

Colby College

Department of Security

2016

Annual Safety, Security and Fire Safety Report

Campus Crime, Fire,
Alcohol, and Illegal Drugs
*For Students, Faculty, and Staff of Colby
College and Prospective Students and
Employees*

Colby College Security Department
128 Roberts Building
5530 Mayflower Hill
Waterville, Maine 04901

207-859-5530
<http://www.colby.edu/securitydept/>
security@colby.edu

IMPORTANT NUMBERS

Colby Security (Emergency)	207-859-9111
Colby Security (Non-Emergency)	207-859-5530
Waterville Police Department (Emergency)	911
Waterville Police Department (Non-Emergency)	207-680-4700
Waterville Fire and Rescue (Emergency)	911
Waterville Fire and Rescue (Non-Emergency)	207-873-3347
Maine Medical Center/Thayer Hospital	207-872-1000
Delta Ambulance	207-872-4000
Inland Hospital	207-861-3000
Colby Counseling Services	207-859-4490
Family Crisis Services	1-800-537-6066
Alcoholics Anonymous	1-800-737-6237
Planned Parenthood	207-725-8264
Sexual Assault Support Center	1-800-822-5999
Substance Abuse Resource Center	1-800-499-0027
Maine Drug Enforcement	207-822-0380
Adult and Child Abuse	1-800-452-1999
National Abortion Hotline	1-800-772-9100
Maine Department of Human Services	1-800-482-7520

TELETYPEWRITER (TTY) LOCATION

A teletypewriter (TTY) is a special device that lets people who are deaf, hard of hearing, or speech impaired use the telephone to communicate, by allowing them to type messages back and forth to one another instead of talking and listening. A TTY is required at both ends of the conversation in order to communicate. TTY Phone is Located in the Security Office #128 Roberts Union

FREQUENTLY USED NUMBERS

SECURITY	5530
DEAN OF STUDENTS	4250
CAMPUS LIFE	4280
HEALTH CENTER/NURSES STATION	4460
ATHLETIC CENTER	4999
PHYSICAL PLANT DEPARTMENT	5000
SPA	5496
PULVER INFORMATION DESK	4289

OFF CAMPUS NUMBERS:

FOOD

PIZZA HUT	873-5000
WATERVILLE HOUSE OF PIZZA	873-4300
CAPPZA'S PIZZA	873-7770
BIG G'S	873-7808
CANCUN MEXICAN RESTAURANT	872-7600
JORGENSEN'S	872-8711
PAD THAI	861-8895
SILVER STREET TAVERN	680-2163

TRAVEL

CONCORD TRAILWAYS	1-800-639-3317
GREYHOUND BUS STATION	680-2540
EXCALIBUR LIMOUSINE SERVICE	1-800-317-8256
NORTHEAST CHARTER & TOUR	1-888-593-6328
ENTERPRISE CAR RENTAL	877-6601
PORTLAND JETPORT	774-7301

ELITE TAXI	872-2221
PINE TREE TAXI	465-2304

ENTERTAINMENT

FLAGSHIP CINEMA	873-0033
REGAL CINEMA CENTER (AUGUSTA)	623-8183
RAILROAD SQUARE CINEMA	873-6526

HEALTH AND BEAUTY

RITE AID	877-8975
CVS	873-7163
HANNAFORD KMD/MAIN STREET	873-0788/877-0788
APOLLO DAY SPA	872-2242
SUPER CUTS	873-5908

Table of Contents

WELCOME	6
ABOUT THE SECURITY DEPARTMENT	6
Mission Educators and Protectors	7
Campus Enforcement Authority	8
Campus Security Authority	8
Security Officer Training	9
Department of Security Statistics	10
COLBY COLLEGE CLERY CRIME STATISTICS 2014-2016	11
VAWA Clery Crime Statistics	13
Hate Crime Statistics	14
REPORTING EMERGENCIES AND POLICY VIOLATIONS	20
On Campus	21
Off Campus	21
Anonymous Reporting Procedures	21
SECURITY DEPARTMENT SERVICES	22
Colby Card	22
Escorts	22
Jitney	22
Courtesy Rides	22
Jump Starts	23
Colby Check	23
Lost and Found	23
Deliveries	23
SECURITY DEPARTMENT RESOURCES	24
Dean On Call	24
Colby Emergency Response	24
Counselor on Call	24
Waterville Police Department	24
CRIME PREVENTION, PERSONAL SAFETY, AND SECURITY AWARENESS	25
Blue Light Emergency Phones	25
Campus Lighting	25
Parking and Traffic Enforcement	25
Speaking Engagements	26
Personal Safety Tips	26
CLERY CAMPUS CRIME ACT	28
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act	28
Annual Security Report - Campus Crime, Fire, Alcohol, and Illegal Drugs	28
Clery Geographic Definitions	29
Clery Crime Definitions	30
Violence Against Women Reauthorization Act and The Campus SaVE Act	32
Hate Crimes	34
Bias Incidents and Crimes	36
SEXUAL HARASSMENT	39
Harassment Policies and Procedures	39
Definition of Harassment	39
SEXUAL MISCONDUCT	44
Application of Sexual Misconduct Policy	44

Definitions of Prohibited Conduct	45
Reporting Sexual Misconduct	50
Other Reporting Considerations	52
Confidential Campus Support Resources	52
Responsible Employees	57
Bystander Intervention	58
SEX OFFENDER REGISTRY	61
CLERY FIRE STATISTICS	62
Annual Fire Safety Report	62
Fire Alarm Log	63
Fires by Cause	64
Residence Hall Initial Assembly Areas	65
Academic and Administrative Initial Assembly Areas	66
Fire Safety Report Log	67
Fire Related Definitions	67
Campus Fire Safety Right to Know Act	68
COLBY FIRE SAFETY POLICIES AND PROCEDURES	69
Detection/Suppression/Protection	69
Equipment to Notify/Direct/Control	69
Hazardous and Restricted Articles and Materials	73
Propane and Charcoal Grills	73
Fireplaces in Residence Halls	74
Responses to Fire Alarms	74
Procedures for Student and Employees in Case of a Fire	75
Responsibility for Fire Safety and Conclusion	75
EMERGENCY NOTIFICATION SYSTEM	77
Lockdown/Shelter in Place	78
Evacuation Procedures	79
Emergency Procedures – Active Shooter	80
EMERGENCY PLANNING AND PREPAREDNESS.....	82
Timely Warnings	82
WEAPONS POLICY	84
ALCOHOL AND ILLEGAL DRUGS	85
Colby Alcohol Policy	85
State Laws - Alcohol	85
Federal Laws - Drugs	86
MISSING STUDENT POLICY	88

Director of Security Welcome

Welcome to Colby. Whatever your relationship to the College, the Department of Security is eager to assist you in any way possible, whether by helping you find your way on campus or working together to make Mayflower Hill and the Colby community safer for all.

Colby and Central Maine offer a quality of life that is widely appreciated. But because our location is safer than many others, it is tempting for members of our community to be complacent or careless about their safety and to assume that crime does not occur here.

Though statistically safer than many places, Colby does experience crime, and that can be a rude awakening. A comment we've heard from more than one victim is, "I didn't think things like this happened here!"

The Department of Security works 24/7 to make Colby and its campus as safe as possible, but responsibility for crime prevention is shared by all members of the College community, including you. Your awareness is the most important factor, and our shared success preventing crime depends on a substantial degree on your following sound security practices and recognizing and immediately reporting suspicious or criminal activity.

The mission of Colby's Security Department is to provide a safe and secure environment for the Colby community. We offer a wide variety of services to assist students, faculty, staff members, and visitors. Please use this website to familiarize yourself with those services and with safe practices you can adopt. If you have any questions, feel free to call the department and let us know how we can help.

Pete S. Chenevert
Director of Security

ABOUT THE SECURITY DEPARTMENT

The department consists of ten full-time security officers, eleven reserve officers, one full-time administrative assistant, three full-time dispatchers, two part-time dispatchers, a pool of student workers, the Associate Director, the Assistant Director, and the Director. Security officers are hired to protect the lives of people at Colby College and College property. The traditional role of patrolling the campus 24 hours a day is the primary function of the department.

Security Officers work a schedule that provides maximum coverage during the busiest time periods. The most coverage is provided Thursday night through Sunday morning for social and special events such as parties, concerts, dances, etc. Security officers secure buildings, address safety and security concerns, transport students, respond to alarms, cover special events, and much more.

Although charged with the unpopular role of "enforcer" of the College's policies the Department of Security has maintained a close rapport with the College community. The Security Department has earned a reputation for fairness and helpfulness. The College community has come to know that, in time of need, the department can be depended upon for assistance.

Mission: Educators and Protectors

The mission of the Colby College Security Department is to provide a safe and secure environment for the Colby community. The Department of Security offers a wide variety of services to assist students, faculty, and staff members in their day-to-day living. The services are widely publicized. We ask that you familiarize yourself with this booklet and all the services offered by the Department of Security. The first step in a successful safety and security program is public awareness.

The Department of Security is dedicated to providing the highest quality of safety and security services to the college community in support of the College’s academic mission.

Every encounter between a Colby community member and a Colby Security Officer is an educational opportunity. We strive to make all encounters positive, but confrontations are possible. By explaining the nature of campus policies and referring infractions to the Dean of Students Office for follow-up discussions, Campus Security Officers attempt to limit confrontations.

Campus Security Officers derive their authority from the Colby Administration. Our personnel are officials of the College with specific responsibilities for safety, security and traffic enforcement. Colby College Security Officers have the authority to ask persons for identification to determine whether individuals have lawful business at Colby College. Security officers have the authority to issue parking tickets which are billed to financial accounts of students, faculty and staff. Colby Security officers do not have arrest powers. Criminal incidents are referred to the Waterville Police who have jurisdiction on campus. All crime victims and witnesses are strongly encouraged to immediately report any crime to Colby Security and the Waterville Police. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics. To report a crime call Colby Security at 207-859-5530, if an emergency call 207-859-5911 or 911.

The Department takes pride in its strong working relationship with the City of Waterville Police Department, as well as state and federal law enforcement agencies. We communicate directly with each other and cooperate in many investigations.

<p>COLBY SECURITY EMERGENCY: (207) 859-5911 Non-Emergency: (207) 859-5530</p>

The Department of Security is located in Roberts Union on the north end of Campus and is open 24 hours a day, 7 days a week, 365 days a year.

A Weekly Security Report is published in the Colby Echo.

Please see the Security Department webpage <http://www.colby.edu/securitydept/> and the Student Handbook <https://www.colby.edu/studentlife/handbook/> for further information.

If you need additional information not addressed above or have any questions or suggestions on security matters, please feel free to call 207-859-5530 or visit the Department of Security in the Roberts Building, Room 128, which is located on the parking lot side.

Campus Enforcement Authority

The Security Department is composed entirely of non-sworn campus security officers. The security officer enforcement authority is granted to any private citizen under Title 17-A, Section 16 of the Maine Revised Statutes Annotated and the Colby Administration. Security officers do not have arrest powers. Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Colby College. Officers conduct investigations of all incidents and submit detailed reports. Security officers have the authority to issue parking tickets, which are billed through the Business Office.

Campus Security Authority

A campus security authority is any individual (or individuals) who have responsibility for campus security, but who do not constitute a campus police department or campus security department. This includes officials of the College who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting in that capacity.

Colby College Security Authorities

Campus officials that have a significant responsibility for student and campus activities are considered to be Campus Security Authorities as defined by the Clery Act. A report of a Clery-reportable crime to any Campus Security Authority will be included in the College's campus crime statistics. The following list denotes the Campus Security Authorities for Colby College:

- Dean of The College Office
- Dean of Students Office
- Assistant Dean of Conduct and Accountability/Title IX Coordinator
- Campus Life Office
- Community Advisors
- Advisors to Students and Student Organizations
- Athletic Director and Team Coaches
- Department of Security

Security Officer Training

Each year the Department of Security conducts on the average 100 hours of training for all officers and dispatchers. The training is extensive and does not include all of the training some of the officers and dispatchers do on their own.

Officers complete Enhanced Security Officer Training Courses on campus as well as the New England College and University Security Officers Training Academy and certified training through the state of Maine and the Maine Campus Security Online Training and Justice Planning and Management Associates (JPMA).

On Campus Training Requirements:

- Diversity
- First Aid, CPR and AED Certification
- State Laws
- State Liquor Laws
- College Policies and Regulations
- Patrolling Techniques
- Civil Rights and Civil Rights Officer Certification
- Alcohol and Drug Awareness and Effects
- Clery and Title IX
- Hazardous Materials and Blood Borne Pathogens

All of the officers in the Department of Security have had considerable training in the security, law enforcement, and medical fields.

Highlights of the training are as follows:

- History and Role of Campus Security/Police
- Legal Issues
- Management of Aggressive Behavior (classroom and practical training)
- Sexual Assault
- Ethics and Professionalism
- Community Relations and Student Leaders
- Fire Safety
- Alcohol Awareness
- Crime Prevention
- Officer Safety and Patrol Procedures
- Sexual Harassment
- Hate Crimes
- Interviews and Report Writing
- Preliminary Investigations
- Drug Identification and Effects
- Gang and Occult Recognition
- Bias and Diversity

Colby College and Department of Security Statistics

Campus Population 2016 Fall Semester

Students _____	1879
College Staff and Faculty _____	773
Total Campus Population _____	2652

Student Population

On Campus _____	1799
Off Campus _____	80
Study Away _____	152
Total Students _____	2027

Department of Security Employees

Director	1
Asst. Director	1
Assoc. Director	1
Admin Assistant	1
Sworn Officers	0
Security Officers	6
Museum Security	4
Reserve Officers	11
Student Supervisors	2
Student Security	15
Jitney Drivers	20
Dispatchers	4
Reserve Dispatchers	1
TOTAL	67

In accordance with the Clery Act, each institution of higher education is required to annually prepare a Uniform Campus Crime Report (UCCR) consistent with the FBI's Uniform Crime Reporting (UCR) system. The report is to reflect the crime statistics on the property(ies) of the institution for the preceding calendar year. The statistical crime categories to be reported are: murder and Non-negligent manslaughter, negligent manslaughter, forcible sex offenses, non-forcible sex offenses, domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, larceny/theft, motor vehicle theft, arson, hate crimes, and arrests on campus for liquor law violations, drug abuse violations, and weapons possessions.

Colby College Clery Crime Statistics 2014-2016

CLERY CRIME STATISTICS	On-Campus				Non-Campus Property	Public Property
	Year	Residences	Other	Total	Total	Total
CRIMINAL HOMICIDE						
Murder/Non-Negligent Manslaughter	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Negligent Manslaughter	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
SEX OFFENSES						
Forcible Sex Offenses	2016					
	2015					
	2014	4	0	4	0	0
Rape	2016	7	0	7	0	0
	2015	9	0	10	1*	0
	2014	0	0	0	0	0
Fondling	2016	6	0	6	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Non-forcible Sex Offenses	2016					
	2015					
	2014	0	0	0	0	0
Incest	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0

* Study Abroad (Copenhagen)

+ As of 2014, the category of forcible sex offense is reported as rape or forcible fondling and the category of non-forcible sex offense is reported as statutory rape or incest.

CLERY CRIME STATISTICS	Year	On-Campus			Non-Campus Property	Public Property
		Residences	Other	Total	Total	Total
OTHER CRIMINAL OFFENSES						
Robbery	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Aggravated Assault	2016	1	0	1	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Burglary	2016	11	3	14	1*	0
	2015	6	1	7	0	0
	2014	2	4	6	0	0
Larceny/ Theft	2016	10	24	34	0	0
	2015	7	23	30	0	0
	2014	11	18	30	1	0
Motor Vehicle Theft	2016	0	1**	1**	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Arson	2016	0	1***	1***	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
ARRESTS						
Liquor Law Violations	2016	0	2	2	0	0
	2015	0	29	29	0	0
	2014	0	22	22	0	0
Drug Law Violations	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Illegal Weapons Possession	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0

* Study Abroad (Copenhagen) ** Hillside Lot *** Alford Apartments Dumpster Fire

As of 2013, On Campus burglary statistics changed because incidents with no evidence of unlawful entry had been included.

JUDICIAL REFERRALS (DISCIPLINARY ACTIONS)						
Liquor Law Violations	2016	80	0	80	0	0
	2015	52	20	72	0	0
	2014	59	70	129	0	0
Drug Law Violations	2016	20	0	20	0	0
	2015	12	0	12	0	0
	2014	12	0	12	0	0
Illegal Weapons Possession	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
UNFOUNDED CRIMES						
Total Unfounded Crimes	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0

VAWA (Violence Against Women Act)

CLERY CRIME STATISTICS	Year	On-Campus			Non-Campus Property	Public Property
		Residences	Other	Total	Total	Total
VAWA (VIOLENCE AGAINST WOMEN ACT)						
Domestic Violence	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0
Dating Violence	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	1	0	1	0	0
Stalking	2016	0	0	0	0	0
	2015	0	0	0	0	0
	2014	0	0	0	0	0

Hate Crime Statistics

HATE CRIMES									
ON CAMPUS STUDENT HOUSING	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/Non-Negligent Manslaughter	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Negligent Manslaughter	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Fondling	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Incest	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Robbery	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

HATE CRIMES									
ON CAMPUS STUDENT HOUSING	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Burglary	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Arson	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Simple Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Intimidation	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Larceny	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Destruction of Property	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

HATE CRIMES									
NONCAMPUS	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Negligent Manslaughter	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Fondling	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Incest	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Robbery	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Burglary	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

HATE CRIMES									
NONCAMPUS	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Larceny	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Arson	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Simple Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Intimidation	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Destruction of Property	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

HATE CRIMES									
PUBLIC PROPERTY	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Murder/ Non-negligent	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Negligent Manslaughter	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Fondling	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Non-forcible Sex Offenses	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Incest	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Statutory Rape	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

HATE CRIMES

PUBLIC PROPERTY	Year	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
Robbery	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Aggravated Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Burglary	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Arson	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Simple Assault	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Intimidation	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Larceny/Theft	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0
Destruction of Property	2016	0	0	0	0	0	0	0	0
	2015	0	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0	0

REPORTING EMERGENCIES, CRIMES AND POLICY VIOLATIONS

If you observe a crime or suspicious situation, or see a safety problem, immediately notify the Security Department. Your awareness is essential to campus crime prevention. For non-emergency or business calls, dial 859-5530 or 859-4000. For security emergencies, dial 859-5911.

Despite Colby Security's best efforts, crimes and College policy violations do occur on Campus. Colby is required by the Clery Act to report campus crime statistics. The Clery crime statistics report does not disclose the names or other identifying information of the victim or the accused. Colby takes its obligations under the Clery Act seriously, and encourages all community members to promptly report all crimes, emergencies, policy violations, and any suspicious behavior that they witness. In addition to compiling Clery Act crime statistics Campus Security will investigate all reports and activate the appropriate College Judicial procedures. A dispatcher is always on duty to answer calls from concerned members of the Colby Community. Security is ready to respond to all situations on campus and will coordinate with local agencies to ensure that the proper resources are available. Security incident reports are forwarded to the Assistant Dean of Conduct and Accountability/Title IX Coordinator for review and potential disciplinary action. Additional information obtained through investigation is also forwarded to the Assistant Dean of Conduct and Accountability/Title IX Coordinator for possible disciplinary action. If assistance is required from the local police department or the local fire department Security will contact the appropriate authority. In the event sexual misconduct is reported, staff on the scene, including Security will offer the victim a wide variety of services as provided in the Colby Sexual Misconduct Policy. All emergencies should be reported to the Department of Security. Persons who dial 5911 on a campus phone will be connected to the Department of Security.

All members of the campus community are strongly encouraged to promptly and accurately report any suspicious behavior or activity, crime, acts of violence against themselves or another or any circumstances that require attention.

To report a crime call Colby Security at 207-859-5530, if an emergency call 207-859- 5911 or 911.

You may also report crimes and policy violations to:

Assistant Dean of Conduct and Accountability/Title IX Coordinator (859-4256)
Dean of Students Office (859-4250)
Campus Life Office (859-4280)

In addition to compiling crime statistics, Colby will issue a timely warning notice, as required by the Clery Act, if there is a serious or continuing threat to the health or safety of Colby students and/or employees. Members of the Colby Community should report crimes to any member of the Security Department, any Dean within the Dean of Students Office, Assistant Dean of Conduct and Accountability/Title IX Coordinator or any Campus Security Authority (CSA). Security cannot guarantee the confidentiality of any reporting party and therefore does not have any procedures for voluntary, confidential reporting of crimes for inclusion in the annual disclosure of crime statistics.

The Colby Security Department is responsible for the reporting and follow-up of any criminal incident that occurs on the Colby College campus, in coordination with the Waterville Police Department, as necessary. Crimes committed in other jurisdictions should be reported to the police agency where the offenses occurred. To ensure that timely warnings are issued, and that accurate statistics are included in this annual disclosure, please immediately report any criminal offenses to a member of the Department Security, or to your respective dean, director, department head, or Campus Security Department.

On-Campus Reporting

When members of the Colby community receive a report of criminal activity on campus, they should immediately contact the Security Department. They may also contact a designated campus security authority who will then consult with security.

Off-Campus Reporting

If criminal activity takes place in an off-campus location, Colby College community members should contact the local, county, or state police department with jurisdiction.

When a Colby student is involved in an off-campus offense, security officers may assist in the investigation, in cooperation with local, state, or federal law enforcement authorities. Law enforcement authorities routinely work with and communicate with security on any incidents occurring on campus or in the immediate neighborhoods and business areas surrounding campus. Security officers may respond to student-related incidents that occur in proximity to campus. Security officers have direct communications with the Waterville police, fire and rescue services to facilitate rapid response to any emergency situation.

Anonymous Reporting Procedures

If you are the victim of a crime, or a witness to a crime, and do not want to pursue action within the Colby College system or the criminal justice system, you may still want to consider making an anonymous report. With your permission, the Dean's Office, Security Department and/or a law enforcement agency can file a report on the details of the incident without revealing your identity. The purpose of an anonymous report is to comply with your wish to keep the matter private, while taking steps to ensure the future safety of the community. With such information, the College can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for Colby College. To file an anonymous report, call the Security Department at 207-859-4000 or visit the Colby College Security Department website. You may also file a report in person by visiting the Security, Roberts Union, or by contacting any campus security authority.

SECURITY DEPARTMENT SERVICES

The Department of Security offers a wide variety of services to members of the College Community to ensure one's safety and well-being.

COLBY CARD

The Colby Card is a one-card system designed to provide a convenient way for students to gain access to residence halls and dining halls and to use services such as the library and laundry, copy, and snack machines. The card incorporates proximity technology for access control, a magnetic stripe for dining services, laundry, vending, copying, and bar code technology for library services. The ColbyCard office is located in the Student Financial Services Office in the Garrison Foster Health Center Building and is staffed Monday - Friday from 8:30 am to 4:30 pm.

ESCORTS

Campus Security will escort any student from one campus location to another if they contact the office and report feeling unsafe between the hours of dusk and dawn. These escorts may be given in a Colby Security vehicle or on foot, by security officers or student employees. Security will provide vehicular escorts between campus locations to physically disabled students who need assistance in moving about the campus. Medical escorts are given at all times of day and night.

JITNEY SERVICE

The Jitney Service provides safe and convenient transportation for students within the Waterville area. The Jitney operates within Waterville. Hours of operation are generally 2 p.m. to midnight or 2 a.m. 7 days a week. The Jitney provides service, when the College is in session, seven days-a-week. The College employs student drivers. Please call the Security Office to confirm the Jitney is running.

COLBY SHUTTLE

The Colby Shuttle provides safe and convenient transportation to downtown Waterville. There are predetermined stops and it runs on a strict schedule. The Shuttle driver is a Colby Security Officer. The shuttle will run from 7a-6p Monday-Friday. The shuttle will be expanding its hours as we transition using the downtown residence hall for Fall 2018.

COURTESY RIDES

Security officers provide rides on campus when an individual cannot drive himself or herself. Reasons might include sickness, injury, or intoxication.

LOCK OUTS

Students are strongly encouraged to lock their rooms at all times. If a student is accidentally locked out of their room during business hours a spare can be picked up at Campus Life in Cotter Union. Campus Security personnel will grant them admittance after checking their official room assignment and photo identification. Students who lose their room keys should report the loss to the Office of Campus Life (859-4280) so that their locks can be changed.

JUMP STARTS

If your vehicle will not start a Security Officer can attempt to jump start it if your vehicle is on campus.

COLBY CHECK

Colby Check is a property identification and marking program that was developed by the Department of Security to help members of the Colby Community protect their valuables. This program allows members of the Colby Community to check out engravers from the Security Office to use to mark their valuables.

An identification list is also filled out detailing the person's valuables, including value and serial number, and is filed with the Security Office. Should a theft take place, these preventive measures will assist the Department of Security and the local police department in tracking and recovering those marked items.

LOST AND FOUND

The Department of Security helps to centralize and record all items found or reported missing on campus.

Lost: Property should be reported to Security and the Pulver Information Desk in Cotter.

The report will be cross-checked with property being held at the Help Desk. If it is not being held, a general description of the property will be placed in the Lost and Found logbook. If the property shows up at a later date you will be notified by Security or the Help Desk. It is important that Security be notified if the property is found by someone outside of the department.

Found: Property should be turned in to the Pulver Information Desk in Cotter Union, where a report will be filed and cross-checked with other reports to determine the proper owner. Property turned in as found will be held a minimum of 90 days. After that time the item becomes the property of Colby College and will be disposed of as necessary.

DELIVERIES

Off-campus delivery services are not permitted to enter any College buildings. All deliveries must be received at the Student Mailroom in Cotter Union, the Eustis Mailroom, or Colby Security.

SAFETY AND SECURITY RESOURCES

Many Colby offices and local agencies are available to assist members of the community in emergency and crisis situations.

Dean on Call (dispatched through Security X5530 EMERGENCY 5911)

A designated staff member from the Dean of Students Office will be informed of all serious situations that occur on campus and will respond, when necessary, to emergency situations.

Colby Emergency Response (CER) Dispatched through Security (X5530 EMERGENCY 5911)

A squad of certified student Emergency Medical Technicians responds to all on-campus medical emergencies. This service is overseen by the Department of Health Services and maintains a strong working relationship with area EMS agencies such as Waterville Fire and Rescue and Delta Ambulance.

Counselor on Call (dispatched through Security (X5530 EMERGENCY 5911)

A professional counselor from Colby's Department of Counseling Services is always available for emergency consultations. Non-emergency counseling is available to all students by contacting the Counseling Center (x4460) during business hours. Conversations with Colby's counselors are free of charge and confidential. During non-business hours a counselor can be contacted confidentially by calling the Department of Security or the Counseling number and by pressing "0" the call will be transferred to the counselor on call.

Waterville Police Department

Informational questions about local laws or reports of crimes can be directed to the City of Waterville Police Department (WPD) by telephone. WPD will not respond to a campus call without informing the Department of Campus Security. Security officers may request additional support from WPD. As the local police authority, WPD is the contact agency for questions relating to Maine's local sex offender registry. Community members may also access the State of Maine Sex Offender Registry at the following web address: <http://sor.informe.org/cgi-bin/sor/index.pl> The Colby College Department of Security maintains a close working relationship with the Waterville Police Department, the Maine State Police, and the Kennebec County Sheriff's Office. Meetings are held between the leaders of these agencies on both a formal and informal basis. The Officers of Colby Security and WPD communicate regularly on the scene of incidents that occur in and around the campus. Colby College Security works closely with these agencies when incidents arise that require joint investigative efforts, resources, crime related reports and exchanges of information. There is a written memorandum of understanding between Colby College and the Waterville Police and Fire Departments.

EMERGENCY COMMUNICATIONS ON-CAMPUS CONTACT INFORMATION	
Campus Security (all emergency types)	X5911
Campus Security (non-emergencies)	X5530
General Information	X5530
Colby College Emergency Medical Services	X5911
Student Health Center	X4460
Physical Plant/Maintenance Emergencies	X5000
*Note—dialing 911 from on-campus phones directs you to the 5911 ext.	

CRIME PREVENTION, PERSONAL SAFETY, AND SECURITY AWARENESS

Access to campus administrative and academic buildings and grounds is available during normal business hours to students, faculty members, staff members, and guests. With the exception of the residence halls, which are locked at all times, most campus facilities are normally open when classes are in session, or by special request coordinated with the Department of Security. When class is not in session and when the campus is officially closed, all buildings are secured and only faculty, staff and students with proper authorization are allowed access. The general public may attend cultural and recreational events on Campus, however access is limited to the facility in which the event is being held. Officers' conduct routine security patrols of residence halls, academic and administrative buildings to monitor activity.

Authorization for use of the campus grounds for assembly purposes must be obtained in advance from the Scheduling Office and/or the Office of Campus Life or the Office of Summer Programs/Conference Services.

Residence Halls are locked at all times and access is restricted to building residents and their authorized guests. Community Advisors routinely monitor safety and security concerns inside residence halls and if necessary, report security concerns to Campus Security.

Blue Light Emergency Phones

Blue light emergency phones are located throughout the Colby campus. To contact the Office of Security with one of these phones, simply press the large red button on the phone. When an emergency phone is activated, the safety and security dispatcher will be alerted and an officer will be sent to the location of the phone. No dialing or conversation is required. If possible, try to describe the nature of the emergency to the dispatcher.

Campus Lighting

Light fixtures on campus are monitored for malfunctions. Work orders are submitted to affect repairs and these work orders are given priority. Areas where lighting could be enhanced to improve safety are reported to the Physical Plant Department for evaluation.

Parking and Traffic Enforcement

The Department of Security is responsible for regulating all vehicular traffic and parking on campus. Detailed information about the Department's current policies is available from the Security office or electronically on the website. All vehicles, including those belonging to temporary visitors, must be registered with the Department of Security.

Speaking Engagements

Members of security regularly visit student residences to present information regarding personal safety, alcohol and drug education, and crime prevention. To request a safety meeting for your room or residence hall, contact the Security Office 207-859-4000.

PERSONAL SAFETY TIPS

Crime Reduction and Prevention

- Trust your instincts when something doesn't feel right.
- If you have a cellular phone have it turned on and easily accessible.
- Do not leave valuable items visible in your vehicle.
- Walk with others whenever possible.
- Check the back seat of your vehicle before entering.
- Report all suspicious behavior to Campus Security or Law Enforcement Authorities.
- When you go out, do so with people that you trust to look out for your safety. Be a good friend—keep an eye on your friends to make sure they are safe.
- When you are at a party, make sure that someone knows where you are at all times. Check on your friends to make sure they are safe too.
- Get your own drinks. Only accept beverages from people you trust and never drink out of a cup that has been left unattended.
- Never walk home alone from bars or parties. Have a friend walk with you, call Security for an escort, or let the Events Staff know that you need an escort.
- Be aware of your surroundings.
- Walk with confidence. The more confident you look, the stronger you appear.
- Be assertive — don't let anyone violate your space.
- Don't prop open self-locking doors.
- Always lock your residence hall door and your windows, even if you leave for just a few minutes.
- If you do not feel well and need to lie down make sure that a friend stays with you to check on you.
- Watch your keys. Don't lend them. Don't leave them. Don't lose them. And don't put your name and address on the key ring.
- Watch out for unwanted visitors. Know who's on the other side of the door before you open it.
- Be wary of isolated spots like underground garages, offices after business hours, and apartment laundry rooms.
- Avoid walking or jogging alone especially at night. Vary your route. Stay in well-traveled, well-lit areas.
- Have your key ready to use before you reach the door — home, car, or work.
- Never hitchhike or pick up a hitchhiker.
- Know your sexual desires and limits. You have a right to say 'no' to any unwanted sexual contact.
- Communicate your limits as clearly as possible. If someone starts to offend you, tell him or her early and firmly. Being polite is fine, as long as you are firm and assertive. Say "no" when you mean "no" and be prepared to repeat it.
- Since alcohol and drugs interfere with clear thinking and effective communication, avoid excessive use of these substances. It may not be safe to be intimate with someone if you or they have been drinking or using other substances.
- If you want to be intimate with someone remember, that you can change your mind.

PREVENT System

- *P*revention is the most effective means of fighting crime
- *R*ecord the description of suspicious persons and vehicles, do not confront them yourself
- *E*scape is the primary objective if you are in a dangerous situation
- *V*alue your safety and the safety of others
- *E*mploy common sense and awareness in your day-to-day activities
- *N*otify Colby Security if you are the victim of a crime or witness one
- *T*elephone x5911 or 207-859-5911 for any on-campus emergency

In the Event of Fire

- Remain calm
- Dress appropriately, get your keys, and evacuate the building promptly
- Proceed to your buildings Initial Assembly Area
- Activate the building fire alarm or notify Colby Security immediately
- If a door is warm DO NOT open it.
- If you are trapped in a room, seal the door and signal from a window.

CLERY CAMPUS CRIME ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 requires the distribution of an annual security report to all current faculty, staff, and students, and notice of its availability to prospective students, faculty, and staff. The annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by Colby College, and on public property within or immediately adjacent to and accessible from the campus. This report includes all crimes reported to the Security Department or to a campus security authority, regardless of the ultimate disposition of the reported crime. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and fires in campus residential buildings.

Developing Information

The annual preparation of crime statistics involves coordination among statistics collection by the Security Department, the Assistant Dean of Conduct and Accountability/Title IX Coordinator, and the Waterville Police Department. This coordination also occurs in the gathering of statistical data from those with “significant responsibility for students and campus activities.” The Security Department updates all campus safety and security information for submission to the Student Handbook and the campus crime report. The Office of Security contacts appropriate law enforcement agencies with jurisdiction over campus and non-campus properties to collect annual statistics and prepare a daily crime log describing reported incidents.

Colby Security maintains a daily crime log which is available to the public. The crime log is maintained at the Security Office and is available during normal business hours. The Crime Log lists crimes on campus, dates and times, locations, dispositions, and notes.

Annual Security Report - Campus Crime, Fire, Alcohol, and Illegal Drugs

This Annual Security Report information is provided to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and has been prepared by the Department of Security. The Clery Act aims to ensure transparency around campus crime policy, statistics and foster campus safety.

Each fall, e-mail notification is made to students and employees providing website address access for this report. *The URL is also included on the websites of Human Resources and Admissions to inform prospective students and employees.* You can link directly to the site at www.colby.edu/securitydept

Crime statistics, compiled throughout the year, are published annually, and this report is updated as necessary. You may obtain a paper copy of this report by contacting the Security Office, Roberts Union, (207-859-5530).

The Clery Crime Log and the Clery Fire Log may be viewed at the Security Office or online at the Security Department’s website.

Clery Geographic Definitions

Campus:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Residence:

A subset of crimes on campus that includes only those crimes that were reported to have occurred in dormitories or other residential facilities.

Non-campus building or property:

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

List of Colby College non-campus buildings and properties:

1. Hume Center, Sidney, ME
2. Outing Club Cabin, Belgrade, ME

Public Property:

All public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

Source: The Handbook for Campus Crime Reporting, U.S. Department of Education, Office of Postsecondary Education, 2016.

Clery Crime Definitions

Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Negligent Manslaughter: The killing of another person through gross negligence.

Robbery: The taking or attempting to take anything from value of 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 or probably would result in a serious potential 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 a 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 joy riding)

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

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

For purposes of reporting crimes, when more than one criminal offense was committed during a single incident, only the most serious offense is counted pursuant to the FBI's Uniform Crime Reporting Program. Exceptions to the hierarchy rule include that arson is always reported as a separate crime regardless of whether it occurs in the same incident as another crime and where rape, fondling or statutory rape occurs in the same incident as a murder, both crimes are reported in the crime statistics.

Sex Offenses are any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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, including instances in which the victim is incapable of giving consent.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

NOTE: The above listed crime definitions from the Uniform Crime Reporting Handbook, 2013 Revised UCR definition of Rape, as prescribed by 2014 VAWA Negotiated Rulemaking Final Consensus Language.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT & THE CAMPUS SAVE ACT

The Violence Against Women Reauthorization Act (VAWA) of 1994 (42 U. S.C. 13925(a)(20)), which President Obama signed into law on March 7, 2013, imposes new obligations on colleges and universities under its Campus Sexual Violence Act.

Under VAWA, colleges and universities are required to:

- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.
- Records are public in accordance with the Clery Act reporting and disclosures, without including personally identifying information about the victim, as defined in Section 40002(a)(20) of the VAWA.
- All reasonable attempts are made to protect the victim's confidentiality, even if they victim does not specifically request it.

The Clery Act requires annual reporting of statistics for various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA's SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. VAWA's SaVE Act provision imposes new reporting requirements. These crimes are defined below:

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Violence includes, but is not limited to, sexual or physical abuse *or* the threat of such abuse.

The existence of a social relationship of a romantic or intimate nature with the victim is determined based on:

- The reporting party's statement;
- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

The term *dating violence* excludes acts covered under the definition of *domestic violence*.

Domestic violence: A felony or misdemeanor crime of violence committed by any of the following individuals:

A current or former spouse *or* intimate partner of the victim; *or*
A person with whom the victim shares a child in common; *or*
A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; *or*
A person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; *or*
Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Sexual assault: An offense that meets the definition of *rape, fondling, incest, or statutory rape* as stated in the FBI's Uniform Crime Reporting Program.

Rape is defined as the penetration, not 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 a person.

Stalking: Engaging in a *course of conduct* directed as 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.

A course of conduct is two or more acts, including, but not limited to:

Acts in the 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.

Substantial emotional distress, significant mental suffering or anguish that may, *but does not necessarily require*, medical or other professional treatment or counseling.

A reasonable person is one under *similar circumstances and with similar identities to the victim*.

Gender Based Violence is a broad term encompassing dating violence, domestic violence and stalking. Gender Based Violence can occur between strangers or acquaintances, including people involved in both long term and brief intimate partnerships. Gender Based Violence can be committed by men or women, and it can occur between people of the same or different sex.

HATE CRIMES

Colby College is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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.

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. If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

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 persons having custody or control of it.

Hate Crime Definitions for Reported Statistics

The College reports hate crimes precipitated against individuals or groups when the motivating reason in whole or part, can be attributed to race, gender, religion, sexual orientation, gender identity, national origin, ethnicity, or disability bias. Although there are many possible categories of prejudice, under Clery, only the following six categories are reported:

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (eg., Asian, Blacks, Whites).

Gender/Gender Identity: A preformed negative opinion or attitude toward a group of persons because those persons are male or female or identify as male or female.

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

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (eg. Gays, Lesbians, Heterosexual).

Ethnicity/National Origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

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

For Clery purposes, hate crimes include any offense in the following groups that is motivated by prejudice.

Categories of Hate Crime Offenses

Murder and Non-negligent manslaughter
Forcible sex offenses
Non-forcible sex offenses
Robbery
Aggravated assault
Burglary
Motor vehicle theft
Arson
Larceny-theft
Simple assault
Intimidation
Destruction/damage/vandalism of property

Source: This information was taken directly from the U.S. Department of Education, Office of Postsecondary Education, The Handbook for Campus Safety and Security Reporting, Washington D.C., 2011.

A hate or bias related crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc., the assault is then also classified as a hate/bias crime.

BIAS INCIDENTS AND CRIMES

Bias Crimes Compliance Statement

Colby College seeks to prepare all students to thrive as fully engaged citizens of a diverse and increasingly complex world. In keeping with this goal, Colby is duly committed to distinguishing itself as a living and learning community that values and exemplifies the inclusion of diverse persons and perspectives. However no college or community is immune to problems that arise as a result of various forms of bias. As part of the College's commitment to an inclusive campus community, a Bias Incident Prevention and Response Team (BIPR) and protocol has been developed to address incidents that occur on-campus or at any Colby- sponsored off-campus event. We urge all community members to familiarize themselves with the reporting protocol found in this document and to report promptly any incidents that violate the standards that we as a community seek to uphold.

What is a bias incident?

A bias incident is an action that violates College policy and is motivated in whole or in part, by the perpetrator's bias or attitude against an individual or group based on perceived or actual personal characteristics, such as their race, religion, ethnicity, gender, sexual orientation, or disability.

Examples of bias incidents include harassment, intimidating or threatening comments or messages, vandalism of personal or college property, and defacing posters or signs. Bias incidents affect not only the individual victim or target of a specific action, but often make an entire group or community feel vulnerable and unwelcome.

This is unacceptable at Colby College and will be treated as a serious offense that could include separation from the College.

What is a hate crime?

A hate crime is any crime involving or motivated in whole or in part by prejudice, including race, gender, religion, sexual orientation, gender identity, national origin, ethnicity, and disability. In addition to the victim, members of the victim's group, and the community as a whole, can feel victimized by a hate crime.

A person commits a hate crime when he or she commits a specified offense and either: intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or Intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Examples of specific crimes identifiable as hate crimes include murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property in which the victim is intentionally selected because of the actual or perceived protected category.

What are the penalties for committing hate crimes?

For most crimes, when a person is convicted of a hate crime, the crime is deemed to be one category higher than the specified offense the defendant committed, and the person is sentenced accordingly.

Penalties for hate crimes are very serious and range from fines to imprisonment for lengthy periods depending on the nature of the underlying criminal offense, the use of violence, or previous convictions of the offender.

Hate crimes are prohibited in separate ways by Maine State law and Colby College policy. Thus offenders may be prosecuted under Maine State criminal statutes and subject to disciplinary action by the College.

The College may pursue disciplinary action while criminal action is pending or even if criminal justice authorities choose not to prosecute. In addition to any criminal penalties, students found responsible for a hate crime are subject to disciplinary action and penalties, which may include, among other penalties, separation from the College.

Reporting a Bias Incident or Hate Crime

All members of the Colby community are urged to report promptly any bias incident directed against a Colby Community member or group that occurs on-campus or at any Colby-sponsored off-campus event.

To report an incident or crime in progress call the Campus Security Emergency Line at 207-859-5911 immediately.

To report a bias incident or hate crime, please complete the Bias Incident Report Form. A Bias Incident Report may be filed via an on line form bias@colby.edu which upon submission, is automatically directed to the Department of Security, the Dean of Students Office, and members of the Bias Incident Prevention and Response Team.

Upon receipt of a report, the Director of Security (or designee) will contact the victim and the Assistant Dean of Conduct and Accountability/Title IX Coordinator or appropriate college officer, depending upon whether the complainant is a student or college employee, and the Bias Incident Prevention and Response Team will be convened.

The Bias Incident Prevention and Response Team will respond in the following ways.

Reviews the report and ensure that an investigation is initiated in a timely manner. A member of the team will be designated to ensure that the complainant is provided with appropriate support and referrals to resources on and off-campus and relevant updates concerning the investigation and resolution.

Works with college administrators to determine how best to mitigate campus tensions arising from a complaint, whether or not that incident rises to the level of a policy violation.

Collects and disseminates to the campus community information about reported bias incidents.

Colby College Resources

- Counseling Services 207-859-4460
- Dean of Students Office 207-859-4250
- Ass.'t Dean of Conduct 207-859-4256
- Student Health Services 207-859-4460
- Campus Life Office 207-859-4280
- Colby Security 207-859-5530 or 859-5911 if an emergency
- Equal Employment Officer 207-859-4733

Off-Campus Resources

- Waterville Police 911 or 207-680-4700 for general information
- State Police 800-452-4664
- Kennebec County Sherriff 207-623-3614
- Maine General Emergency Department 207-872-1300
- Inland Hospital Emergency Department 207-861-3200
- Attorney General's Office 207-626-8800

Please note: the reporting system does not create a new category of prohibited behavior or a new process for members of the Colby community to be disciplined or sanctioned. The BIPR Team has no authority to discipline any student or member of the faculty or staff. Reported conduct that may be a violation of college policy will be referred for action through existing disciplinary or judicial procedures. Reported conduct that may be a violation of law may also be referred to local law enforcement agencies.

SEXUAL HARASSMENT

Important Resource Phone Numbers

EMERGENCY: 207-859-5911

Campus Security Non-Emergency: 207-859-5530

Counseling Center: 207-859-4460 (press 0 for Counselor on Call after business hours)

Rape Crisis Assistance and Prevention Helpline: 1-800-871-7741

Dean/Counselor on Call after hours: 207-859-5530

Assistant Dean of Conduct and Accountability/Title IX Coordinator 207-859-4256

Reporting Resources (non-confidential)

Title IX Coordinators

- Melvin D. Adams, III, Assistant Dean of Conduct and Accountability/Title IX Coordinator—Eustis 210-D) or 207-859-4256 or mdadams@colby.edu.
- Cora Clukey, Director of Recruitment and Employment—Roberts 122 or cora.clukey@colby.edu or 207-859-5511.

Colby College Harassment and Sexual Harassment Policy and Complaint Procedures (Updated August 27, 2017)

Harassment Policies and Procedures

Harassment, which can run the gamut from verbal abuse to physical assault directly conflicts with a commitment to human dignity and will not be tolerated at Colby. A student who feels he or she is the victim of harassment should talk with someone on his or her residence hall staff, to the Assistant Dean of Conduct and Accountability/Title IX Coordinator in the Dean of The College Office, in the Health Center, or with one of the Chaplains. They will help the student take the steps necessary to correct the situation. Students found guilty of harassment are subject to immediate suspension or expulsion.

The right of free speech and the open exchange of ideas and views are essential, especially in a learning environment and Colby College upholds these freedoms vigorously. The College is committed to assuring dignity for all and desires to be welcoming to every member of the campus community. In furtherance of that aim, Colby has developed this policy which prohibits harassment.

Nondiscrimination Policy

Colby is a private, coeducational liberal arts college that admits students and makes personnel decisions on the basis of the individual's qualifications to contribute to Colby's educational objectives and institutional needs. The principle of not discriminating on the basis of age, race, color, religion, national or ethnic origin, sex, sexual orientation, gender identity, genetic information, parental or marital status, political beliefs, veteran or military status, or disability unrelated to job or course of study requirements, and other protected categories under applicable local, state and federal law, ordinance or regulation is consistent with the mission of

a liberal arts college. Colby is an equal opportunity employer and operates in accordance with federal and state laws regarding nondiscrimination.

Title IX

Students are protected from sex discrimination under the federal law referred to as “Title IX” in the following areas:

- Admission;
- Access to course enrollment;
- Access to facilities;
- Counseling;
- Competitive athletics;
- Graduation requirements;
- Student rules, regulations and benefits;
- Treatment as a married, pregnant and/or parenting student;
- Housing, financial aid or health services;
- Most other benefits and services.

Harassment

Harassment based on any protected classification, including race, color, sex, sexual orientation, gender identity, religion, national or ethnic origin, or disability, results in loss of self-esteem for the victim and in the deterioration of the quality of the classroom, social, or workplace environment. Harassment includes conduct specifically directed at an individual or a small group of individuals and expresses hatred or contempt on the basis of stereotyped group characteristics or because of a person’s identification with a particular group. Harassment also includes any action or speech directed toward members of the protected classes that reasonably can be determined to be threatening in content or is spoken in a manner that suggests violence toward such persons is imminent. Harassment is deemed to have occurred when harassing conduct is sufficiently severe, pervasive, or persistent that it interferes with or limits a student’s or employee’s ability to participate in or gain the privileges of programs and services of the College.

Intimidation

Intimidation is spoken, written or physical conduct directed toward an individual or individuals that unreasonably interferes with his/their full participation in the College community or that is intended to create or may be reasonably determined to have created a threatening or hostile environment.

Neither the law nor College policies permit harassment or intimidation. Harassment, as defined by this policy, by any student, or by any employee of the College will not be tolerated. Possible penalties for those found responsible of harassment include probation, suspension, expulsion, termination of employment, and civil or criminal lawsuits. Those in positions of authority in all sectors of the College community must recognize that there is always an element of power in their relationships with persons having less authority. Faculty members must be aware that they can unexpectedly find themselves responsible for the instruction or evaluation of any student at the College. It is, therefore, the responsibility of the person in authority not to abuse that power.

Relationships between consenting adults that would otherwise be acceptable can pose problems when one of the two has any kind of authority over the other. Such relationships should be avoided.

Sexual or Gender-Based Harassment

Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical or otherwise, when the conditions outlined in (1) and (2), below, are present.

Gender-Based Harassment includes harassment based on a person's actual or perceived gender, sex, sexual orientation, gender identity or expression, or gender stereotypes which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.

1. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any College programs and/or activities, or is used as the basis for College decisions affecting the individual (often referred to as "quid pro quo" harassment); or

2. Such conduct creates a hostile environment. A "**hostile environment**" exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College's educational or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of the known circumstances, including but not necessarily limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the complainant's educational or work performance and/or College programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if it is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to create a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Retaliation means any adverse action taken against a person either for making a good faith report of Prohibited Conduct, or participating in any investigation or proceeding under this

policy (even if the report is later not proven). Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected by this policy, either by a respondent or any person connected with the respondent. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include any good faith actions pursued in response to any report of Prohibited Conduct. The College will take immediate action to a report of retaliation.

Complicity is any action taken by a person with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

Instances of harassment including sexual harassment should be reported to a Title IX Coordinator:

- Melvin D. Adams, III, Assistant Dean of Conduct and Accountability/Title IX Coordinator—Eustis 210-D) or 207-859-4256 or mdadams@colby.edu.
- Cora Clukey, Director of Recruitment and Employment—Roberts 122 or cora.clukey@colby.edu or 207-859-5511.

The purpose of making a complaint is to enable the College to investigate incidents of harassment and to permit the College to act promptly to remedy any violation of this policy. Unless prohibited by statute from making a report, all members of the College faculty, and all staff members who interact regularly with students, will report any instances of sexual assault or harassment of which they become aware of to a Title IX Coordinator.

Please note that it is a violation of College policy for any faculty or staff member to engage in an amorous, dating, or sexual relationship with a student, whether that relationship is welcome or unwelcome. Refer to Colby’s policy on Consensual Relationships with Students at http://www.colby.edu/administration_cs/eo/consensual-relationships-with-students-policy.cfm.

Harassment in the Classroom

Colby believes that academic freedom is the cornerstone of a college education and faculty members have wide latitude to conduct classroom sessions in creative and intellectually stimulating ways. A true and valued learning experience may cause discomfort as students are challenged and exposed to new and perhaps disquieting ways of thinking or living. Nonetheless, students have the right to participate in the classroom without being subjected to harassment in violation of this policy. It is incumbent on faculty members to balance the demand of rigorous and thought-provoking teaching with the expectation that students will not be personally harassed or singled out in the learning process on the basis of group membership. Instructors have the special responsibility to explain to their students when necessary, the educational purpose of any classroom technique or practice.

Harassment Complaints Against a Student

Harassment by a student of another student, a faculty member, a staff member, or a third party (in circumstances directly affecting the College community) is a violation of Colby’s Code of

Student Conduct. A report of harassment by a student should be made to the Assistant Dean of Conduct and Accountability/Title IX Coordinator. In accordance with Title IX, instances of sexual harassment should be reported to Assistant Dean of Conduct and Accountability/Title IX Coordinator Melvin D. Adams, III (207-859- 4256; mdadams@colby.edu; Eustis 210-D). The Student Disciplinary Procedures set forth in the Colby Student Handbook will apply to the report. The Student Handbook can be found online on the Dean of The College webpage <https://www.colby.edu/deanofthecollege/>. Possible sanctions for a student found responsible for harassment include, but are not limited to, disciplinary probation, community service, suspension, or expulsion. In addition, the Office of the Dean of The College will consider, and if appropriate impose, interim measures to protect a student who claims he or she has been a victim of harassment, including sexual harassment.

Harassment Complaints Against a Faculty or Staff Member

A complaint of harassment against a member of the faculty or staff by a student, faculty member, staff member, or third party (in circumstances directly related to the faculty or staff member's position within the College) should be made to the College's Director of Recruitment and Employment, Cora Clukey (207-859-5511; cclukey@colby.edu). The Director of Recruitment and Employment will investigate the complaint promptly, either directly or through a designee. The investigator will issue a report of the investigation. If the investigator concludes that harassment has occurred, he or she will include in the report the remedial action to be taken, including sanctions against the accused faculty or staff member where appropriate. Except in cases involving sanctions of suspension or dismissal of the accused faculty or staff member, the decision of the investigator is final.

For complaints against a staff member, if the remedial action includes a suspension or dismissal of the accused staff member, the staff member has the right to appeal the decision to the Staff Appeals Board. The appeal will proceed as provided in the Staff Handbook.

Members of the Colby community are encouraged to use the complaint procedures outlined above. Complaints may also be filed with the Maine Human Rights Commission (207) 624-6290, State House Station, Augusta, ME 04333.

Faculty and Staff Relationships with Students

The Colby College Faculty Handbook prohibits sexual relationships between faculty and students. "It is a violation of College policy for a faculty member, academic administrator (e.g., library director, athletics director) or academic staff member (e.g., teaching assistants and associates, librarians, assistant coaches, secretaries, language assistants, applied music associates) to engage in an amorous, dating, or sexual relationship with a student. Possible violations of this policy should be brought to the attention of the Dean of Faculty, the Dean of the College, the department chair or program director, and/or a Title IX Coordinator.

SEXUAL MISCONDUCT

(DATING VIOLENCE, DOMESTIC VIOLENCE, and SEXUAL ASSAULT)

Colby is committed to providing a safe and non-discriminatory learning, living and working environment for all members of the College community. The College does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate federal and state laws (Title IX and Title VII, and the Maine Human Rights Act). Such behavior also requires the College to fulfill certain obligations under two other federal laws, the Violence Against Women Act (VAWA) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act (Clery Act).

The College prohibits Sexual Assault (including use of Force as defined in the policy) Sexual Exploitation, Intimate Partner Violence, Stalking, Sexual or Gender-Based Harassment, Complicity in the commission of any act prohibited by this policy, and Retaliation against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under this policy (collectively “Prohibited Conduct”). These forms of Prohibited Conduct are unlawful, undermine the values and purpose of the College, and will not be tolerated.

The College adopts this policy with a commitment to (1) whenever possible, preventing and eliminating Prohibited Conduct; (2) addressing the effects of Prohibited Conduct; (3) fostering a campus climate where Prohibited Conduct is not tolerated and individuals are supported in reporting Prohibited Conduct; (4) providing a fair and impartial process for all parties; and (5) having a process for reviewing and improving the policy and processes as necessary.

It is the responsibility of every member of the Colby community to foster an environment free of Prohibited Conduct. All members of the community are encouraged to take reasonable and prudent action to prevent, stop and report acts of Prohibited Conduct.

Violators of this policy may face disciplinary action, up to and including expulsion or termination. The College will take prompt and equitable action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The College conducts ongoing prevention, awareness and training programs to facilitate the goals of this policy.

Faculty and Staff Relationships with Students

The Colby College Faculty Handbook prohibits sexual relationships between faculty and students. It is a violation of College policy for a faculty member, academic administrator (e.g. library director, athletic director) or academic staff member (e.g., teaching assistants and associates, librarians, coaches, administrative assistants, language assistants) to engage in an amorous, dating, or sexual relationship with a student. The Dean of the College staff must adhere to the above policy.

1. Application of Sexual Misconduct Policy

This policy applies to all Colby students, from the time a student first arrives at Colby (whether in Waterville or through the Global Entry program) until graduation or date of last attendance at

Colby. It applies to Prohibited Conduct committed by a student against a student, Employee or Third Party (as defined in this policy); committed by a faculty member, administrator, staff member, volunteer or temporary employee (collectively “Employees”) against a student; or committed by guests, contractors, vendors and other third parties visiting, doing business or having any official capacity with the College (collectively “Third Parties”) against a student. Part 7 of this policy sets forth the Intake, Investigation and Corrective Action process that applies when a student is accused of misconduct.

This policy pertains to acts of Prohibited Conduct when:

- The conduct occurs on College grounds or any property owned or controlled by the College; or
- The conduct occurs in the context of a College employment or education program or activity, including but not limited to, College-sponsored or approved off-campus study, research or internship programs; or
- The conduct occurs outside the context of a College employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, Employees or Third Parties while on College grounds or other property owned or controlled by the College, or in any College employment or education program or activity.

All of Colby’s reporting and support resources are available to students regardless of the location where they are participating in College-sponsored or approved educational, research or internship programs.

2. Definitions of Prohibited Conduct

Sexual Misconduct is an umbrella term used to encompass the full range of unacceptable conduct of a sexual nature that may be adjudicated at Colby. It includes Sexual Harassment, Sexual Assault, Sexual Exploitation, Intimate Partner Violence, Stalking, Sexual or Gender-Based Harassment, Complicity in the commission of any act prohibited by this policy, Retaliation, and any other acts of misconduct of a sexual nature.

Sexual Assault under Colby policy consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without (3) Affirmative Consent.

(1) **Sexual Contact** is:

- Any intentional sexual touching,
- However slight,
- With any object or body part (as described below),
- Performed by a person upon another person.

Sexual Contact includes (a) intentional touching of the breasts, buttocks, groin, genitals or mouth, whether clothed or unclothed, or intentionally touching another person with any of these body parts; and (b) making another person touch you or themselves with or on any of these body parts.

(2) **Sexual Intercourse** is:

- Any penetration,
- However slight,
- With any object or body part (as described below),
- Performed by a person on another person.

Sexual intercourse includes (a) vaginal penetration by a penis, object, tongue, finger, or any body parts; (b) anal penetration by a penis, object, tongue, finger, or any body parts; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

(3) **Affirmative Consent** is:

- Knowing,
- Clear,
- Voluntary (freely given),
- Active, meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity at the same time, in the same way. Silence, without articulable actions demonstrating permission, cannot be assumed to show consent.

A person who wants to engage in a specific sexual activity is responsible for obtaining Affirmative Consent for that activity. Affirmative Consent may be withdrawn by any party at any time and is not unlimited. A party withdrawing consent should clearly communicate the withdrawal by words or actions. Once Affirmative Consent is withdrawn, the sexual activity must cease immediately. Consent to one form of Sexual Contact or activity does not constitute consent to other or all forms of Sexual Contact or activity. Each person in a sexual encounter must consent to each form of Sexual Contact or activity with each participant. Having a previous relationship or sexual encounters does not imply consent for future Sexual Contact or activity. However, in cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on whether there has been Affirmative Consent.

Affirmative Consent cannot be obtained by **Force**. Force includes (a) the use of physical violence, (b) threats, (c) intimidation, and/or (d) coercion. These types of conduct also constitute Prohibited Conduct under this policy.

- (a) **Physical violence** means that a person is exerting control over any person through the use of physical force. Examples include but are not limited to hitting, punching, slapping, kicking, restraining, choking, and brandishing or using a weapon.
- (b) **Threats** are words or actions that would compel a reasonable person to submit unwanted sexual activity. Examples include but are not limited to threats to harm the person physically; to end a relationship unless they submit to sexual activity at that time; to reveal private information to harm a person's reputation; to cause a person academic or economic harm; or threats to harm oneself or others.
- (c) **Intimidation** is an implied threat that a reasonable person knows or should know menaces or causes fear in another person. A person's size alone does not constitute

intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g. blocking access to an exit or phone).

- (d) **Coercion** is the use of unreasonable pressure to gain sexual access. Coercion is more than a momentary effort to persuade, entice, or attract another person to engage in sexual activity. When a person makes clear a decision not to engage in sexual activity, or makes a decision to stop sexual activity, or a decision not to go beyond a certain sexual activity, continued pressure to engage can be coercive. In evaluating whether coercion was used, the College will consider: (i) the frequency of the application of pressure; (ii) the intensity of the pressure; (iii) the degree of isolation of the person being pressured; (iv) the duration of the pressure; and (v) any other similar or related conduct.

Incapacitation means that a person lacks the ability to make rational, reasonable judgments about whether or not to engage in sexual activity and give Affirmative Consent. Affirmative Consent cannot be gained by taking advantage of the Incapacitation of another person, where the person initiating sexual activity actually knew or reasonably should have known the person was incapacitated.

A person who is incapacitated is unable, temporarily or permanently, to give Affirmative Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily "incapacitated" merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person. In evaluating Affirmative Consent in cases of alleged incapacitation, the College asks two questions (1) Did the person initiating sexual activity actually know that the other person was incapacitated? (2) If not, should a sober, reasonable person in the same situation have known that the other party was incapacitated? If the answer to either of these questions is "yes," Affirmative Consent was absent and the conduct is likely a violation of this policy.

One is not expected to be a medical expert in assessing incapacitation. One must look for the common and obvious warning signs that show a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, common signs include slurred or incomprehensible speech; unsteady gait; combativeness; emotional volatility; vomiting and/or incontinence. A person who is incapacitated may not be able to understand or answer some of the following questions in a clear manner: "Do you know where you are?"; "Do you know how you got here?"; "Do you know what is happening?"; "Do you know who you are with?"

One should be cautious before engaging in Sexual Contact or Sexual Intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether Affirmative Consent has been sought or given. If one has doubt about either party's level of intoxication, the safe and sensible thing to do is to forego all sexual activity at that time.

Being impaired by alcohol or other drugs is not a defense to any violation of this policy.

Sexual Exploitation is purposely or knowingly doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of or with the result of compromising that person's ability to give Affirmative Consent to sexual activity;
- Allowing third parties to observe private sexual activity from a hidden location (e.g. closet or window) or through electronic means (e.g. Skype or live-streaming of images);
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants) or viewing another person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Disseminating or posting of images or recordings of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Prostituting another person;
- Knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge;
- Exposing one's genitals or inducing a person to expose their genitals without consent;
- Any other similar conduct.

Intimate Partner Violence includes "dating violence" and "domestic violence" as defined by VAWA. Intimate Partner Violence includes any act of violence, threatened act of violence or imposition of substantial emotional distress (multiple acts that result in significant mental suffering or anguish) that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic or other intimate relationship. The College will evaluate the existence of an intimate relationship based on the complainant's statement and taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Intimate Partner Violence may include any form of Prohibited Conduct under this policy, including Sexual Assault, Stalking, and Physical Violence. **Physical Violence** is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. Physical Violence will be addressed under this policy if it involves Sexual or Gender-Based Harassment, Intimate Partner Violence, or is part of a course of conduct under the Stalking definition.

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress. "**Course of conduct**" means multiple acts, including but not limited to acts in which a person (i) directly, indirectly, or through third parties, (ii) by any action, method, device, or means, (iii) follows, monitors, observes, surveils, threatens, or communicates to or about another person and/or takes, damages or withholds another person's property. "**Substantial emotional distress**" means significant mental suffering or anguish.

Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media such as the Internet, social networks or media, blogs, electronic devices, texts, or other similar devices or forms of contact. It also includes, but is not limited to, sending unsolicited communications about a person, or their friends, family or co-workers, or sending/posting unwelcome and unsolicited messages with another username.

Sexual or Gender-Based Harassment

Sexual Harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical or otherwise, when the conditions outlined in (1) and (2), below, are present.

Gender-Based Harassment includes harassment based on a person’s actual or perceived gender, sex, sexual orientation, gender identity or expression, or gender stereotypes which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.

1. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any College programs and/or activities, or is used as the basis for College decisions affecting the individual (often referred to as “quid pro quo” harassment); or

2. Such conduct creates a hostile environment. A “**hostile environment**” exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College’s educational or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of the known circumstances, including but not necessarily limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the complainant’s mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the complainant’s educational or work performance and/or College programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if it is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to create a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Retaliation means any adverse action taken against a person either for making a good faith report of Prohibited Conduct, or participating in any investigation or proceeding under this policy (even if the report is later not proven). Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected by this policy, either by a respondent or any person connected with the respondent. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of Prohibited Conduct. Retaliation does not include any good faith actions pursued in response to any report of Prohibited Conduct. The College will take immediate action to a report of retaliation.

Complicity is any action taken by a person with the purpose of aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

3. Reporting Sexual Misconduct

Individuals who have experienced Sexual Misconduct may make a report to Colby College’s Assistant Dean of Conduct and Accountability/Title IX Coordinator: Melvin D. Adams, III, at (207) 859-4256 or conduct@colby.edu.

Reports made after business hours and on weekends to Security (207) 859-5530 or (207) 859-5911) or the Dean on Call (207) 859-5530 will be referred as soon as possible to the Title IX Coordinator.

When the Title IX Coordinator receives a report about Sexual Misconduct, the Coordinator will provide information about resources and support available, and discuss available options for resolving the complaint. The College is obligated to take prompt action to eliminate Sexual Misconduct, prevent its recurrence, and address its effects even if the complainant prefers that the College take no action.

When a student is reporting alleged Sexual Misconduct by an Employee or Third Party, the Title IX Coordinator will work with appropriate administrators to process the complaint in accordance with the applicable faculty, staff and/or College policies.

When a student is reporting alleged Sexual Misconduct by another student, the following options are available.

Option A: The student may request the College to pursue disciplinary action with the accused student (respondent). The Title IX Coordinator will assess the complaint and generally will refer the matter to a trained outside investigator who will collect evidence, conduct interviews, make findings as to whether any policy violations occurred, and present findings to the Sexual Misconduct Panel. (These processes are described in greater detail in later sections).

In certain circumstances, such as when the alleged conduct does not constitute a violation of the Sexual Misconduct Policy; where there is no dispute between the parties as to the facts or the respondent does not dispute the violation; or where the complaint of Sexual Misconduct is incidental to other policy violations, the Title IX Coordinator has the discretion to address the matter through the regular disciplinary process.

Option B: The student may choose not to pursue disciplinary action, but may still request the opportunity to communicate with the accused student about the effects of the incident in question through a third party, usually the Title IX Coordinator or the Director of the Gender and Sexual Diversity Program. In such cases, the Title IX Coordinator will contact the respondent, inform them of the effects of the incident in question and assess whether there is any risk to the complainant or the greater Colby community. The Title IX Coordinator may implement other measures including, but not limited to no contact directives, counseling, and suspension from College activities to stop and remedy Sexual Misconduct.

Option C: The student may ask that the College take no action at all. In this case, the Title IX Coordinator will assess the request for no action within the broader context of the College's obligation to maintain a safe campus community. If there is a determination that there must be action taken to maintain the safety of the community (due to circumstances of incident, a possible pattern of conduct, violence or threat), then the complainant will be notified.

Safety and Interim Measures

At any point in the reporting process, regardless of whether disciplinary action is pursued, the College may impose upon the respondent interim and safety measures to protect the complainant and the broader campus community. These interim measures include, but are not limited to issuing an interim no contact directive, limiting access to campus facilities, interim removal from or reassignment of housing, interim removal from a course or course section reassignment, and interim suspension (in a case where there may be an imminent threat to an individual or the community). Unless the report results in an investigation and formal action under the Sexual Misconduct Policy and/or other College policies, such interim measures shall be discontinued within an appropriate period of time depending on the facts of the particular case.

Complainants and/or others impacted by Sexual Misconduct may also take advantage of safety measures, such as temporarily moving to a safe room, changing residence halls, dropping a course or section reassignment.

Complainants and community members impacted by Sexual Misconduct may request safety and interim measures without making a formal Sexual Misconduct complaint to the Title IX Coordinator by contacting Colby's confidential resource, Emily Schusterbauer, at eeschust@colby.edu.

Campus-Wide Timely Warning

If a report of Sexual Misconduct indicates that there is a serious or continuing threat to the Colby community, the College may issue a campus-wide timely warning (which may take the form of an email to the campus community) to protect health and safety.

Coordination with Law Enforcement

The College encourages complainants to pursue criminal action for incidents of Sexual Misconduct, Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and Intimate Partner Violence that may also be crimes under Maine law. The College will assist a

complainant in making a criminal report and cooperate with law enforcement agencies to the extent permitted by law if a complainant decides to pursue the criminal process.

A complainant may utilize Colby's reporting process, may pursue criminal action, or both. Neither law enforcement's determination whether or not to prosecute a respondent nor the outcome of any criminal prosecution are determinative of whether a violation of this Sexual Misconduct Policy has occurred. Proceedings under the College's policy may be carried out prior to, concurrently with, or following criminal proceedings off-campus.

4. Other Reporting Considerations

a. Amnesty for Alcohol or Other Drug Use

Colby encourages complainants to report incidents and allegations of Sexual Misconduct. So as not to discourage reports, individuals who report Sexual Misconduct in good faith will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health and safety of any other person at risk. The College may, however, require individuals to engage in counseling or educational supports to address the substance use issues.

b. Time of Report

Complainants and third-party witnesses are encouraged to report possible Sexual Misconduct violations as soon as possible to maximize the College's ability to respond promptly and effectively. The College does not, however, limit the time frame for reporting. If the respondent is not a member of the Colby community, the College will still seek to meet its Title IX obligation by taking steps to end the misconduct, prevent its recurrence, and address its effects, but its ability to take disciplinary action may be limited.

c. Sexual Orientation/Gender Identity and Sexual History

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under the College's policy. The complainant's sexual history with anyone other than the respondent is not relevant. Past consent between two parties does not imply that there was consent at the time of the conduct that resulted in a report.

d. False Reports

The College will not tolerate intentional false reporting of Sexual Misconduct. The College takes the accuracy of information very seriously, as a charge of Sexual Misconduct may have severe consequences for a respondent. A good faith report that results in a finding of not responsible is not considered a false or fabricated accusation of Sexual Misconduct. However, individuals who are found to have fabricated allegations or given false information in a complaint or investigation with malicious intent or in bad faith may be subject to disciplinary action. It is a violation of Colby's Code of Student Conduct to make an intentional false report of any policy violation.

5. Confidential Campus Support Resources

The Gender and Sexual Diversity Program: Emily Schusterbauer, (207)859-4093, eeschust@colby.edu

Counseling Center: (207) 859-4490

Health Center: (207) 859-4460

- Practitioners
- Nursing Staff
- Athletic Training Services Staff
- Mental Health Staff
- Nutritional Consultant
- Substance Abuse and Wellness Staff

The Office of Religious and Spiritual Life (207) 859-4272

- Kurt Nelson, Dean of Religious & Spiritual Life
- Rabbi Erica Asch, Jewish Chaplain
- Charles Demm, Catholic Campus Minister

6. *Emergency Assistance*

Colby Security: (207) 859-5911

Waterville Police: 911

MaineGeneral Medical Center Emergency Room: (207) 872-1000, 149 North St, Waterville

7. *Intake, Investigation and Corrective Action*

The process for resolving Sexual Misconduct complaints against a student involves up to three phases: intake, investigation, and corrective action. The process will be conducted and completed in as expeditious manner as is reasonable under the circumstances, with a target of no more than 60 days. However, it must be recognized that in some circumstances the process can take longer, particularly when it involves periods when students are not on campus.

a. *Intake*

As described in Section 3 above, the Title IX Coordinator will meet with the person making the complaint. If the person making the complaint is not the alleged victim of Sexual Misconduct, the Title IX Coordinator will contact that person for a meeting. The Title IX Coordinator will also meet with the respondent. Both the complainant and the respondent may be accompanied by an advisor of their choice throughout the intake, investigation and corrective action process, except that the advisor may not be a witness involved in the investigation.

As discussed in Section 3 above, the Title IX Coordinator may impose interim measures at this point or at any point in the process as deemed appropriate.

As discussed in Section 3 above, the complainant plays an active role in determining the objectives of the process; however, even if the complainant does not want to participate in or cooperate with the process, the College is still obligated by Title IX to conduct an investigation to the fullest extent possible to prevent possible recurrence of Sexual Misconduct, and to remedy its effects on the complainant and others.

If the respondent accepts responsibility for Sexual Misconduct, the Title IX Coordinator will refer the case to the Sexual Misconduct Panel for determination of appropriate sanctions.

b. *Investigation*

The steps in an investigation, whether conducted internally by a trained investigator or by a trained external investigator, depend to some extent on the facts and complexity of the case. The investigation may lead to disciplinary charges for violations of the Sexual Misconduct Policy as well as violations of other College policies, depending on the facts of the particular case. (As noted in Section 3 above, investigations of complaints involving Employees and Third Parties will be conducted in collaboration with other administrators and consistent with applicable handbooks and/or policies.)

Investigations handled by a trained external investigator may include, but are not limited to the following steps:

- Interviews with the complainant and respondent;
- Interviews with witnesses, including any named by the complainant and respondent;
- Relevant information from Campus Security and/or other departments or College staff;
- Review of physical evidence;
- Site visit(s);
- Relevant documentation such as emails, text messages, social media posts, etc.

The investigator may interview the complainant and respondent or any witness on more than one occasion based upon information obtained during the investigation. **Anyone interviewed may be accompanied by an advisor, so long as the advisor is not a witness in the case.**

The investigation is complete when the investigator determines that all available relevant information has been collected and questions explored. Upon conclusion of the investigation, the investigator prepares an investigation report and submits it to the Title IX Coordinator. In the report, the investigator will make factual findings by a preponderance of the evidence standard (more likely than not) whether the respondent committed one or more acts of Sexual Misconduct and/or other violations of Colby policy.

The Title IX Coordinator will arrange for the complainant and respondent to review the report in a private location without the use of cell phone or other means which may allow for duplication of the report. The complainant and respondent may not receive or make a copy of the report by any means. The report remains the property of the College. The report's contents will not be shared with any persons except the Sexual Misconduct Panel, the Assistant Dean of Conduct and Accountability/Title IX Coordinator (and with the written permission of the student, with their parent/legal guardian, advisor or attorney). Dissemination of the report or information contained within the report by the complainant and respondent to any person other than their parent/legal guardian, advisor or attorney, and any publication of the report, including publication through social media, are expressly prohibited. Any such dissemination or publication constitutes a violation which may result in suspension or expulsion from the College.

The complainant and respondent have 10 days from review of the report to submit a personal statement for review by the Sexual Misconduct Panel. The complainant and respondent will be provided a copy of the personal statement of the other student.

Note: In cases where the complainant or respondent is not a current Colby student, they will not have a right to review reports/statements or provide a personal statement, but will be informed of the Sexual Misconduct Panel's decision (and the sanctions if the case involved Sexual Assault or Violence).

c. *Sexual Misconduct Panel*

The Colby Sexual Misconduct Panel consists of three voting members: the Dean of Students (or designee), a trained member of the faculty appointed by the Dean of Faculty/Provost; and the HR Title IX Coordinator. The Assistant Dean of Conduct and Accountability/Title IX Coordinator is responsible for providing the report and supporting materials to the Panel; for scheduling the Panel meeting and for advising the Panel on possible sanctions.

The Sexual Misconduct Panel meets to discuss the report and personal statements, and to determine the outcome of the case. There are three options:

- Accept the investigator's finding that the respondent is not responsible, but also determine whether remedial measures are appropriate.
- Accept the investigator's finding that the respondent is responsible and determine appropriate sanctions and/or other corrective action designed to prevent recurrence of Sexual Misconduct and correct its discriminatory effects on the complainant and/or others in the community.
- Ask the investigator to pursue additional information. If the supplemental investigation results in changes to the final report, the complainant and respondent will be provided access to the revised investigation report and offered an opportunity to revise their personal statements within five days of reviewing the report.

The decision of the Sexual Misconduct Panel is final, except that the Panel may re-open the investigation process in the case of newly-discovered evidence.

A copy of the decision will be provided to the complainant and respondent by the Dean of Students, generally within two days of the Panel meetings unless there are unusual circumstances. In the case of violations involving Sexual Violence, the complainant will be fully informed of any sanctions. For all other reports under the Sexual Misconduct policy, the complainant will be informed of only those sanctions that directly relate to the complainant, consistent with FERPA and other applicable law.

d. *Sanctions*

The Sexual Misconduct Panel has a full range of sanctions as well as any other corrective actions the Panel deems will assist in remedying the effects of Sexual Misconduct and/or preventing further occurrences.

In imposing sanctions, the Panel may consider factors such as:

- The respondent's prior disciplinary history;
- How the College has sanctioned similar incidents in the past;
- The nature and violence of the conduct at issue;
- The impact of the conduct on the complainant;

- The impact of the conduct on the Colby community, its members and its property;
- Whether the respondent has accepted responsibility for their actions;
- Whether the respondent is reasonably likely to engage in the conduct in the future;
- Whether the conduct was motivated by bias on the basis of race, religion or any other protected class;
- The need to deter similar conduct by others; and
- Any other mitigating or aggravating circumstances, including the College's values.

The imposition of sanctions will take effect immediately and will not be stayed should the Panel re-open the investigation in the case of newly-discovered evidence.

e. Integrity of Procedure

The Sexual Misconduct procedure is entirely administrative in nature and is not considered legal proceeding. No parties may record any proceedings. The Dean of the College shall review both proceedings and the sanction for fairness and appropriateness.

f. Records

The Assistant Dean of Conduct and Accountability/Title IX Coordinator is responsible for maintaining appropriate records of all Sexual Misconduct cases. Disciplinary records will be maintained as described in Section H.2.g of the Student Handbook.

Sanctions in Disciplinary Cases

The following are usual sanctions that may be imposed on students, either singly or in combination:

- **Verbal documented warning:** Meeting with the student to discuss violation and warning documented in file (only for minor, first-time violations).
- **Formal disciplinary warning:** Formal statement that the student's behavior was unacceptable and warning that future violations of College policies and rules will result in more severe disciplinary action. May also include referral to counseling or other supports, and/or other measures deemed appropriate.
- **Disciplinary probation:** Formal statement that any future violations of College policies and rules will result in possible suspension or expulsion. Probation may be imposed for a period from one year to the end of a student's Colby career. Terms of the probation will be specified and may include denial of social privileges; exclusion from activities; housing restrictions/loss; referral to counseling or other supports; and/or other measures deemed appropriate.
- **Suspension:** Termination of student status for a definite period or for an indefinite period with the right to re-apply after a specific length of time. May include specific conditions for return to be approved. A student returning from suspension remains on disciplinary probation for the remainder of their Colby career, and other restrictions may be imposed as deemed appropriate.
- **Expulsion:** Permanent termination of student status.
- **Withholding Diploma:** The College may withhold a student's diploma for a specified period of time and/or prohibit participation in commencement activities if the student has disciplinary charges pending, or as a sanction if the student is found responsible for an alleged violation.

- **Revocation of Degree:** The College reserves the right to revoke a degree awarded by the College for fraud, misrepresentation, or other violations of College policies and rules in obtaining the degree, for other serious violations committed by a student prior to graduation.
- **Other Actions:** Such other action as the Assistant Dean or Board may reasonably deem appropriate.
- The College also reserves the right to revoke an undergraduate or honorary degree for serious criminal or unethical conduct committed after award of the degree, after notice and an opportunity to be heard, if the College determines that the individual is no longer worthy of having been awarded the degree.

In addition to, or in place of, the above sanctions, the Assistant Dean of Conduct and Accountability/Title IX Coordinator or Student Conduct Board may assign any other sanctions deemed appropriate in a particular case, including but not limited to the following examples:

- Mandated counseling or substance abuse counseling so the student has the opportunity to gain more insight into their behavior.
- No contact order: A prohibition against having contact with a person or persons under specified terms and with a specified duration, based on the particular circumstances.
- Apology: Requiring the student to write a letter of apology to affected parties or the Colby community.
- Facilitated meeting with affected parties (by agreement of all parties) and/or use of other restorative justice practices.
- Campus or community service: Requiring unpaid service to the College or the Waterville community with specified hours, time frame, and type of service.
- Restitution: Reimbursement for damage to or misappropriation of property, or for personal injury, and other related costs.
- Housing related sanctions, including but not limited to loss, revocation or restriction of privilege to live in College housing (e.g. exclusion from specified locations or types of residence halls; alteration of status in housing lottery).
- Loss, revocation or restriction of off-campus living privileges.
- Monetary fines imposed by the Assistant Dean of Conduct and Accountability/Title IX Coordinator and/or PPD.
- Loss of opportunity for leadership positions, awards, campus employment, extracurricular activities, and/or off-campus study.

Responsible Employees

All Responsible Employees are expected to maintain privacy. Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality these individuals will be discreet and respect the privacy of all individuals involved in the process. The College is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. All College employees who are involved in the College’s Title IX response, including the Title IX Coordinator, investigators, and Sexual Misconduct panel members, receive specific instruction about respecting and safeguarding

privacy. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report.

Bystander Intervention

At Colby, we believe that ending sexual violence is a collective responsibility shared by all members of our community—students, faculty, and staff, alike. Although Colby has many professional staff members available to help those who have experienced sexual violence, stopping sexual violence requires everyone’s active participation. Whether you are first-year student or a tenured professor, you can commit to fighting sexual violence as an active bystander.

What does it mean to be an active bystander?

An active bystander is someone who steps in, speaks up, or reaches out in situations that are, or could be, harmful to a specific person or a group of people.

To be an active bystander against sexual violence means to combat sexual violence through words and actions. Active bystanders are able to respond to situations in which sexual violence is being enacted, perpetuated, condoned, or made light of. They see themselves as responsible for the safety and well-being of those around them and have the skills to act when necessary.

Although being an active bystander may seem daunting, it can include a wide range of actions and incorporate a wide range of personal skills and preferences. Being an active bystander doesn’t look the same for everyone, but everyone can do something to end sexual violence.

What can I do?

1) The first step to becoming an active bystander is recognizing situations in which intervention is necessary. Often, this means taking note of situations that others condone, overlook, or actively ignore. These situations include:

- High-risk situations
 - Factors that may increase the risk of sexual violence include: high alcohol consumption, isolation from friends and peers, and cultural pressure to hook-up. It is important to note that none of these factors causes or excuses sexual violence, but each can increase the likelihood of sexual violence happening.
- Situations in which sexual violence is happening
 - Examples of sexual violence that you might directly witness include: cat-calling, name-calling, and other forms of verbal harassment; unwanted touching, like grabbing or fondling; sexual contact being initiated with someone who is too drunk to consent; and stalking or cyber-stalking.
 - You might also be able to deduce that sexual violence is occurring through auditory cues, like screaming or other commotion.
- Situations in which sexual violence has already happened
 - Some signs that a friend has experienced sexual violence and may need help include change in attitude, appetite, weight, and/or class attendance or participation. If [Intimate Partner Violence](#) is occurring, you might notice physical signs—like bruises or scrapes—or emotional signs—like lowered self-esteem and guardedness.

- Or, a friend may openly disclose an incident of sexual violence to you and directly request your assistance.
- Situations in which attitudes supporting sexual violence are being expressed
 - Sexual violence is supported and perpetuated by attitudes and actions that excuse it, rationalize it, deny it, make light of it, or normalize it. When people tell rape jokes, say that a rape victim “asked for it,” argue that rape is fabricated by people who want attention, or use a “boys will be boys” logic to excuse perpetrators of sexual violence, they are fostering a climate in which sexual violence is more likely to occur.

2) The second step is determining the level of involvement with which you are comfortable. Once you have decided that a situation calls for intervention, you may want to ask yourself the following questions:

- Is it safe to intervene?
 - Does the situation pose a significant physical threat to you or others involved? If so, you should immediately call the police (911) or Campus Security (207-859-5911).
- Can I handle this on my own?
 - Even if a situation does not pose significant physical threat, you may still want help. If you don't think you can handle a situation on your own, you can look around for other bystanders who might help you intervene, or you can contact any of our [campus or community resources](#) for help in addressing the issue. Turning to campus and community resources can be particularly helpful when you are trying to intervene in an ongoing problem (like intimate partner violence).

3) The third step is deciding on an appropriate intervention and carrying it out. Interventions can range significantly in their intensity and directness. Here, again, you will want to assess your personal comfort level.

- As already noted, delegating responsibility and utilizing campus and community resources will sometimes be the best solution, particularly if you feel like you aren't equipped to address the issue.
 - If you hear violent arguing in the dorm room next to you, you might want to notify your CA or call Campus Security (207-859-5911).
 - If you witness sexual harassment taking place in the classroom, you may want to alert the professor.
 - If your friend's boyfriend, whom you barely know, is encouraging excessive drinking at a party, you could ask your friend to pull him aside and address the situation.
 - If a friend has experienced sexual violence, you can be a [positive support person](#) by listening and affirming, but you will also want to direct your friend to the [professional services available on campus](#). Having a thorough knowledge of available resources and campus procedures is integral to being an active bystander against sexual violence

- Some interventions can involve redirecting attention or creating a distraction. This kind of an intervention may feel comfortable to people who recognize a risky situation but don't want to attract a lot of attention or aren't used to being confrontational.
 - If you notice a friend of yours is flirting too aggressively with someone (or initiating sexual contact with someone who is too intoxicated to consent), you can distract your friend by inviting them to go somewhere else with you.
 - If you notice that a friend looks uncomfortable while talking to someone on campus or at a party, you can join the conversation and/or help your friend exit the situation.
 - If you think that a friend has had too much to drink at a party, you can say that you are heading home and offer to walk them home.
 - If you are with a group of students making jokes about a known or suspected incident of sexual assault, you can change the subject.
- Other interventions will be more direct. These kinds of actions can go a long way toward addressing the culture that supports sexual violence.
 - If you hear someone cat-calling students as they walk by, you can tell that person that what they are doing constitutes sexual harassment and is against school policy.
 - If you notice a friend is leaving a party with someone who looks too drunk to consent to sexual activity, you can pull your friend aside and share your concern with them. You can remind them that they are dealing with someone who is too drunk to be a fully informed and willing sexual partner.
 - If you notice a friend talking in a disrespectful way to their significant other, you can pull your friend aside and have a direct conversation about their behavior.
 - If you overhear a classmate making a rape joke, you can say that you don't find it funny and explain why.

The most important part about being an active bystander is making the commitment to notice and respond to sexual violence. Whether you decide to intervene in ways that are subtle or direct, your actions are sending the message that you have taken a stand against sexual violence, and this is essential to ending sexual violence.

Reporting Resources (non-confidential) Title IX Coordinators

Cora Clukey - 207-859-5511 - cclukey@colby.edu – Roberts 122

Ms. Clukey is Colby's equal employment officer and is available on weekdays during regular office hours.

Melvin D. Adams, III - 207-859-4256 – mdadams@colby.edu , Eustis 210-D

Dr. Adams is available on weekdays during regular office hours and after hours and on weekends by calling Security at 207-859-5530.

Emergency Assistance

If you feel unsafe and/or need emergency assistance following an incident of sexual misconduct, the following resources are available to help:

Colby Security: 207-859-5911

- Available 24-hours/day
- Security can address immediate safety concerns, facilitate contact with the Dean-on-Call and Counselor-on-Call, and facilitate after-hours communication with a Title IX Coordinator for after-hours campus reporting.

Waterville Police: 911

- Available 24-hours/day
- The Waterville Police can take reports that may trigger criminal investigation and can discuss legal safety options.

SEX OFFENDER REGISTRY AND ACCESS TO RELATED INFORMATION

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student.

In addition, all persons convicted of violations under the laws of the United States or any other state substantially similar to an offense for which registration is required shall provide to the local agency all necessary information for inclusion in the State police Registry within ten days of establishing residence within a state. Any persons required to register shall also be required to reregister within ten days following any change of residence, whether within or outside of the state.

Non-resident offenders entering the state of Maine for employment, to carry on a vocation, or as a student attending school who are required to register in their state of residence or who would be required to register under this section if a resident of the state shall, within ten days of accepting employment or enrolling in school in Maine, be required to register and reregister pursuant to this section.

For purposes of this section “student” means a person who is enrolled on a full-time or part-time basis, in any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education.

The information in the Maine Registry is based upon conviction data and is, therefore considered a public record. Information concerning offenders registered with the Maine registry may be disclosed to any person requesting information on a specific individual in accordance with the law. Information regarding a specific person requested pursuant to the law shall be disseminated upon receipt of an official request from that may be submitted directly to the Maine State Police or the State Police through a local law-enforcement agency.

As the local police authority, Waterville Police Department is the contact agency for questions relating to Maine’s local sex offender registry. Community members may also access the State of Maine Sex Offender Registry at the following web address: [Maine Sex Offender Registry](#) or by contacting the Maine State Police at (207) 657-3030.

Colby College is a member of the International Association of Campus Law Enforcement Administrators (IACLEA) and the Maine College and University Security Directors Association (MCUSDA) for operational coordination, support, and training.

CLERY FIRE STATISTICS

Annual Fire Safety Report For 2016

Resident Hall	Total Fires	Date/Time Of Fire	Cause Of Fire	Fire Related Injuries	Fire Related Deaths	Value of Property Damage
Alfond Apartments	0	N/A	N/A	0	0	0
AMS	0	N/A	N/A	0	0	0
Averill	0	N/A	N/A	0	0	0
Dana	0	N/A	N/A	0	0	0
Drummond	0	N/A	N/A	0	0	0
East Quad	0	N/A	N/A	0	0	0
Foss/Woodman	0	N/A	N/A	0	0	0
Goddard-Hodgkins	0	N/A	N/A	0	0	0
Grossman	0	N/A	N/A	0	0	0
Heights	0	N/A	N/A	0	0	0
Hillside Complex:						
Taylor	0	N/A	N/A	0	0	0
Sturtevant	0	N/A	N/A	0	0	0
Leonard	0	N/A	N/A	0	0	0
Marriner	0	N/A	N/A	0	0	0
Williams	0	N/A	N/A	0	0	0
Johnson	0	N/A	N/A	0	0	0
Mary Low/Coburn	0	N/A	N/A	0	0	0
Perkins-Wilson	0	N/A	N/A	0	0	0
Pierce	0	N/A	N/A	0	0	0
Piper	0	N/A	N/A	0	0	0
Roberts	0	N/A	N/A	0	0	0
Treworgy	0	N/A	N/A	0	0	0
West Quad	0	N/A	N/A	0	0	0

*For the calendar years 2014, 2015, and 2016 there were zero fire related deaths on campus.

Fire Alarm Log for On Campus Student Housing

COLBY COLLEGE DEPARTMENT OF SECURITY FIRE ALARM LOG SUMMARY RESIDENCE HALLS 2016

BUILDING:	Fire Alarm:	Trouble Alarm:	Total:
Alfond Apartments	13	3	16
Sturtevant Hall	11	4	15
Marriner Hall	9	3	12
Foss/Woodman Hall	4	6	10
Dana Hall	9	0	9
Taylor Hall	8	0	8
AMS Hall	5	1	6
Roberts Union	2	4	6
Leonard Hall	4	0	4
Mary Low/Coburn Hall	2	1	3
Williams Hall	2	1	3
Pierce Hall	2	1	3
Heights	2	0	2
East Quad	2	0	2
Perkins-Wilson Hall	1	1	2
West Quad	1	0	1
Grossman	1	0	1
Averill Hall	1	0	1
Drummond Hall	1	0	1
Goddard-Hodgkins Hall	0	1	1
Johnson Hall	0	0	0
Piper Hall	0	0	0
Treworgy Hall	0	0	0
TOTAL:	80	26	106

Fires by Cause

Unintentional Fires	Total Fires by Cause	Total Fires by Cause	Total Fires by Cause
Year	2014	2015	2016
Cooking	1	1	0
Smoking Materials	0	0	1
Open Flames	0	2*	0
Electrical	0	0	0
Heating Equipment	0	0	0
Hazardous Products	0	0	0
Machinery / Industrial	0	0	0
Natural	0	0	0
Other	0	0	0
Intentional Fire	0	0	13**
Undetermined Fire	0	0	0
Total	1	3	14

*Outside **3 Camp Fires, 4 Bon Fires, 6 Mulch Fires

RESIDENCE HALLS
INITIAL ASSEMBLY AREAS FOR BUILDING FIRES AND FIRE ALARMS

Building:	Initial Assembly Area:
Alfond Apartments	West Lawn between building and Water Tower
AMS Hall	East lawn between AMS and West Quad
Averill Hall	East Lawn between Averill and Miller Library
Dana Hall	East Lawn in front of Dana, beside Runnals Union
Drummond Hall	East Lawn on Roberts Row
East Quad	North Lawn between East Quad Johnson Pond
Foss/Woodman Hall	Northeast Lawn by Hall and Mayflower Hill Drive
Goddard/Hodgkins Hall	East Lawn on Roberts Row
The Heights	Northwest Lawn away from the road
Hillside Complex	
Leonard Hall	North Lawn across the access road
Marriner Hall	North Lawn across the access road
Sturtevant Hall	North Lawn across the access road
Taylor Hall	North Lawn by AMS Hall
Williams Hall	North Lawn across the access road by AMS Hall
Johnson Hall	East Lawn on Roberts Row by Miller Library
Mary Low/Coburn Hall	Southeast Lawn by Hall and Mayflower Hill Drive
Perkins/Wilson Hall	West Lawn on Roberts Row
Pierce Hall	West Lawn on Roberts Row
Piper Hall	East Lawn on Roberts Row
Roberts Union	South Lawn on Roberts Row
Treworgy Hall	West Lawn on Roberts Row
West Quad	West Lawn between West and AMS

Person(s) In Charge of Evacuation - CA initial evacuation, Security, Fire department
All students should gather at the initial assembly area and wait for further instructions. Most alarms last only a few minutes then students are allowed back into the building. For actual fires students will be directed to an alternate location to wait for further instructions and information.

**ACADEMIC AND ADMINISTRATIVE BUILDINGS
INITIAL ASSEMBLY AREAS FOR BUILDING FIRES AND FIRE ALARMS**

Building:	Initial Assembly Areas:
Arey Science	South Lawn on Academic Quad
Alfond Athletic Center	South Lawn across Campus Drive
Bixler Art and Music Center	North Lawn and Roberts Parking Lot
Collins Observatory	Southeast Lawn
Cotter Union	South Lawn between Dana Hall and Cotter Union
Davis Science	South Lawn on Colby Green
Diamond	North Lawn on Colby Green
Eustis	North Lawn on Academic Quad
Garrison Foster	East Lawn between Dana Hall and Cotter Union
Keyes Science	South Lawn on Academic Quad
Lorimer Chapel	North Lawn Between Miller Library and Chapel
Lovejoy	North Lawn on Academic Quad
Lunder House	Northwest Lawn on Colby Green
Miller Library	East Lawn on Academic Quad
Mudd Science	South Lawn on Academic Quad
Olin Science	South Lawn on Academic Quad
Physical Plant	South Lawn across Campus Drive
Roberts Union	South Lawn on Roberts Row
Runnals Hall	North lawn in front of Dana Hall

Person(s) In Charge of Evacuation - Colby Security, Waterville Fire Department

All employees and students should gather at the initial assembly area and wait for further instructions. Most alarms last only a few minutes then employees and students are allowed back into the building. For actual fires employees and students will be directed to an alternate location to wait for further instructions and information.

Fire Safety Report Log

- An institution that maintains on-campus student housing facilities must maintain 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. This log must include the nature, date, time and general location of each fire.
- An institution must make an entry or an addition to an entry to the log within two business days of receipt of the information.
- An institution must make the fire log for the most recent 60-day period open to the public inspection during normal business hours. The institution must make any portion of the log older than 60 days available within two business days of a request for public inspection.
- The Clery Fire Log may be viewed online on the security website.

Daily Fire Log

A daily fire log is maintained at the Colby Security Office and available to the public for review during normal business hours.

Fire Related Definitions:

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

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

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

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

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

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

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

On Campus Student Housing Facility: Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Provisions of the **Campus Fire Safety Right-To-Know Act** require the College to:

1. Collect statistics concerning fire reports in each on-campus student housing facility during the previous year, and annually submit to the Secretary of Education a report on same, including:
 - Number and causes of fires reported
 - Number of fire-related injuries that required treatment at a medical facility
 - Number of fire-related deaths
 - Value of fire-related property damageAn annual letter with this information is submitted to the Secretary of Education.
2. Document a description of each on-campus student housing facility fire safety systems, including the fire sprinkler systems. All residential buildings are equipped with sprinkler systems.
3. Document the number of regular mandatory supervised fire drills. Supervised fire drills are conducted once per semester.
4. Document policies or rules on portable electrical appliances, smoking, and open flames (such as candles), procedures for evacuation, and fire education and training programs provided to students, faculty, and staff
5. Document plans for future improvements in fire safety, if determined necessary by the College.
6. Make, keep, and maintain a log recording all fires in on-campus student housing facilities, including the nature, date, time, and location, and make annual reports to the campus community on such fires.

Pursuant to the provisions of the federal Higher Education Act (HR 4137) as enacted August 14, 2008 as the **Campus Fire Safety Right-To-Know Act**, this report provides an annual disclosure of fire safety standards and measures with respect to campus residences for the calendar year 2012.

Students and employees should report all fires to the Security Office at 859-5530.

For more information, please contact: Wade Behnke - Director of Safety 859-5504 or Pete Chenevert - Director of Security 859-5530

COLBY FIRE SAFETY POLICY AND PROCEDURES

Fire Safety is not just some service provided by an on-campus office or the local Fire Department, nor is it something that is purely tied to a building's design (i.e. smoke/heat detectors, sprinklers, fire extinguishers, etc.), rather it is a combination of these AND each employee's and student's behaviors with regard to controlling/minimizing fire hazards in the first place. In other words, policies can be written, appropriate engineering and design practices can be implemented, and drills can be performed, but this is all irrelevant if the Colby College Community fails to act in a responsible manner with regard to fire safety issues. This "layman's guide" is not designed to be a formal policy document that outlines all of the fire safety compliance obligations on behalf of the College and its many constituents. Rather, it is a communication tool that hopes to bridge the gap between those compliance obligations and our collective behaviors as an institution, so as to minimize our susceptibility to fire safety hazards, and improve our performance during the mandated campus-wide fire safety inspections held each year.

Detection/Suppression/Protection Equipment

Individual buildings on campus and their occupants are protected from fires through two general strategies. The first is the equipment designed to detect and suppress fires including smoke, heat, and carbon monoxide detectors, as well as sprinkler systems and fire extinguishers. Beyond the incredible amount of effort that goes into maintaining the thousands of detectors and hundreds of sprinkler/extinguisher systems on campus, there is much that the community can also do to keep these systems maximally operable.

Smoke/Heat Detectors

These devices must be free to monitor ambient air conditions without obstruction. They should never be touched or tampered with in a fashion that impairs their monitoring capabilities. Be careful when generating dusts or mists since detectors may interpret fine aerosols as smoke.

Sprinkler Systems/Heads

These devices—heads and associated piping—must not be obstructed in any fashion. Nothing should be stored within 18" of a sprinkler head. Further, nothing should be hung or attached to the sprinkler head or pipe.

Fire Extinguishers

These devices must not be obstructed in any fashion. These devices should only be used by properly trained personnel and are only intended to respond to "incipient" fires, not full scale firefighting.

Equipment to Notify/Direct/Control

The second type of fire protection equipment maintained by college buildings includes those devices which serve to 1—notify occupants that a potential fire/fire condition exists, 2—direct occupants to their evacuation routes, and 3—control the spread of the fire/fire conditions. These include fire alarm pull stations, audible/visual alarms, exit/egress signage, and fire/smoke doors.

Audible/Visual Fire Alarms

These devices must not be obstructed in any fashion. Evacuate whenever the alarm system is initiated.

Fire Alarm Pull Stations/Panels

These devices must not be obstructed in any fashion.

Use the pull station if you see or suspect that there is a fire or fire condition, or in any other circumstance where emergency responders are needed and other means of communication are unavailable.

Exit/Egress Signage

It is critically important (especially to those not familiar with a building) for exit/egress signage to be visible, unobstructed, and not tampered with as they direct evacuating personnel to a means of egress.

Fire Doors

Fire doors are normally on self-closing devices and they may or may not have magnetic hold opening devices that keep the doors open during non-emergency conditions.

You can also tell if your door is a fire door by a small metal template on the inside door jamb. Never prop or obstruct a fire door thereby impairing its ability to close during a fire.

Smoke Doors

Unlike fire doors, smoke doors exist merely to minimize the spread of smoke during a fire. Smoke doors are usually signified by the presence of a self-closing device, and sometimes a magnetic hold open as well.

Similar to fire doors, smoke doors may not be propped or otherwise obstructed from closing.

Combustible/Other Storage Practices

Anything that can burn from clothing to books, to boxes on a shelf, is considered a combustible. While no one expects every dorm room, office space and storage area to be neat and completely devoid of “clutter” at all times, a number of practices routinely result in fire safety violations as follows.

Office Practices

Offices which store combustible material (like paper work, books, boxes, etc.) beyond the capacity of existing shelving space risk citable fire safety violations if such practices either:

- Constitute an excessive fire load to the space or
- Impede an occupant’s ability to evacuate in the event of a fire/alarm signal.
- Minimize combustible storage on office floors or find more suitable storage locations outside of your office.

Dorm Room Practices

Decorative wall or ceiling hangings (like tapestries, tie-dye fabrics, flags, cloth articles, beer banners, etc.) that are combustible in nature are forbidden from being staged in a student's living quarters or common spaces. The only acceptable decorative wall/ceiling hangings include simple paper posters, or any of the articles from above which are either non-combustible by design (with a stamp/label to prove it) or those that are made non-combustible by shielding within a glass picture case.

Other Storage Practices

Miscellaneous materials whether they are combustible or not, may never be stored in such a way as they obstruct or block an emergency exit or egress. Further, combustible materials may never be stored in mechanical spaces such as boiler rooms, electrical panel closets, and attics with air handling equipment/ductwork.

Electrical Equipment/Devices/Appliances

While saying that all electrical equipment/devices/appliances must be UL listed and otherwise in good working condition is generally sufficient in many commercial/industrial settings, the unique nature of the academic world obligates the college to restrict a number of items for either code compliance or policy reasons. Although the examples/lists that follow are not exhaustive, they do address the most routine fire safety considerations relative to equipment/devices/appliances that arise at Colby.

Electrical Power/Connection Equipment—Extension Cords

To the greatest extent possible, electrical power should be drawn directly from existing AC power outlets. Where this is not possible or is otherwise not feasible consider the following.

Light Duty Extension Cords

Light duty extension cords (typically yellow, white or brown) that are either single plug varieties or multi-plug adapters are forbidden on campus in any venue or location. It does not matter how long they are in use or whether they are personally owned or owned by the college. If they run a radio in an office or student residence, they are a fire safety violation.

Heavy Duty Extension Cords

Heavy duty extension cords (typically orange or yellow) are permissible ONLY if they are for temporary purposes. Examples of approved uses of this type of cord are to run power tools or a fan to clean up a spill. It is not appropriate to use this type of cord for a computer workstation, desk lamp, TV or stereo equipment. These items are intended to be stationary and the use of heavy duty cords in this manner will result in a fire violation.

Protected Outlet Strips

Protected outlet strips (with "trip" breakers) are the only approved device to provide electrical connection power on a less than temporary basis. These devices should never be "piggy-backed" one to another, and care should be taken to ensure they are not overloaded. Only 1 outlet strip is permitted per duplex outlet.

Electrical Devices

The following devices are restricted from use in living and working spaces as specified:

- Small air conditioning units (unless specifically approved/installed by Physical Plant).
- Space heaters (again, unless specifically approved by Physical Plant for a heat related problem associated with the facility/building).
- Electric blankets. Multi-plug adapters/gang boxes.
- Specialty lighting, including halogen lights, lava lamps, and sun/heat lamps.

Multi-Colored Lamps

These lamp types may only be used with bulbs at approved/UL listed wattages. Electrical Appliances (Related to Food Cooking/Cooling/Preparation).

All students and employees are encouraged to eat and/or prepare food in established dining halls or other building/dormitory kitchenettes specifically designed for food preparation. The types of approved/unapproved devices in this category are dependent upon location as follows.

Student Suites and Administrative Buildings with Kitchenettes.

Since these locations are “designed” for food cooking activities the only additional electrical appliances that are approved for use (beyond those that are provided for and maintained by the college) include blenders, coffeemakers, griddles, popcorn poppers, toaster ovens, and toasters. These approved devices **MUST** be used and staged in the kitchenettes themselves **AT ALL TIMES**.

Student Living Quarters and All Other Building/Facility Locations:

The only other approved electrical appliances for locations without kitchenettes include small combination micro-fridges/microwaves and coffeemakers/coffee pots with automatic shutoffs. These devices are approved since they are food “warming/cooling” appliances, as opposed to food cooking appliances.

Other Generally Approved Electrical Appliances (If UL Listed):

The following appliances/devices are generally approved if UL listed and used safely:

Radios, stereos, electric razors, small portable televisions, game boxes, personal computer, clocks, portable hair dryers, VCR/DVD players, fax machines, small fans and desk lamps. Electric hair curlers and hot combs should be used with caution (only one should be plugged in at a time).

Restricted Electrical Appliances Regardless of Location:

The following appliances are restricted from use in any College residence hall, or academic/administrative facility:

Broilers, crock pots, electric frying pans, griddles, heating coils, hot plates, large microwave ovens (over 1000 watts), large refrigerators, deep fryers and George Foreman grills.

Hazardous and Restricted Articles/Materials

The following hazardous articles are restricted from use/storage in all living and working spaces on campus:

- Candles or incense (whether lit or for decorative purposes only).
- Real Christmas trees.
- Holiday lights (the kinds that can be plugged in).
- Excessive combustible material (as listed above).

Restricted hazardous materials generally include those materials which are flammable and/or explosive by their very nature or are otherwise regulated by the Federal and Local Fire Codes. The specific types of hazardous materials which are restricted from use/storage in all living and working spaces on campus include the following:

- Fireworks
- Firearm ammunition
- Flammable/combustible liquids associated with cooking, painting, fuels, such as gasoline, kerosene, propane, aerosol paint cans, paint thinner, varnish, sterno, and camping fuels.

Any of these chemicals must be used/stored in designated areas such as academic labs/studios or cooking areas. Exception—Personal care products with flammable propellants (hair spray) are permissible.

Propane/Charcoal Grills

All grills must be approved and registered with the Department of Security.

Regarding propane powered grills with attached propane tanks:

- Such devices are forbidden from being used or stored within any living/working space, or upon covered porches/balconies/patios. They should be both used and stored at least 10 feet away from any building structure, or upon uncovered decks external to a building.

Regarding charcoal fired grills:

- Small portable charcoal grills (with legs less than 12 inches in length and a cooking surface no larger than 250 square inches) may be used external to buildings upon covered porches/balconies/patios so long as there is a non-combustible surface underneath (like a brick or stone catchment).
- For charcoal grills larger than the above, they are forbidden from use upon covered porches/balconies/patios, and should observe the same 10 foot building clearance that applies to propane powered grills during use. The use and possession of lighter fluid is prohibited. Only EZ-light type charcoal is permitted with a maximum of one bag allow to be stored by residents. Charcoal must always be kept dry to prevent spontaneous combustion, and should only be stored indoors or in a dry, enclosed area.
- All spent coals/embers must be thoroughly extinguished prior to disposal.
- Charcoal grills that are free of charcoal, coals, and ashes, may be stored indoors, upon covered porches/balconies/patios, or uncovered decks.

Fire Places in Residence Halls

The students residing in rooms with fireplaces can attend fire safety training. After completing the training you will be allowed to use the fire place in your room. The contact for Fire Safety Training is the Safety Office Wade Behnke 859-5504.

Open Flame

Sources such as incense and candles are not permitted in residence hall rooms at any time.

Campus Non-Smoking Policy

Smoking, defined as the burning of a lighted cigar, cigarette or pipe, is not permitted in any campus facility or on Campus grounds. This policy applies to all employees, student residences, including all rooms, lounges, and public spaces. *Colby College is a Smoke Free Campus.*

1. Responses to Fire Alarms (In General)

Although the college spends considerable time and resources to maintain and upgrade its fire detection and suppression equipment on campus, errant alarms will occur. They may be false alarms (where a detector or pull station is accidentally or purposefully activated), or they may be true alarms for errant reasons (where a smoke detector activates following exposure to steam). Further, the college is required to perform up to 2 fire drills every year depending upon the building design and its occupancy type. While the Departments of Security and Physical Plant work very hard to minimize the number of false and errant alarms, it is very important for all students and employees to react to each and every fire alarm as if it's the "real thing". For fire alarms where the cause is not known, adhere to the guidance contained in this section. If the fire alarm is for a true fire or smoke condition, follow the guidance in the next section.

CA's and Students

CA's must communicate to the students they are advising as to where their respective "initial assembly areas" are (building specific) so that a common muster point is identified for accountability purposes.

Students/Employees Occupying Spaces Other Than Where They Principally Live/Work

Faculty teaching classes of students, and faculty/administrators/staff supervising students or other employees, frequently perform such activities in buildings/facilities other than where all involved parties are principally accounted for as per the above. It is incumbent upon the employees in charge of the academic or administrative function to know the building's "initial assembly area" and communicate the location accordingly to those students/employees in their care/supervision.

2. Procedures for Students and Employees in Case of a Fire

- Immediately report the fire to Colby Security—x5911 by on-campus phone, 859-5911 by cell phone—or activate a nearby fire alarm pull station if one is accessible.
- Remain calm, turn lights on, and dress appropriately.
- First close any open windows in your room. If your door is cool to the touch then open door slowly. Evacuate the building via designated emergency egress routes. Do not use elevators!
- If there is smoke or heat, crawl on your hands and knees.
- Proceed to the INITIAL ASSEMBLY AREA to await further instructions. If door is warm DO NOT OPEN IT!
- Seal the space under the door with a towel.
- Open window, hang a sheet or towel out of the window, and close it.
- Open window at regular intervals to announce your location and then close it.

Initial Assembly Areas

All routinely occupied college facilities have an initial assembly areas which is a location selected by the Department of Security where occupants should gather immediately following an evacuation signal (fire alarm) to await further instructions. Please contact your CA if you have not been advised of your building's initial assembly area.

Assembly Areas

If it becomes necessary, College Officials will designate a secure location for assembly and head counting in the event of actual emergencies that necessitate building evacuations. Should such an incident occur, individuals should proceed from their initial assembly area to the designated assembly area until either the emergency is terminated or further direction is provided. See the last section of this document for your building's primary initial gathering points.

3. Responsibility for Fire Safety and Conclusion

As alluded to above, fire safety at Colby College is the responsibility of every student and employee. Adherence to no one single fire safety strategy is capable of eliminating every fire hazard. Only by a combination of design/engineering controls, safe working/learning/living practices, and appropriate student/employee behaviors, may the Colby College Community minimize its collective risks to fire hazards in the first place. Employees and students receive information pertaining to fire safety education awareness on an annual basis during new student and new employee orientation.

Failure to follow the guidance contained in this document puts your lives and the lives of your fellow students and co-workers at risk. Additionally, non-conformance with the Federal, State and Local Fire Codes may result in formal violations/citations against the college. While the purpose of this document again as noted, is to be educational and informative regarding fire safety considerations, every employee and student should realize that the college is legally and morally obligated to promote and manage fire safety accordingly. While “engineering and education” is the preferred methodology for achieving this goal, the college must take appropriate action against those who purposefully or willfully disregard fire safety including but not limited to the following:

Disciplinary action up to and including expulsion for students and termination for employees who tamper with or otherwise disregard the fire safety equipment, policies and training they are afforded; Departmental, professional, and personal financial responsibility for fire safety citations and penalties in certain situations where the violations in their living/working areas were easily correctable and communicated, but were not corrected within the time frames granted.

Report a Fire

Report a fire by dialing 859-5911. If a member of the Colby Community finds evidence of a fire that has been extinguished and the person is not certain if Colby Security has already responded, the community member should immediately notify Colby Security to insure proper documentation and investigation of the incident.

Colby College works closely with State and Local Fire Officials on Prevention and Control to address and correct any deficiencies in an ongoing effort to mitigate fire safety issues. Colby College strives to continually improve upon our current fire safety program

EMERGENCY NOTIFICATION SYSTEM

In the event of a serious incident which poses an immediate threat to members of the Colby College community, the College has various systems in place for communicating information quickly to those individuals. The campus emergency alert system is composed of a siren based warning system in conjunction with a reverse 911-type system, Blackboard Connect. The sirens issue a warning to provide notice to the community of a pending emergency. Upon confirmation by the Department of Security or a member of Colby Emergency Response Team (CERT), of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the students or employees occurring on campus an immediate notification will be sent using some or all of these methods of communication. These methods of communications may include activating Blackboard Connect, an emergency notification system utilizing email, text messaging and telephone voice messaging. Phone numbers and email addresses of parents or other persons identified by students or employees in official College registrar or employee records as emergency contact persons will be included in the Blackboard Connect system and they may receive emergency messages as well. Members of the larger community, such as campus neighbors, may tune into local media or check the Colby College web- site for updates and information about emergencies on campus.

Serious threats of this nature may involve weather, health, or personal safety situations. Based on the nature of the emergency, the responsibility for assessing the severity of the threat begins with CERT. Upon a determination by the Colby Emergency Response Team, that a significant threat exists, a member(s) of CERT will promptly make a decision regarding emergency notification and determine the appropriate segment(s) to receive the message if the emergency is isolated to a particular section of campus. Staff from the Office of Communications will generally have the responsibility for preparing and disseminating emergency messages and updates.

In the event of confirmation of a threat involving imminent risk to personal safety any member of CERT may develop a message and activate Blackboard Connect immediately, prior to notifying the entire Colby Emergency Response Team.

Many factors are considered when assessing a situation to determine whether to activate one or more of the emergency communications systems and if so, the content of the message and whether to send the emergency message to all or some of the campus community. Among the factors to be considered is the nature and anticipated duration of the emergency situation and whether the emergency applies to a particular building or segment of the population or to the entire campus. The Colby Emergency Response Team will make a decision without delay, 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 responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. CERT will provide regular updates to the Colby community as they become available through the Blackboard Connect system. The Colby Emergency Response Team plans, publicizes and conducts a test of the emergency response and notification system at least annually and maintains a record documenting each test, including a description of the exercise, the date, time and whether it was announced or unannounced.

The Colby Emergency Notification System (Blackboard Connect) uses a secure, web-based service to selectively store electronic contact information provided by students, faculty, and staff, through which the College is, would be able to communicate information and instructions in the event of an emergency. Emergency messages are sent simultaneously via voice mail, email, and/or text messaging to all of the numbers and addresses on file for each person. A secondary Emergency Notification System connects to all campus telephones located in residence halls, offices, and classrooms campus wide.

In the event of a campus emergency, the College will, without delay, alert the Colby community to the nature of the emergency and provide safety instructions, unless the notification would, in the professional judgment of campus security authorities, compromise the efforts of emergency responders.

Subsequent messages would be sent as necessary with further instructions and situational updates. Emergency messages would be sent simultaneously via voice mail, email, and/or text messaging to all of the numbers and addresses on file for each person.

In an urgent but non-life threatening situation, College administrators have the option to deliver a more selective emergency message directly to those listed on-campus telephone numbers and email addresses, as well as to a primary telephone number designated by the individual, to specific campus populations and/or the community as a whole.

As the effectiveness of this system is dependent on the accuracy of the information maintained on file, all members of the campus community are urged to regularly update their electronic contact numbers and addresses.

Security Alerts

In the event that criminal or hazardous activity requires timely public notice to alert community members of potentially dangerous situations, the Security Department prepares and distributes security alerts via, phone, text, and/or e-mail.

Lockdown/Shelter-in-Place Procedure

In some emergency situations, evacuating the building/facility is not desired, and lockdown/shelter-in-place procedures are the best courses of action. A lockdown would typically be called for when some criminal element is threatening the campus, such as an active shooter, hostile intruder, or fugitive from justice. Shelter-in-place procedures would typically be called when some environmental element is threatening the campus, such as an airborne chemical plume or weather related event (like a tornado or ice storm). Despite these technical differences, the actions that personnel should take essentially remain the same. Once a lockdown or shelter-in-place command has been ordered, take the following actions.

Stay inside the building you are in if it is safe to do so, even if you do not normally work or reside in that building.

If you are at an outdoor location, proceed to the nearest building or other source of shelter.

Close and lock exterior and interior doors to the greatest extent possible to maximize security. Also, close windows, blinds and drapes, and stay away from any objects that could fall or otherwise become projectiles.

Terminate any on-going teaching activities (instruction, lab experiments, studio work, etc.), and turn off all local ventilation, fans, fume hoods, window air conditioners, etc.

Be prepared to go to more secure locations, as directed by College Officials, and do not leave the building or secured area until and unless told to do so. The general procedure during a life-threatening emergency is to remain inside the building you are in and seek a place of safety.

Remain in a locked interior room and stay away from windows. Leaving a building may expose you to danger.

- If you are inside, stay where you are. Collect any readily available supplies and keep a telephone at hand.
- If you are outdoors, go to the nearest campus building and seek shelter.
- Locate an interior room, above ground level, and with no windows, if possible.
- Close and lock all doors and windows and stay away from them.
- Turn off air conditioners, heaters, and fans. Close vents to ventilation systems.
- Await further instructions from emergency services personnel.

If the building is unsafe to remain in, evacuate and seek shelter in the nearest campus building.

Evacuation Procedures

In the event that it becomes necessary to evacuate specific buildings to mitigate a life-threatening emergency, campus security authorities will coordinate their efforts with emergency responders as follows.

- At the direction of campus security authorities or the responding On-Scene Commander (OSC), the building's fire alarm will be activated (if it has not been already) and you will be evacuated according to established plans.
- Do not burden yourself with unnecessary items, or use the building's elevators. Follow all instructions given by security or response personnel.
You will be directed away from the building to a designated safe zone, where you will be processed by emergency response services to address any injuries or other concerns.
- If the evacuation will be prolonged, College Administrators will arrange for the temporary relocation of the building's occupants as necessary.
- No one will be allowed to reenter the building without the express permission of the College.

Emergency Procedures

Active Shooter

- Call Campus Security 5911 or Police 911
- Remain calm and answer the dispatcher's questions. The dispatcher is trained to obtain the necessary information for the emergency responders.
- If safe to do so try to obtain the following information: Height, weight, sex, race, clothing, and approximate age, direction of travel, and name if known. If the suspect enters a vehicle, note the license plate number and state, make, model, color, and any outstanding characteristics.

Note: An individual must use his/her own discretion during an active shooter incident as to whether to run to safety or remain in place. Best practices for an active shooter incident are listed below

HOW TO RESPOND

WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

QUICKLY DETERMINE THE MOST REASONABLE WAY TO PROTECT YOUR OWN LIFE. CUSTOMERS AND CLIENTS ARE LIKELY TO FOLLOW THE LEAD OF EMPLOYEES AND MANAGERS DURING AN ACTIVE SHOOTER SITUATION

1. EVACUATE

- * Have an escape route and plan in mind
- * Leave your belongings behind
- * Keep your hands visible

2. HIDE OUT

- * Hide in an area out of the active shooter's view
- * Block entry to your hiding place and lock the doors

3. TAKE ACTION

- * As a last resort and ONLY when your life is in imminent danger:
- * Attempt to incapacitate the active shooter
- * Act with physical aggression and throw items at the active shooter

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES ON THE SCENE

1. HOW YOU SHOULD REACT WHEN LAW ENFORCEMENT ARRIVES:

- * Remain calm and follow officers' instructions
- * Immediately raise hands and spread fingers
- * Keep hands visible at all times
- * Avoid making quick movements toward officers such as attempting to hold on to them for safety
- * Avoid pointing, screaming and/or yelling
- * Do not stop to ask officers for help or direction when evacuating. Just proceed in the direction FROM WHICH officers are entering the premises

2. INFORMATION YOU SHOULD PROVIDE TO LAW ENFORCEMENT OR 911 OPERATOR:

- * Location of the active shooter
- * Number of shooters, if more than one
- * Physical description of the shooter/s
- * Number and type of weapons held by the shooter/s
- * Number of potential victims at the location

RECOGNIZING SIGNS OF POTENTIAL WORKPLACE VIOLENCE

AN ACTIVE SHOOTER MAY BE A CURRENT OR FORMER EMPLOYEE. ALERT YOUR HUMAN RESOURCES DEPARTMENT IF YOU BELIEVE AN EMPLOYEE EXHIBITS POTENTIALLY VIOLENT BEHAVIOR. INDICATORS OF POTENTIALLY VIOLENT BEHAVIOR MAY INCLUDE ONE OF MORE OF THE FOLLOWING:

- * Increased use of alcohol and/or illegal drugs
- * Unexplained increase in absenteeism, and/or vague physical complaints
- * Depression/Withdrawal
- * Increased severe mood swings, and noticeably unstable emotional responses
- * Increasingly talks of problems at home
- * Increase in unsolicited comments about violence, firearms, and other dangerous weapons and violent crimes



EMERGENCY PLANNING AND PREPAREDNESS

Colby College routinely operates in a manner which avoids emergencies. However, the College is not immune to critical incidents, and strives to plan and prepare for them through written plans and protocols, training, effective communication strategies, and regular meetings of the Colby Emergency Response Team (CERT). The CERT members are:

Administrative Vice President/Chief Financial Officer

Dean of the College

Dean of Students

Dean of Studies

Director of Security

Vice President of Communications

Director Physical Plant

Director of Information Technology

Director of Human Resources

Assistant Dean of Conduct and Accountability/Title IX Coordinator

Director of the Health Center

Director of Safety

Associate Director of Security

Assistant Director of Security

Timely Warnings

In the event of an incident which poses a serious or ongoing threat to members of the Colby College Community, the College has various systems in place for communicating information quickly to those individuals. In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Office of Security will post timely warnings for the college community to notify members of the community about serious crimes that occur on campus. Having knowledge of such crimes will assist community members in making informed decisions about their personal safety and help prevent similar crimes from occurring. These warnings will be posted if a serious crime on campus constitutes an ongoing or continuing threat to the community. These crimes may be reported to the Office of Security, a campus security authority, or to the Waterville Police Department. The decision to issue a timely warning shall be decided on a case-by-case basis in compliance with the Clery Act. The decision is made by the Director, or his designee, considering all available facts, including whether the crime is considered a serious or continuing threat to students or employees, and the possible risk of compromising law enforcement efforts. When issuing timely warnings Colby must withhold

as confidential the name(s) and other identifying information of the victim(s) the Office of Security issues timely warnings for the following incidents:

- Criminal Homicide
- Aggravated assault
- Sex Offenses
- Robbery
- Motor Vehicle Theft
- Major incidents of Arson
- Other crimes as determined necessary by Director of Safety and Security, or designee

The Security Department does not issue timely warnings for the above listed crimes if:

- The suspect(s) is apprehended and the threat of imminent danger to the Colby College community has been mitigated by the apprehension.
- A report was not filed with the Security Department, or if security was not notified by campus security authorities in a manner that would allow the office to post a “timely” warning to the community. Unless there are extenuating circumstances, a report that is filed more than five days after the date of the alleged incident may not allow the Office of Safety and Security to post a timely warning to the community. This type of situation will be evaluated on a case-by-case basis.

Emergency Notification System: A mass notification system that automatically sends brief voice, email and text alerts to the community regarding an emergency situation on the Colby campus.

Blackboard Connect is an emergency notification system utilizing email, text messaging and telephone voice messaging for immediate notification. Any individual member of the Colby Emergency Response Team may develop the content and issue a timely warning to the Colby College Community. Phone numbers and email addresses of parents or other persons identified by students or employees in official College registrar or employee records as emergency contact persons will be included in the Blackboard Connect system and they may receive emergency messages as well. Safety Advisories may be posted in all buildings on campus in addition to the electronic notifications. A timely warning and updates may be distributed to the campus through any one or more of the following means: siren, text, call, and/or email.

A copy of the timely warnings will be filed in the corresponding case file. The Security may also issue “security alerts,” when necessary, to apprise the Colby community of safety issues and concerns. These alerts will include information and recommendations so that members of the Colby community may make informed decisions about personal safety.

Who can answer my questions about the College’s Emergency planning?

Security Director – Pete Chenevert 207-859-4000

Safety Director - Wade Behnke 207-859-5504

WEAPONS POLICY

Colby College regulates the possession and use of weapons on campus and prohibits the possession of weapons in campus buildings and on grounds. This policy includes any device which can expel a projectile and/or other dangerous weapons including knives, explosives, bows and arrows, swords, or other items, which, in their intended use, are capable of inflicting serious injury. Prohibited knives include, but are not limited to, any knife with a blade length of more than four inches, any knife with a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity, or by an outward, downward or centrifugal thrust or movement.

Firearms, ammunition, or other weapons are strictly forbidden in any college-owned or operated building or space.

Guidelines for authorized secure weapons storage

1. Requests for authorization to store weapons on campus are to be directed to the Director of Security.
2. Access to the weapons storage room will be controlled by the Security Office.
3. Students wishing to access their weapons must contact the Security Office (207) 859-5530.
4. Firearms must have actions cleared and chambers and magazines empty and secured with a cable gun lock. Ammunition should be transported and stored in a durable container.
5. Students must have weapons in a protective case when transporting them to and from the Office of Safety and Security.
6. Students must present their Colby photo identification to a security officer to be checked against a Master Access List.
7. Students will sign a log sheet recording access to their weapon.

The Director of Security may seize or deny permission to possess any weapon on campus property which he deems to present a danger to the campus community. Please direct any questions regarding this policy to the Director of the Office of Security (207) 859-5530.

ALCOHOL AND ILLEGAL DRUGS

Colby Alcohol Policy

Hard Liquor

No student, regardless of age, may possess hard liquor in College residences. Hard liquor with an alcohol content of more than 10 percent alcohol by volume that is found in campus residences by Security will be confiscated. Generally, this excludes malt beverages and hard liquor mixes.

Wine and champagne may be approved at the discretion of the Director of Campus Life.

Drinking Games

Drinking games, encouraging the rapid ingestion of alcohol, are not permitted. Such games include, but are not limited to: Quarters, Beer Pong, Beirut, Power Hour, and Flip Cup. Paraphernalia identified as having been used in a drinking game, including tables, may be confiscated by Security and will become property of the College.

Personal Responsibility

Students influenced by alcohol are fully responsible for their actions and any damages they may cause. Individuals are also accountable for verbal or physical abuse toward other individuals or personal property. In addition, conduct violations may result in formal disciplinary action, including financial restitution for any and all damages incurred.

State Laws - Alcohol

Colby College students must comply with Maine state laws regarding the consumption, sale, purchase, and delivery of alcohol. A summary of applicable Maine law is provided below:

- a) Individuals must be twenty-one (21) years of age or older to purchase, possess, consume or transport alcoholic beverages in Maine.
- b) It is illegal for minors (20 years of age or younger) to purchase, possess, consume or transport liquor.
- c) It is illegal to falsify official Maine state identification cards or any identification material for the purpose of procuring alcoholic beverages. Moreover, no person may misrepresent age verbally or in writing or practice deceit in the procurement of an identification card, possess a false identification card, or sell, furnish, or give an identification card to another for the purpose of procuring liquor.
- d) Only licensed liquor dealers may sell alcoholic beverages in Maine. Charging admission to parties where alcoholic beverages are available for “free” or possessing liquor with the intent to sell is illegal, as are any similar arrangements having similar effects.
- e) No person may knowingly furnish, procure, deliver or sell liquor or imitation liquor to a minor or allow any minor under his/her control to possess or consume liquor or imitation liquor.
- f) It is illegal to knowingly procure in any way and/or assist in procuring, furnishing, giving, delivering, or selling liquor to/for an intoxicated person. It is illegal to serve

liquor to an intoxicated person if the server knows that such person is visibly intoxicated.

- g) Consumption of alcoholic beverages in a public place is illegal without a special license or permit issued by authorized Maine state officials.
- h) No person may drink liquor while operating a motor vehicle on any public way. A driver of a vehicle is also in violation of Maine law if the driver or a passenger of the vehicle possesses an open alcoholic beverage container in a vehicle on a public way. In addition, operating a motor vehicle with a blood-alcohol level of 0.08% or higher is illegal and will automatically result in a suspension of your driver's license or permit and/or a fine of at least \$400. If you are under age twenty-one, the state considers you intoxicated if you have consumed any amount of alcohol and your license will be automatically suspended.

Federal Laws - Drugs

The possession, use, or distribution of illicit drugs is prohibited by federal law. Strict penalties are provided for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of Federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

- a) **Denial of Federal Benefits 21 U.S.C. 862:** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to 5 years for a first conviction, 10 years for a second conviction, and permanent denial of Federal benefits for a third conviction federal drug convictions for possession may result in denial of federal benefits for up to 1 year for a first conviction and up to 5 years for subsequent convictions.
- b) **Forfeiture of Personal Property and Real Estate 21 U.S.C. 853:** Any person convicted of a federal drug offense punishable by more than 1 year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.
- c) **Federal Drug Trafficking Penalties 21 U.S.C. 841:** Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. The list below is a sample of the range and severity of federal penalties imposed for first convictions. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$8 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least 1 year.

- d) **Federal Drug Possession Penalties:** Persons convicted on federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000.

MISSING STUDENT POLICY

Persons reporting missing students may make their first contact with the Department of Security, the Office of Campus Life, or the Office of the Dean of Students. Reports may come from parents, fellow students, Professors, Community Advisors, or others. Regardless of the source or the office contacted first, the Department of Security will be immediately notified of all missing-student reports. Upon receiving such notification, the dispatcher, with direction from the Director or Assistant Director, will report via phone to the Waterville Police Department that a student has been reported missing. Initially, however, the Department of Security will be fully responsible for the investigation.

If the student resides in an on-campus student housing facility and is determined missing, the following steps will be taken immediately:

If the student has designated a missing person contact, notifying that contact person within 24 hours.

If the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours.

Regardless of whether the student has identified a contact person, is above the age of 18, or is emancipated minor, informing the local law enforcement agency that has jurisdiction in the area that the student is missing within 24 hours.

Department of Security personnel will interview any members of the Colby Community who might have information about the missing student's whereabouts.

Interviews may include, but will not be limited to, Community Advisors, faculty and staff members, roommates, friends, and family members. Particular attention will be given to possible locations of the missing student and his/her most recent mental state and/or personal problems. The Department of Security has the right to enter student rooms in search of missing persons.

Security personnel will contact the Student Financial Services Office to determine the last Campus Card transaction completed by the student in question and request to be alerted if any further transactions are attempted. All access information will be gathered on the missing person to see what areas of the campus were accessed last.

All missing student reports must be relayed promptly to both the Director of Security and the Dean-On-Call. Periodic updates should be given to both the Director and the Dean. The Director will determine which other College officials need to be notified. The local police authorities will be regularly updated on the progress of the investigation and will become involved at their discretion. If it is determined by the local police or the Director of Security that the entire College Community is at risk, the Department of Security will be responsible for communicating that danger to the campus via any medium that the Director shall deem appropriate.

After the situation is resolved, the Director will prepare a detailed briefing and report to be provided to both the municipal authorities and the Dean of Students.

Please Note: The information in this publication was accurate at the time of publication. However, Colby College reserves the right to make changes at any time without prior notice to any of the information, including but not limited to course offerings, degree requirements, regulations, policies, procedures and charges. The College provides the information herein solely for the convenience of the reader and to the extent permissible by law, expressly disclaims any liability which may otherwise be incurred.