designed to restore or preserve equal access to the University's education program or activity
- Any appeal and the result therefrom
- Any Informal Resolution and the result therefrom
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment
- Documentation of the basis for conclusions
- Documentation that measures designed to restore or preserve equal access to the University's education program or activity were taken
- All materials used to train Title IX Coordinators, the Sexual Misconduct Board, and any person who facilitates an Informal Resolution process; these training materials will be available on the University's website and will be made available upon request for inspection by members of the public.

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.

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

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

Post University provides programs to the campus communities, which are designed to prevent dating violence, domestic violence, sexual assault, and stalking. Programs of primary prevention and awareness are offered through first year student orientations, employee programs listed below and throughout the year regarding. Literature on Sexual Misconduct is available through the Office of Campus Life, Health Services, Counseling Center, Associate Experience Team, and across the campus. Bystander training is provided through Ever-fi online e-learning modules. The training offered by Post University is designed to provide ongoing prevention and awareness campaigns to increase the understanding on relevant topics and skills for addressing dating violence, domestic violence, sexual assault, and stalking. Bystander training is offered, which includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Risk reduction training provides options to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence. Examples of training offered by Post University are described herein.



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### **Gender-Based Sexual Misconduct/Dating Violence/Domestic Violence/Sexual Assault/Stalking Programming for 2021**

-Campus Resource Team meeting with faculty, staff, students, law enforcement agencies and local support services organization to confirm our commitment to providing a learning, working and living environment that is supportive, safe and free from sexual/gender-based misconduct, as well as to review and discuss policies, programming and recent Title IX updates.

-Sexual Misconduct Board trainings were led by ATIXA, which provided 2 day long, comprehensive presentations, including overviews of Title IX investigations, due process, deliberations and bias. The spring training was led by Kim Pacelli and Daniel Swinton, and the fall training was presented by Kim Pacelli and Alisha Carter-Harris.

-Residence Assistants 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; bystander intervention; and support services for survivors.

- "Let's Talk About It" presentation by Kelly Addington and Becca Tieder, who shared their personal stories of surviving sexual assault with candor, emotion and humor, and provided participants with a unique perspective on sexual violence and bystander intervention.

-Screening of "Boys and Men Healing From Childhood Sexual Abuse," a film featuring the stories of men from various backgrounds who have experienced sexual abuse, found healing for themselves and helped many others.

-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. Their Safe Student Initiative educates students with survivor-led interactive programs including safe and unsafe touch, sexual respect, healthy relationships, consent, bystander intervention and rape culture.

-Orientation presentation by Dr. Lori Bednarchik, one of the nation's leading experts on sexual consent and communication, who is widely recognized for her sex-positive and skills-based approach to violence prevention.

-Guest speaker Kallup McCoy presented an Orientation program on substance abuse that recounted his struggles with opioid addiction, peer pressure and surrounding oneself with positive people.

-Social Justice Dialogue Series on "Supporting LGBTQIA+ Students" with Think Again Training, and on "Toxic and Healthy Masculinities," by Post University's Dr. Jeffrey Lentz.

-Presentation on "Trained Male Behavior: How to Redefine Manhood and Become an Agent of Change," by Gordon Braxton, a violence prevention specialist committed to fighting sexual and intimate partner violence.

-Presentation by Dr. Mitch Abrams on "Prevention, Assessment & Treatment of Domestic Violence- An Honest Look at How to Make Change." He reviewed different typologies of batterers; differentiated between excuses and explanations for violent relationships; and illustrated why some people are more receptive to treatment than others.

-Student Athlete participation in the One Love Escalation training, which educates young people about healthy and unhealthy relationships, empowering them to identify and avoid abuse and learn how to love better.

-Title IX Coordinator Training, including webinars on the NCAA's Association-Wide Campus Sexual Violence Policy Update; Title IX Expectations for the Next Five Years; Investigative Strategy Best Practices; Pregnancy Discrimination: Legal Requirements and Practical Guidance; and Conducting Investigative Interviews. The Director of Title IX and Disability Services also virtually attended the UVM Conference on Legal Issues in Higher Education.

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-EVERFI online trainings offered for students on Sexual Assault Prevention, Prescription Drug Abuse Prevention and AlcoholEdu. EVERFI classes are also required for associates, who received annual compliance training in Harassment and Discrimination Prevention.

-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.

-Sexual/Gender-Based Misconduct Policy Brochures distributed in Orientation packets; placed in all academic, administrative and residential buildings; and found in 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. Under section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), information concerning sex offenders registered with the State of Connecticut can be obtained through the following sources. 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 Vice President of Student Experience and Dean of Students at (203) 596- 6174.

### **PROHIBITION ON RETALIATION**

Post University, its officers, employees, or any agents may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in §668.46 INSTITUTIONAL SECURITY POLICIES AND CRIME STATISTICS.

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### Appendix A – Primary Crime Statistics

Please note that the abbreviations below are as follows:

OC = on campus

OCSHF = on campus student housing facility

NCP = non-campus property (Wallingford, Bethel, Southbury) PP = public property (Catalyst Health & Fitness, UMBERFIELD Rd., STRAITS TPK.)

	2019					2020					2021				
	OC	OCSHF	NCP	PP	Total	OC	OCSHF	NCP	P P	Total	OC	OCSHF	NCP	PP	Total
Criminal Homicide -Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Criminal Homicide Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Rape	1	1	0	0	1	0	0	0	0	0	4	4	0	0	4
Sex Offenses - Fondling	0	0	0	1	1	0	0	0	0	0	2	2	0	0	2
Sex Offenses - Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	5	5	0	0	5	0	0	0	0	0	2	2	0	0	2
Motor Vehicle Theft	0	0	0	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	0	0	0
Disciplinary Actions -Liquor Law violations - Arrests	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions -Liquor Law violations - Disciplinary Referrals	10	10	0	0	10	1	1	0	0	1	5	5	0	0	5
Disciplinary Actions -Drug Law Violations - Arrests	1	1	0	0	1	0	0	0	0	0	0	0	0	0	0
Disciplinary Actions -Drug Law Violations - Disciplinary Referrals	10	8	0	0	10	9	9	0	0	9	2	2	0	0	2
Disciplinary Actions –Illegal weapon Possession - Weapon Law Arrests	0	0	0	0	0	0	0	0	0	0	2	1	0	0	2
Disciplinary Actions –Illegal Weapon Possession - Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Subtotal</b>					<b>28</b>	<b>Subtotal</b>				<b>10</b>	<b>Subtotal</b>				<b>17</b>

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**Appendix B – Dating violence, domestic violence and stalking Crime Statistics**

VAWA Statistics (required as of 2015)	2019					2020					2021				
	OC	OCSHF	NCP	PP	Total	OC	OCSHF	NCP	PP	Total	OC	OCSHF	NCP	PP	Total
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	3	3	0	0	3	0	0	0	0	0	3	0	0	0	3
Stalking	5	4	0	0	5	1	1	0	0	1	2	0	0	0	2
<b>Subtotal</b>					<b>8</b>	<b>Subtotal</b>				<b>11</b>					<b>5</b>
<b>Crime Statistics Total A and B</b>	<b>TOTAL</b>				<b>36</b>	<b>TOTAL</b>				<b>11</b>	<b>TOTAL</b>				<b>22</b>

\*\*The categories for Sex Offences, Forcible and Sex Offences, Non-Forcible were replaced by the VAWA, Rape, and Fondling categories as of 2014

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### HATE CRIME

A Hate Crime is a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this chart, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

The number of each type of the following crimes determined to be hate crimes from the list in the Primary Crime Statistics Table are disclosed.

The type of crimes also includes the number of crimes determined to be hate crimes from this list:

- (1) Larceny-theft.
- (2) Simple assault.
- (3) Intimidation.
- (4) Destruction/damage/vandalism of property.

### Appendix C- Hate Crimes Statistics

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      NCP = non-campus property

Summary of Hate Crimes												
	2019				2020				2021			
	OC	OCSHF	PP	NCP	OC	OCSHF	PP	NCP	OC	OCSHF	PP	NCP
Race	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	1	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	0	0	0	1	0	0	0

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The following chart is the summary of hate crimes broken down by the Criminal Offense

	2019					2020					2021				
	OC	OCSHF	PP	NCP	Total	OC	OCSHF	PP	NCP	Total	OC	OCSHF	PP	NCP	Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses - Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	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	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1
	<b>Subtotal</b>				<b>0</b>	<b>Subtotal</b>				<b>0</b>	<b>Subtotal</b>				<b>1</b>

## FIRE SAFETY

### 2021 Annual Fire Safety Report - Fire Statistics for On Campus Housing Facilities

#### Summary of Fires

Name of Facility	2019			2020			2021		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
<b>Paparazzo Hall</b>	1	0	0	0	0	0	0	0	0
<b>Middle Hall</b>	0	0	0	0	0	0	0	0	0
<b>South Hall</b>	0	0	0	0	0	0	0	0	0
<b>East Hall</b>	0	0	0	0	0	0	0	0	0
<b>West Hall</b>	0	0	0	0	0	0	0	0	0
<b>Okinaga Hall</b>	1	0	0	0	0	0	0	0	0
<b>Total</b>	2	0	0	0	0	0	0	0	0

#### 2021 Summary

There were no items to report for 2021.

#### 2020 Summary

There were no items to report for 2020.

#### 2019 Summary:

The fire at Paparazzo Hall was unintentional and was caused by an item placed in the garbage can which started to burn. There was \$0-\$99 in property damage. The fire at Okinaga Hall unintentional and was caused by a paper plate on a hot stove burner. There was \$0-\$99 in property damage.

#### 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

We conducted six (6) fire drills in 2021. Due to COVID-19 campus closures, residence halls to students in the Spring of 2021 with the exception of student athletes. Due to COVID-19 campus closures, residence halls were cleared of students and the campus went completely virtual prior to the scheduled fire drills. No fire drills were conducted in 2020. All student occupied residence halls and apartments participate in mandatory fire drills, and six (6) fire drills occurred in 2019.

#### 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 an ambulance if necessary
3. If it is a small fire and you are a designated person 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.
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. Contact professional staff member on call or employee 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 regard 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 firefighting 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)
- 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 Community Director and the Vice President of Student Experience and 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 Campus 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 employees should report that a fire occurred to Campus Security, Campus Life, Facilities, and the Vice President of Student Experience and Dean of Students. Institutions are required to maintain a Fire log, which is a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. The log must include the nature, date, time, and general location of each fire. Post University will make an entry or addition to an entry within two business days. The log is retained in the office of the Director of Campus Safety and is available for public inspection for the most recent 60-day period during normal business hours. Within two business days, the log will be available for public inspection for any portion of the log that is older than 60 days.

**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.

## **Appendix - Crime Definitions in Accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program**

The following definitions are to be used for reporting the crimes listed in §668.46, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for *murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations* are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of *fondling, incest, and statutory rape* are excerpted from the "National Incident- Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of *larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property* are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

### CRIME DEFINITIONS FROM THE SUMMARY REPORTING SYSTEM (SRS) USER MANUAL FROM THE FBI'S UCR PROGRAM

#### *Arson*

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

#### *Criminal Homicide—Manslaughter by Negligence*

The killing of another person through gross negligence.

#### *Criminal Homicide—Murder and Nonnegligent Manslaughter*

The willful (nonnegligent) killing of one human being by another.

#### *Rape*

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

#### *Robbery*

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

#### *Aggravated Assault*

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

#### *Burglary*

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

#### *Motor Vehicle Theft*

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

#### *Weapons: Carrying, Possessing, Etc.*

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

*Drug Abuse Violations*

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

*Liquor Law Violations*

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

CRIME DEFINITIONS FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) USER MANUAL FROM THE FBI'S  
UCR PROGRAM

*Sex Offenses*

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. *Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

B. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

CRIME DEFINITIONS FROM THE HATE CRIME DATA COLLECTION GUIDELINES AND TRAINING MANUAL FROM THE FBI'S UCR  
PROGRAM

LARCENY-THEFT (EXCEPT MOTOR VEHICLE THEFT)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

*Simple Assault*

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

*Intimidation*

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

*Destruction/Damage/Vandalism of Property*

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.