

**STUDENT
HANDBOOK**

2023 – 2024

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Welcome

On behalf of the Community College of Rhode Island, I am delighted you have chosen to pursue your education with us! I welcome you to our college community and hope you will make the most of your college experience.

During your time at CCRI, I hope you will take full advantage of all the college has to offer through its 80-plus academic programs, its many services, and its organized student life. Be sure to be proactive in your education and engaged in college activities. Get involved – there is something for everyone at CCRI!

This Student Handbook is an important publication for you to read and reference throughout your time at CCRI. It contains policies and procedures that may prove helpful along the way. It outlines your responsibilities as a student and the college's responsibility to provide you and your peers with a safe educational environment that is conducive to learning and personal development for all.

Civility, inclusion, and respect are standards of this community and should be encouraged and supported by all members. CCRI seeks to build a culture that fosters mutual respect, kindness and a drive toward learning and self-improvement. As an institution of higher learning, we seek to understand that which separates us, and build connections that increase knowledge, understanding, and community strength. We expect standards of civility and respect to be upheld at all times and in all situations.

If you have any questions or concerns after reading this handbook, please feel free to contact my office at deanofstudents@ccri.edu or by phone at 401-825-2367. We are here to assist you.

Again, thank you for choosing CCRI. I wish you great success, both in and outside the classroom.

Sincerely,

Taiwo Adefiyiju, Ed.D.

Taiwo Adefiyiju
Dean of Students

GENERAL INFORMATION

MISSION OF THE COLLEGE

The Community College of Rhode Island is the state's only public comprehensive associate degree-granting institution. We provide affordable open access to higher education at locations throughout the state. Our primary mission is to offer recent high school graduates and returning adults the opportunity to acquire the knowledge and skills necessary for intellectual, professional and personal growth through an array of academic, career and lifelong learning programs. We meet the wide-ranging educational needs of our diverse student population, building on our rich tradition of excellence in teaching and our dedication to all students with the ability and motivation to succeed. We set high academic standards necessary for transfer and career success, champion diversity, respond to community needs, and contribute to our state's economic development and the region's workforce.

CCRI's DEFINITION OF AN EDUCATED PERSON

Four Abilities

The faculty and staff of the Community College of Rhode Island have established four critical abilities that define the learning outcomes of a CCRI graduate. These four abilities can be applied in many contexts and are critical skills that must be developed not only at CCRI, but over the course of a lifetime. These core abilities guide students, faculty and staff in establishing educational goals and assessing learning within and across the primary domains of knowledge: arts and humanities, science and mathematics, and the social sciences.

1. Effective Communication
 - Use standard English grammar and mechanics.
 - Create work that addresses a given purpose and context and responds to the target audience.
 - Present a central idea, supported by concrete, relevant details
 - Establish a clear and consistent sequence of ideas.
2. Critical Thinking
 - Identify, analyze and understand complex ideas.
 - Determine a research focus and the nature and scope of information needed.
 - Locate, evaluate and use information effectively.
 - Draw logical conclusions from information.
 - Express well-reasoned or innovative perspectives.
3. Quantitative, Mathematical and Scientific Reasoning
 - Demonstrate an understanding of mathematical, quantitative or scientific principles.
 - Apply a scientific approach in asking questions.
 - Apply mathematical, quantitative or scientific principles in solving problems.
 - Interpret numeric information in graphical form.
4. Social Interaction
 - Evaluate ethical dimensions of decisions.
 - Use teamwork to accomplish tasks in groups.
 - Demonstrate an understanding of global, cultural and historical perspectives

Assessment of Student Learning

The community college is committed to providing quality education and to assuring that students acquire the knowledge and skills necessary to be successful. Assessment of student learning provides the information we need to make improvements in program structure, course content and pedagogy. Information utilized to support assessment, including samples of student work, may be collected at the classroom, department and institution levels. The information collected will be completely anonymous and will have no impact on student grades.

Aggregated results will be used for program planning purposes and may be included in institutional research analyses and reports. In addition, students may be asked to submit samples of their course work and engage in focus groups. They also may be asked to complete a questionnaire assessing the quality of academic services. These activities help us determine the extent to which students demonstrate competency in the areas outlined in the Definition of an Educated Person and in their area of concentration.

PHILOSOPHY ON THE FIRST YEAR OF COLLEGE

The first two semesters of college lay the foundation for students' academic experience and are critical to their success. The community college is committed to providing a supportive environment where students can explore academic opportunities, achieve personal goals, transition effectively to college life, meet college-level expectations, and experience a culture of inclusivity and enrichment. The first year of college at CCRI is designed to foster scholastic achievement while students develop independent thinking, a sense of personal responsibility and a desire for lifelong learning.

STUDENT CONDUCT CODE

Civility and Respect

While the Code of Conduct defines and identifies the rules and regulations regarding student conduct, there is a more fundamental expectation that all students, employees and guests of the Community College build and maintain a culture of civility, respect and inclusion. These behavioral cornerstones support the mission of the college and provide a framework within which all other college activities take place. We are all expected to treat one another with respect through our greetings, language, appearance and actions. We exhibit civility through our language, attitude and behavior. We actively seek to include all perspectives and all people in our community.

We seek to build a culture that fosters mutual respect, inclusion and a drive toward learning and self-improvement. As an institution of higher learning, we seek to understand that which separates us, and build connections that increase knowledge, understanding and community strength. As a community, we expect standards of civility and respect to be upheld at all times, in all situations. This includes, but is not limited to:

- Conducting oneself appropriately in the classroom, participating, arriving on time, avoiding distracting or disruptive situations, respecting differences of opinion, completing work in a timely manner and being respectful of others' needs in the classroom that may be different from your own.
- Understanding that, as the state's only community college, all residents of the state who seek to learn and improve themselves are welcome and belong here.
- Acknowledging that the diversity of the state and our college is a strength and that no one should be made to feel inferior or treated as anything other than a human being worthy of respect.
- Affirming that, when we disagree, we do so respectfully, without anger or resorting to personal attacks, and that we will seek to understand why others think or believe as they do in a spirit of honest inquiry.
- Accepting that our disputes should be resolved by designated parties when they cannot be resolved by ourselves. There is no place for violence, verbal or mental abuse, or harassment in higher education or in our community.
- Avoiding inflammatory, rude, sarcastic, obscene or disrespectful speech and disruptive behavior that has a negative impact on everyone's learning.

Civility and respect are not rules that can be violated and heard in a disciplinary setting. They are standards of the community that should be encouraged and supported by all members of the community in all settings. They are standards that the college will address. Should others question your adherence to the standards of civility and respect, you should use the examples above: seek to understand the difference in opinion, respectfully agree to disagree if there is no common ground and seek appropriate college support to help resolve unresolved conflicts.

Article I: DEFINITIONS

1. The term "college" means Community College of Rhode Island.
2. The term "student" includes all persons taking courses at the college, both full and part time. Those who are not officially enrolled for a particular term but who have a continuing relationship with the college are considered "students."
3. The term "faculty member" means any person hired by the college to conduct classroom activities.
4. The term "college official" includes any person employed by the college, performing assigned administrative or professional responsibilities.

5. The term “member of the college community” includes any person who is a student, faculty member, college official or any other person employed by the college. The dean of students shall determine a person’s status in a particular situation.
6. The term “organization” means any number of persons who have complied with the formal requirements for recognition by the college.
7. The term “college premises” includes all land, buildings, facilities, and other property in the possession of or owned, used or controlled by the college, including adjacent streets and sidewalks.
8. The term “conduct hearing board” means any person or persons authorized by the dean of students to determine whether a student has violated the Student Conduct Code and to recommend imposition of sanctions.
9. The term “conduct hearing officer” means a college official authorized on a case-by-case basis by the dean of students to impose sanctions upon students found to have violated the Student Conduct Code. The dean of students may authorize a conduct hearing officer to serve simultaneously as a conduct-hearing officer and the sole member or one of the members of a conduct hearing board. Nothing shall prevent the dean of students from authorizing the same conduct hearing officer to impose sanctions in all cases.
10. The term “shall” is used in the imperative sense.
11. The term “may” is used in the permissive sense.
12. The term “business day” refers to any day that the college is open and conducting business, exclusive of weekends. The term “academic day” refers to any day that the college holds classes.
13. The dean of students is that person designated by the college president to be responsible for the administration of the Student Conduct Code.
14. The term “policy” is defined as the written regulations of the college as found in, but not limited to, the Student Conduct Code, the college catalog, posted or emailed notices, or found on the college’s website.

Article II: STUDENT RIGHTS AND RESPONSIBILITIES

1. A student shall have the opportunity to pursue higher education in a safe atmosphere, free from bullying, prejudice, discrimination, harassment and abuse – verbal, physical or psychological. A student must actively contribute to the creation of a safe learning environment.
2. A student shall have the freedom to express opinions, beliefs and attitudes. However, a student is not free from the consequences of utilizing that freedom and must extend the same freedom of expression to others.
3. An applicant for admission to the college shall not be discriminated against because of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam-era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, or any other protected status under state or federal law, except in those special circumstances permitted or mandated by law.

4. An applicant for, or a recipient of, college financial aid or college scholarship shall not be discriminated against because of race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status or status as a special disabled veteran, recently separated veteran, Vietnam-era veteran, or any other veteran who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized, or any other protected status under state or federal law, except in those special circumstances permitted or mandated by law.
5. A student shall be free from searches and seizures of person and possessions while on college property unless there is a case of imminent danger to the health and/or safety of individuals or when there are reasonable grounds upon which to believe it is necessary to conduct a search immediately in order to protect life or property. Searches will be conducted by Campus Police in the presence of a designated Student Affairs dean.
6. Students' disciplinary records shall be maintained by the Dean of Students Office and are treated in a confidential manner in accordance with FERPA regulations. Such records will be maintained for at least six (6) years after the date of the incident that led to the initiation of disciplinary action. Disciplinary records will be kept separate and confidential unless the student consents in writing to have it revealed or as allowed by law and/or FERPA regulations.
7. Student Health Services medical, surgical and mental health records and information are confidential and will not be released to anyone without the student's knowledge and signed authorization or in accordance with state and federal law.

Article III: AUTHORITY

1. The Dean of Students Office shall empanel student conduct hearing boards as needed and shall appoint a member of the administrative staff to serve as a limited voting chair of each hearing board. Administrative chairs shall only vote in event of a tie. Each hearing board must have an equal number of student and faculty representatives, but not less than one each, to hold a hearing.
2. When convening a hearing board will unnecessarily delay the timely hearing of a case or when insufficient members to hold a hearing are available, a case may be referred to an administrative hearing conducted by a designated Student Affairs dean serving as a conduct hearing officer following the general procedures established for a hearing.
3. The Dean of Students Office shall determine which conduct hearing board or conduct hearing officer shall be authorized to hear each case.
4. The Dean of Students Office shall develop policies for the administration of the program and procedural rules for the conduct of hearings that are consistent with provisions of the Student Conduct Code. Such policies and procedures must be included with notification to a student that he or she has been accused of violating the Student Conduct Code.
5. Decisions made by a conduct hearing board or conduct hearing officer shall be final, subject to the normal appeal process.
6. A Dean of Students Office staff member may be designated as a mediator of disputes within the student community or in student conduct cases. All parties must agree to mediation and to be bound by the decision with no right of appeal.

Article IV: PROSCRIBED CONDUCT

Section A. Jurisdiction of the College

Generally, college jurisdiction and discipline shall apply to conduct of an enrolled student that occurs on or off college premises, including in online and electronic spaces, and that adversely affects the college community and the pursuit of its objectives.

Section B. Misconduct – Rules and Regulations

Any student found to have committed misconduct is subject to the disciplinary sanctions outlined in Article V, Section C. Misconduct is defined as, but not limited to, the following:

1. Acts of dishonesty, including, but not limited to, the following:
 - a. Cheating, plagiarism, violations of testing protocols, or any other form of academic dishonesty that seeks to portray the work of others as your own to gain an academic advantage over others through the unacknowledged effort of others, or in any way benefit from anything not through your own scholarship.
The term “cheating” includes, but is not limited to:
 - Use, or the attempted use, of any unauthorized assistance in taking quizzes, tests or examinations.
 - Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems or carrying out other assignments.
 - The acquisition of teaching or testing materials, including test banks and answer keys, or access to online resources provided by textbook publishers, without the express permission of the college faculty or staff.
 - b. Furnishing false information to any college official or faculty member.
 - c. Forgery, alteration or misuse of any college document, record or instrument of identification.
 - d. Tampering with the election of any college-recognized student organization.
 - e. Printing or posting knowingly false information with the intent to harm or humiliate an individual.
2. Disruption of teaching, research, administration, disciplinary proceedings or other college activities, including its public service functions on or off campus, or other authorized non-college activities, when they occur on college premises and that infringes on the rights of other members of the college community; leading or inciting others to disrupt scheduled and/or normal activities within.
3. Violence, including physical abuse, fighting, threats of violence, or other conduct that threatens or endangers the health or safety of any person.
4. Verbal harassment, including bullying, is defined as unwelcome words or conduct, intentional or otherwise, that are severe, persistent or pervasive and unreasonably interfere with a community member’s ability to enjoy the benefits and opportunities of the college, that is not otherwise covered by Title IX or Non-discrimination policies elsewhere in this handbook.
5. Sexual misconduct that is not otherwise covered by Title IX or Non-discrimination policies elsewhere in this handbook., including:
 - a) sexual harassment, defined here as unwelcome sexual advances, requests for sexual favors, and any other intentional conduct of a sexual nature that are severe, persistent, or pervasive and deny the

recipient reasonable access to educational or co-curricular opportunities;

b) dating or domestic violence, where physical violence is committed between individuals who are in an interpersonal relationship or share a domicile;

c) sexual assault, including the penetration, no matter how slight, of the vagina or anus with anybody part or object, or oral penetration by a sex organ of another person, without the consent of the victim;

d) fondling, the touching by hands (or other parts of the body) of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim;

e) sexual exploitation, including violations of personal privacy that encompass voyeurism, unauthorized recordings and distribution of sexually explicit media without permission. stalking, or instances where there are two or more incidents of physical or virtual following of an individual that causes substantial emotional distress or a fear for personal safety;

f) retaliation for filing a sexual misconduct complaint.

For the purposes of this section, consent means conduct that signifies through words or behaviors that the parties have indicated agreement to engage in sexual activity. Consent is an informed agreement to participate in specific sexual acts.

- Past consent does not imply future consent.
- Silence or absence of resistance, by itself, does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent can be withdrawn at any time, including during sexual activity.
- Coercion, force or threat of force invalidates consent.

Sexual misconduct that meets the definitions of sexual harassment under Title IX or the Council on Postsecondary Education Non-Discrimination Policy will be adjudicated through the process outlined by the Rhode Island Office of Postsecondary Education Commissioner (see page 59).

6. Hate crimes and/or bias-related behaviors that result in damage to property, or abuse, harassment or intimidation of another person based on the perceived or actual religion, ethnicity, race, national origin, disability, veteran status, sex, gender, gender identity/expression or sexual orientation. Violations that meet the state definition of a hate crime may be referred to local law enforcement agencies. Bias-related incidents that are not breaches of college policies or state or federal law may be addressed using the mediation provisions of this code.
7. Hazing, any conduct or method of initiation into any student organization, whether on public or private property, that willfully or recklessly endangers the physical or mental health of any student or other person. This conduct shall include, but not be limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any brutal treatment or forced physical activity that is likely to adversely affect the physical health or safety of the student or any other person, or that subjects the student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

8. Theft and vandalism, attempted or actual, of and/or damage to property of the college or property of a member of the college community or other personal or public property.
9. Failure to comply with directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
10. Unauthorized access to any college premises or unauthorized entry to or use of college premises; unauthorized possession, duplication or use of keys or access cards.
11. Violation of college policies, rules or regulations as published in print or online or distributed electronically. Also, violations of federal, state or local laws, on college premises or at college-sponsored or supervised activities.
12. Use, possession or distribution of narcotic or other controlled substances except as expressly permitted by law.
 - a. Use, possession or distribution of alcoholic beverages except as expressly permitted by the law and college regulations, or public intoxication.
 - b. Illegal or unauthorized possession of firearms, explosives, other weapons or dangerous chemicals on college premises.
13. Retaliation, physical or through intimidation, threats, coercion or discrimination against a complainant, respondent, witness, reporting party or any participant involved (or believed to be involved) in a disciplinary investigation or process, directly or through others acting on your behalf.
14. Obstruction of the free flow of pedestrian or vehicular traffic on college premises or at college-sponsored or supervised functions. The use of recreational conveyances, motorized or otherwise, is prohibited in the buildings and sidewalks. This includes, but is not limited to skateboards, bicycles, scooters and hover boards.
15. Disorderly conduct that is, lewd or indecent; breaches the peace; or aiding, abetting or procuring another person to breach the peace on college premises or at functions sponsored by or participated in by the college.
16. Theft or other abuse of computer time, including but not limited to:
 - a. Unauthorized entry into a file to use, read or change the contents, or for any other purpose.
 - b. Unauthorized transfer of a file.
 - c. Unauthorized use of another individual's identification and password.
 - d. Use of computing facilities to interfere with the work of another student, faculty member or college official.
 - e. Use of computing facilities to view or send obscene or abusive messages.
 - f. Use of computing facilities to interfere with normal operation of the college computing system.
 - g. Any breach of computer ethics.
17. Abuse of the disciplinary system or other process including the Sexual Misconduct Policy, including but not limited to:
 - a. Failure to obey the summons of a conduct hearing board or college official.
 - b. Falsification, distortion or misrepresentation of information to a college official, college investigator, Campus Police or before a conduct hearing board.
 - c. Disruption or interference with the orderly conduct of a meeting of a conduct hearing board.
 - d. Institution of the disciplinary process knowingly without cause.
 - e. Attempting to discourage an individual's proper participation in, or use of, the disciplinary process.

- f. Attempting to influence the impartiality of a college official or member of a conduct hearing board prior to and/or during the course of a hearing.
- g. Harassment (verbal or physical) and/or intimidation of a member of a conduct hearing board prior to, during and/or after a hearing and/or of a college official during the disciplinary process.
- h. Failure to comply with the sanction(s) imposed by a college hearing board or hearing officer under the Student Conduct Code.
- i. Influencing or attempting to influence another person to commit an abuse of the disciplinary process.

Section C. No-Tolerance Behavior

1. There is no tolerance for the following types of misconduct:
 - a. Violence
 - b. Sexual misconduct
 - c. Possession of a weapon
 - d. Conduct that is classified as a hate crime
2. Behavior related to any of these types of misconduct may result in suspension or expulsion from the college. Formal complaints must be adjudicated by a student conduct hearing board, not an administrative hearing officer except as otherwise provided for by college or Council on Postsecondary Education policy or process.

Section D. Violation of Law and College Discipline

1. If a student is charged only with an off-campus violation of federal, state or local laws but not with any other violations of this code, disciplinary action may be taken and sanctions imposed for grave misconduct that demonstrates flagrant disregard for the college community. In such cases, no sanction may be imposed unless the student has been found guilty in a court of law or has declined to contest such charges, although not actually admitting guilt (e.g., “no contest” or “nolo contendere”). However, the college may conduct a review to determine if the student poses a danger to the community through the established Threat Assessment process and enact recommendations made through that process up to, and including, temporary suspension.
2. College disciplinary proceedings may be instituted against a student charged with a violation of law that is also a violation of this Student Conduct Code. An example of this would be if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Conduct Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus.
3. When federal, state or local authorities charge a student with a violation of law, the college will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a disciplinary body that is a component of the Student Conduct Code, the college may advise off-campus authorities of the existence of the Student Conduct Code and of how such matters will be handled internally within the college community. The college will cooperate fully with law enforcement and other agencies in the enforcement of criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Article V: DISCIPLINARY PROCEDURES

Section A. Charges and Hearings

1. Any member of the college community may file a complaint against a student for misconduct. Complaints shall be prepared in writing and directed to the Dean of Students Office. Any charge should be submitted as soon as possible after the event has taken place, preferably within 10 academic days. Complaints of sexual

misconduct should be made, and shall proceed, pursuant to the RIOPC Title IX Policy and Complaint Procedure (see page 63).

2. The Dean of Students Office will hold a preliminary interview to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the college. Such disposition shall be final and there shall be no subsequent proceedings. If the charges cannot be disposed of by mutual consent, the matter will be referred to a student conduct hearing board.
3. All charges shall be presented to the accused student in written form. A time shall be set for a hearing, no less than four (4) or more than 10 business days after the respondent's initial interview. Maximum time limits for scheduling of hearings may be extended at the discretion of the dean of students with required notification of the parties involved.
4. The student conduct hearing board shall hold hearings. During breaks or at other times when a conduct hearing board cannot be convened, hearings may be conducted by an administrative hearing officer acting as chairperson and board.
 - a. Hearings shall be conducted in private.
 - b. Admission of any person to the hearing shall be at the discretion of the student conduct hearing board chair or a conduct hearing officer.
 - c. In hearings involving more than one respondent, the chairperson of the student conduct hearing board, at his or her discretion, may permit the hearings concerning each student to be conducted separately.
 - d. The complainant and the respondent have the right to be assisted by any adviser they choose. The complainant and/or the respondent is responsible for presenting his or her case and, therefore, advisers are not permitted to speak or to participate directly in any hearing before a student conduct hearing board.
 - e. In cases involving sexual misconduct, hate crimes or non-sexual harassment, both the complainant and the respondent may request that steps be taken to provide testimony in a manner that does not require being in the physical presence of the other as long as such steps do not deny either party access to the information presented by the parties.
 - f. The complainant and the respondent shall have the privilege of presenting witnesses with relevant information regarding the charge(s), subject to the right of questioning only by a student conduct hearing board. Neither the complainant nor the respondent may question witnesses or each other. Questions may be directed to the chair of the student conduct hearing board by the complainant or respondent.
 - g. The student conduct hearing board, at the discretion of the chairperson, may accept pertinent records, exhibits and written statements as evidence for consideration.
 - h. All procedural questions are subject to the final decision of the chairperson of the student conduct hearing board.
 - i. After the hearing, a student conduct hearing board shall determine and notify the dean of students within two (2) academic days of the hearing (by majority vote) whether the student has violated each section of the Student Conduct Code that the student is charged with violating.
 - j. A student conduct hearing board's determination shall be made on the basis of the preponderance of evidence standard, *i.e.* the greater weight of the evidence demonstrates that the respondent violated the Student Conduct Code.
 - k. No student may be found to have violated the Student Conduct Code solely because the student failed to appear before a hearing board. In all cases, the evidence in support of the charges shall be presented and considered.
 - l. Only the respondent is notified of the outcome and the sanction of a conduct hearing board. The complainant will be informed of the decision of the board, but not the details of any sanction except in cases involving allegations of sexual misconduct or otherwise provided for by law. In these cases, both complainant and the accused will be notified of the decision in full and concurrently.

5. In such circumstances where a student is served with a no-trespass order by Campus Police as a matter of public safety, Campus Police shall file a complaint with the Dean of Students Office (in the format required by that office) within one business day in order to process the complaint through the established student conduct process.

Section B. Interim Measures

1. *Emergency suspension* – In certain circumstances, the vice president for Student Affairs, at the recommendation of the Threat Assessment Committee, may impose a college suspension prior to the hearing before a student conduct hearing board. It may be imposed:
 - i) To ensure the safety and well-being of members of the college community or preservation of college property;
 - ii) To ensure the student’s own physical or emotional safety and well-being; or
 - iii) If the student poses a definite threat of disruption of or interference with normal operations of the college.

During the emergency suspension, students shall be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible, as the vice president for Student Affairs or their designee may determine to be appropriate. In some circumstances, the college may request a psychiatric evaluation from a licensed mental health professional as a condition of return.

Notification of the student’s faculty and limited notification of key college departments will be made.

2. *No-contact directive* – In certain circumstances, the dean of students may impose a no-contact directive prior to the hearing before a student conduct hearing board when the charge is non-sexual harassment or sexual misconduct, or there is reason to believe that negative contact could occur and impact the student conduct hearing. The college-issued and binding directive is to have no contact with a specified person or persons. This includes physical contact, in-person communication, written communication, electronic forms of communication, the enlisting of third parties to communicate on your behalf, and public postings and declarations intended to send implicit messages to the specified person or persons. All efforts will be made to avoid directing a student to stop attending a classes or classes prior to a hearing board’s decision, and, if necessary, assistance will be given to the student to continue in his or her classwork to the extent possible.
3. *Removal from course section or activity* – In certain circumstance, the dean of students may temporarily remove a student from a section of a course if his or her continued presence in the section will create a situation in which the expected teaching and learning process will be disrupted. This may include, but is not limited to, personal behaviors in the classroom, allegations of sexual misconduct, or interpersonal disputes with the instructor or fellow classmates that cannot be avoided.
4. *Administrative holds* – An administrative hold may be applied to a student’s account at the discretion of the Dean of Students Office prior to adjudication of charges if a student refuses to or fails to respond to charges brought against him or her. Holds are to be lifted upon meeting with designated staff and are not an indication of actual responsibility for said charges.

Section C. Sanctions

1. The following, as well as other appropriate sanctions, may be imposed upon any student found to have violated the Student Conduct Code:
 - a. *Warning* – A notice in writing to the student that the student is violating or has violated institutional regulations.

- b. *Probation* – A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.
 - c. *Loss of privileges* – Denial of specified privileges for a designated period of time. This may include limitations on a student’s right to access parts or all of a facility in cases where the student conduct hearing board believes contact between two parties would be detrimental to one or both of the students or that it is in the college’s best interests.
 - d. *Fines* – Previously established and published fines may be imposed. Fines posted below.
 - e. *Restitution* – Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
 - f. *Discretionary sanctions* – Work assignments, service to the college, educational assignments or other related discretionary assignments (Such assignments must have the approval of the dean of students.)
 - g. *No-contact directive* – A college-issued and binding directive to have no contact with a specified person or persons. This includes physical contact, in-person communication, written communication, electronic forms of communication, the enlisting of third parties to communicate on your behalf, and public postings and declarations intended to send implicit messages to the specified person or persons.
 - h. *Removal from course* – when a student repeatedly disrupts a classroom learning environment and does not respond to faculty efforts to address the behavior, a faculty member may request a student be permanently removed from the classroom without grade or refund. This sanction may only be imposed permanently by a conduct hearing board. A student may remain in the classroom pending the decision of the hearing board, unless determined to be a continuing disruption by the dean of students.
 - i. *College suspension* – Separation of the student from the college for a defined period of time, after which the student is eligible to return. Conditions for readmission, including a reinstatement review by the associate vice president, may be specified. In some circumstances, the college may request a psychiatric evaluation from a licensed mental health professional as a condition of return. Notification of the student’s faculty and limited notification of key college departments will be made.
 - j. *College expulsion* – Permanent separation of the student from the college. This sanction only may be imposed by a student conduct hearing board.
2. More than one of the sanctions listed above may be imposed for any single violation.
 3. Other than college expulsion, disciplinary sanctions shall not be made part of the student’s permanent academic record, but shall become part of the student’s disciplinary record. Upon graduation, the student’s disciplinary record may be expunged of disciplinary actions other than college suspension or college expulsion upon application to the Dean of Students Office. Disciplinary records shall be destroyed six years after the date of the incident that led to the initiation of disciplinary action.
 4. The following, as well as other sanctions, may be imposed upon groups or organizations:
 - a. Those sanctions listed above in Section C 1, except suspension or expulsion.
 - b. Deactivation – Loss of all privileges, including college recognition, for a specified period of time.
 5. In each case in which the student conduct hearing board determines that a student has violated the Student Conduct Code, the sanction(s) shall be determined by that board and imposed by the Dean of Students Office.

Section D. Schedule of Fines

The following fines may be imposed only after an admission of responsibility from the respondent or a finding of

responsibility by a student conduct hearing board or hearing officer.

Violation of the Smoking Policy	\$50 (first offense); \$75 (subsequent offenses)
Failure to evacuate during an alarm	\$150 (each offense)
Failure to comply	\$75 (each offense)
Obstruction of traffic/movement	\$100 (each offense)

Section E. Appeal of Conduct Process Decisions

1. A decision reached or a sanction imposed by a student conduct hearing board may be appealed by the respondents(s) or complainant(s) to the vice president for Student Affairs within five (5) business days of receiving the decision. Such appeals shall be in writing and shall be delivered to the Student Affairs Office
2. An appeal shall be limited to review of the original hearing and the supporting documents for one or more of the following purposes:
 - a. To determine whether the original hearing was conducted fairly in light of the charges and evidence presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Conduct Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a rebuttal of those allegations.
 - b. To determine whether the decision reached regarding the accused student was based on a preponderance of evidence, that is, whether the facts in the case were sufficient to establish that a violation of the Student Conduct Code occurred.
 - c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code that the student was found to have committed.
 - d. To consider new evidence or other relevant facts 1) not brought out in the original hearing, and 2) sufficient to alter a decision, because such evidence and/or facts were not known to the person appealing at the time of the original hearing or investigation.
3. Appeals are accepted if there is sufficient evidence to meet any of the above criteria and it can be demonstrated by the party requesting the appeal that the factor being appealed made a material difference in the determination of responsibility or the sanction imposed. If the vice president for Student Affairs upholds an appeal, he or she may rule directly on the matter or the case may be remanded back to the original student conduct hearing board or administrative hearing officer with specific instructions for reconsideration of the original determination and/or sanction(s).
4. In cases involving appeals by students accused of violating the Student Conduct Code, review of the sanction by the vice president for Student Affairs may not result in more severe sanction(s) for the accused student. Instead, following an appeal, the vice president for Student Affairs, upon review of the case, may reduce but not increase the sanctions imposed by the student conduct hearing board or remand the case to the original hearing officer or hearing board.
5. In cases involving appeals by complainants, the vice president for Student Affairs upon review of the case may reduce or increase the sanctions imposed by the student conduct hearing board or remand the case to the original hearing officer or hearing board.
6. Alternatively, once a student has exhausted the internal complaint or grievance processes, he or she may choose to utilize the complaint process overseen by the Council on Postsecondary Education and the Office of the Postsecondary Commissioner or "equivalent governing board" in compliance with the Federal Program

Integrity Rule. The specific types of complaints covered by these regulations are:

- a. Allegations of state consumer protection violations, including, but not limited to fraud and false advertising;
- b. Allegations that state laws or rules addressing the licensure of postsecondary institutions have been violated; and
- c. Allegations regarding the quality of education or other accreditation requirements.

For more information and details on how to file a program integrity complaint, visit the Council on Postsecondary Education and the Office of the Postsecondary Commissioner “or equivalent governing board” website at <https://www.riopc.edu>.

Article VI: Off-campus incidents

The college shall have jurisdiction over student conduct that occurs on campus property or in connection with college functions and affairs. The college also shall have discretion to exercise jurisdiction over conduct that occurs off campus and that would violate student conduct and discipline policies or regulations if the conduct occurred on campus when (1) the alleged misconduct indicates the student may be a threat to the safety or security of members of the college community or college property, functions or facilities; or (2) the alleged misconduct involves academic work or any records, documents or identifications of the college.

Specifically, the college may choose to exercise jurisdiction over off-campus incidents where the alleged misconduct involves:

- a. Sexual misconduct
- c. Possession or use of weapons, explosives or destructive devices
- d. Manufacture, sale or distribution of controlled substances
- e. Hate crimes
- f. Hazing
- g. Conduct that would constitute felony burglary, robbery, theft, etc.
- h. Retaliation

Students involved in any of these offenses are subject to suspension or expulsion from the college.

Article VII: Compliance with Federal Law

In compliance with the Clery Act, the community college reports all complaints that fall under the purview of the laws in its annual Clery Report. As such, reporting to confidential reporters (see Page 26) can be allowed, but all reported incidents are included in the college Clery statistics, even if a complainant does not seek action by the college. The inclusion of the information in the annual Clery Report will be for statistical purposes only and will not include the names of the parties.

Those affected by sexual violence (rape, fondling, dating/domestic violence, stalking) will receive a written notice of their rights and options for academic, working and related accommodation, as well as information on resources on and off campus for advocacy, legal support, medical and psychological care, and visa and immigration assistance.

Article IIX: Interpretation and Revision

- A. Any question of interpretation regarding the Student Conduct Code shall be referred to the dean of students.
- B. The Student Conduct Code shall be reviewed every three years under the direction of the dean of students. Updates to remain compliant with state and federal regulations and laws shall occur annually. All changes will be reviewed by the Student Advisory Council before final approval by general counsel and the President’s Council.

HOW COMPLAINTS AGAINST STUDENTS ARE HANDLED

1. Complaint is received through Campus Police or through the Dean of Students Office “Report It” online reporting tool. After an initial interview with the complainant, a staff member will determine if there is a potential violation of the Student Conduct Code. If so, the responding student is notified that a complaint has been filed and that he or she must schedule an initial interview with a Dean of Students Office staff member within four academic days. An administrative hold is placed on the student’s account until he or she has complied with the request. Allegations of sexual misconduct as defined on Page 9 or bias-related incidents are referred to the Title IX Coordinator for review for possible Title IX violations. If the allegations are determined to meet the definitions of sexual harassment under Title IX, the matter will be handled pursuant to the Council on Post-secondary Education Title IX policy. If it does not, it will be handled as all other student conduct complaints.
2. At the respondent’s initial interview, the complaint is shared in detail with the student and the student has an opportunity to respond. In this meeting, the student can accept responsibility, deny responsibility or say nothing at all.

At the conclusion of the initial interview, one of the following actions may be taken by the Dean of Students Office:

- Dismiss the case if insufficient evidence that the Student Conduct Code was violated is presented.
- Refer the case to a student conduct hearing board if the student denies responsibility or the precedent sanction is suspension or expulsion.
- Issue a sanction (except suspension or expulsion) based on past precedent, the student’s disciplinary record and the specific factors of the incident if the student accepts responsibility for the incident.

If the student denies responsibility or if he or she is facing possible suspension or expulsion, a student conduct hearing board must be convened at a time not less than three nor more than five business days after the respondent’s initial interview to hear the complaint.

3. The student conduct hearing board shall be composed of up to two student delegates and up to two faculty delegates. A Dean of Students Office staff member will preside as a nonvoting chair, except in case of a tie. The number of student delegates and faculty delegates must be the same. Students and faculty members are selected by the Dean of Students Office in consultation with Student Government and Academic Affairs.

The respondent and the complainant may be accompanied by an adviser of their choosing who may serve as a nonspeaking support for either student. Both the complainant and the respondent may bring witnesses in person or signed and dated witness statements. Witnesses must have firsthand knowledge of the incident or complaint. Once scheduled, the hearing will occur as planned whether the complainant and/or the respondent chooses to attend or not.

The student conduct hearing board shall make a determination based solely on the facts presented at the hearing regarding the incident in question. No other factors may be considered. The burden of proof is on the complainant to demonstrate that the respondent is responsible for violating the Student Conduct Code. A preponderance of the evidence shall be the standard of proof. Mitigating factors regarding why the Student Conduct Code was violated are only pertinent in the sanctioning phase.

4. Once a student conduct hearing board has made a determination of whether the respondent is responsible or not responsible, the hearing board will determine an appropriate sanction. The respondent will be notified of the disposition of the complaint and, if appropriate, the designated sanction within two academic days. The complainant will be informed of the decision of the board, but not the details of any sanction except in cases where otherwise provided for by law.

Upon receipt of the notification, the accused student or the complainant may appeal the decision as detailed in section B

ACADEMIC POLICIES

POLICY ON ACADEMIC INTEGRITY

Academic integrity is vital to an institution of higher education. The integrity of your work – that it represents your independent thought and effort and that it properly acknowledges the work of others – is essential to the awarding of credit and to the development of your academic potential. As such, instances of academic dishonesty – cheating, plagiarism, etc., – are extremely serious academic offenses that should not be overlooked. Students should be aware and regularly cautioned that violations of academic integrity may result in suspension or expulsion from the college.

Definitions

Acts of academic dishonesty are serious offenses that should not be overlooked. Students should be regularly reminded that violations of academic integrity may result in suspension or expulsion from the college. Examples of academic dishonesty include:

- Cheating – intentionally using or attempting to use unauthorized materials, information or study aids in an academic exercise.
- Fabrication – intentional and unauthorized falsification, misrepresentation or invention of any data or citation in an academic exercise.
- Plagiarism – intentionally representing the words, ideas or data of another as one’s own in any academic exercise without providing proper citation.
- Unauthorized collaboration – instances when students submit individual academic works that are substantially similar to one another; while several students may have the same source material, the analysis, interpretation and reporting of the data must be each individual’s independent work.
- Participation in academically dishonest activities – any action taken by a student with the intent of gaining an unfair advantage. This includes submitting previously graded work as new.
- Facilitating academic dishonesty – intentionally or knowingly helping or attempting to violate any provision of this policy.

Procedure

If an instructor can demonstrate that cheating or plagiarism has taken place, he or she will notify the student in writing, present the evidence and apply an academic penalty depending on the severity of the offense. The instructor will bear in mind that there are different degrees of academic dishonesty and assign the academic penalty he or she considers most appropriate from the options listed below:

1. Require that a makeup test is taken or a makeup paper is written.
2. Reduce the grade on the paper or exam.
3. Reduce the final grade in the course by one or more levels.
4. Assign a grade of “F” to the exam or paper.
5. Assign a grade of “F” for the course.

The instructor must present the student with the Academic Grievance Process (below) at the time of notification so that the student will know his or her rights of appeal. The student may appeal the appropriateness of the particular academic penalty chosen by the instructor, as well as the finding of fact, through the academic grievance process. The instructor also will notify the Dean of Students Office so that a record may be maintained. If the faculty member wishes to pursue the matter as a disciplinary issue, he or she must refer the matter to the dean of students, where a conduct hearing officer may choose to impose disciplinary sanctions following procedures outlined in Article V of the Student Conduct Code (See Page 12).

GRIEVING A GRADE OR ACADEMIC DECISION

A student who alleges an error or injustice in the grading process may present a grievance in writing to the instructor. Grading reflects careful and deliberate assessment of a student's performance by the instructor and cannot be administratively altered. Grade disputes are best resolved between the classroom instructor and the student with a careful review of grades and discussion of concerns. When that is not possible, this procedure is provided to allow students an organized method to resolve their concern.

In May of each year the Vice President of Academic Affairs shall establish an Academic Grievance Committee for the ensuing 12 months. The committee's members shall be: one academic dean (from a different academic division than the parties) to serve as chairperson, two of three faculty members selected by the Faculty Association (one from each academic division) and two of three students (one from each academic division and having a GPA not less than 2.5) selected by Student Government. As soon as possible after establishment, the committee shall meet to formulate rules of hearing procedure for its 12-month incumbency. The academic dean shall be responsible for scheduling meetings and providing secretarial assistance.

The word "recommendation" in this procedure shall not be constructed to mean a directive. The word "days" shall mean the business days Monday through Friday. The number of days indicated at each level is considered a maximum. All efforts should be made to expedite the process. The time limits may only be extended in extenuating circumstances by mutual agreement between the grievant and the person against whom the grievance is directed.

GROUNDINGS FOR A GRIEVANCE

Students may appeal the final grade of a credit-bearing course when:

1. The student can identify a technical or mathematical error in the grade, or;
2. The student can demonstrate that they have been unfairly denied a grading opportunity or held to a grading standard inconsistent with other students in the section, or;
3. The student can demonstrate that the stated grading procedures listed in the course syllabus, department policy, or college policy have not been followed, *and*;
4. The student can demonstrate attempted resolution with the faculty member and the appropriate department chair.

Students dissatisfied with teaching style or methods do not have grounds for an appeal, but may file a complaint with the appropriate department chair.

No complaint challenging a grade may be initiated later than 25 calendar days following the day grades are posted by the Records Office. If the faculty member who assigned the challenged grade is no longer employed at the institution or is not contacted within the 25-day timespan, the student may present the complaint to the department chairperson. Please note: during the summer, faculty members are unavailable after commencement and grievances might not be addressed until the faculty member returns from summer break. This still obligates the student to register their grievance within the 25-day window.

PROCESS

1. Student must attempt to resolve the grievance informally with the instructor and, if necessary, the department chair. If a student is not satisfied with the resolution offered by the faculty member or department chair, or has not received a response from either party within ten (10) business days, the student may contact the Dean of Students Office for assistance. The dean of students will work with the appropriate

academic dean to find an acceptable resolution. The academic dean will issue a written recommendation within five (5) business days.

2. If either the student or the instructor is dissatisfied with the academic dean's recommendation, they may request a hearing before the Academic Grievance Committee. This request must be made to the Office of the Vice President of Academic Affairs in writing within three (3) days of receipt of the chair's recommendation. The VPAA shall immediately notify the Dean of Student's Office of the request, and shall assign an academic dean outside the grievant's discipline to chair the case. All documentation on the case will be forwarded to the assigned academic dean. The academic dean shall call a meeting of the Academic Grievance Committee to be held within ten (10) days of receipt of the request. No faculty member or student from the grievant's academic area shall sit on the hearing committee for a given case.

The Academic Grievance Committee shall review the documentation, hear all parties concerned, use any or all means to ascertain the facts and make a final recommendation concerning the grievance. Within five (5) days of the hearing's adjournment, the chairperson of the Academic Grievance Committee shall send written recommendations to all parties present at the hearing. The Academic Grievance Committee shall be the last appeal at the Community College of Rhode Island.

Withdrawal. Students may withdraw their informal or formal complaints in writing before a hearing.

GENERAL POLICIES

ALCOHOL AND DRUG POLICY

The Community College of Rhode Island seeks to encourage and sustain an academic environment that both respects individual freedom and promotes the health, safety and welfare of all members of its community. In keeping with these objectives, the college has established a policy governing the possession, sale and consumption of alcoholic beverages on the campus and conforming to the laws of Rhode Island.

Possession or consumption of alcohol is strictly controlled by the college. Rhode Island law states that no alcoholic beverages can be sold, delivered or in any way be given to a person under 21 years of age. Anyone under the age of 21 who knowingly makes false statements as to his or her age in order to purchase or in any way procure alcoholic beverages shall be subject to appropriate prosecution existing under state law.

Consistent with its educational mission, the college sponsors programs that promote awareness of the physical, psychological, social and behavioral effects of alcohol consumption. Assistance is available in finding community resources for those who are experiencing alcohol-related difficulties.

The use of narcotics or dangerous drugs on the college campus violates campus policy and Rhode Island state law. The law prohibits the manufacture, distribution, dispensation, sale, possession or use of any illegal drug. Educational programs and seminars that provide significant information and literature regarding the implications and consequences of drug use are available.

While use of medical marijuana with a legally obtained card from the Department of Health is legal in the state of Rhode Island, use of medical marijuana is prohibited in all buildings and on all premises by federal law.

Any student who violates institutional policy or law as it relates to the use of alcohol and drugs may be subject to disciplinary action taken by the college including suspension or expulsion.

CCRI does consider all factors when a community member is involved in a crime of violence and also in violation of the alcohol/drug policies. CCRI recognizes that students who have been drinking and/or using drugs (whether voluntarily or involuntarily) at the time of an incident of violence (such as domestic violence, dating violence, stalking or sexual assault) may be hesitant to report such incidents or participate in the process because of fear of potential consequences. CCRI strongly encourages students and employees to report such incidents to officials. A bystander acting in good faith or a reporting individual acting in good faith, or any party to the investigation and process, who discloses any incident of violence to CCRI officials or law enforcement will not be subject to disciplinary action for violations of the drug and alcohol policies. In certain circumstances CCRI may grant additional amnesty for violations.

Alcohol on Campus

Given the risks associated with the use of alcohol on campus and because of a variety of liability concerns associated with the use of alcohol, it has been determined that it is not prudent to permit the dispensing of alcohol on the college's premises. Consequently, no employee of the college or anyone acting on the college's behalf shall sell or give alcohol to anyone while utilizing the college's facilities or while on the college's premises.

Under exceptional circumstances, an exception to this policy may be made via a request of the Office of the Vice President for Business Affairs in writing and in advance.

Legal Sanctions for Alcohol and Other Drugs

Rhode Island penalties for driving while impaired are as follows:

- a. Section 3-8-6 of the Rhode Island General Laws states that it is unlawful for a minor (under the age of 21) to purchase or attempt to purchase or to make a false statement or misrepresent his or her age through the presentation of a false document in connection with the attempted purchase of alcohol. The sanction is a minimum fine of \$100 to \$500 and the possibility of up to 30 hours of community service and suspension of his or her driver's license for up to three months for a first offense.
- b. Section 3-8-10 of the Rhode Island General Laws states that possession of alcohol by a minor is illegal. The fine ranges from \$150 to \$750 for a first offense. In addition, violators may be required to perform community service and shall be subject to a minimum 60-day suspension of their driver's license, and upon a second offense or subsequent offense may be ordered to undergo substance abuse assessment.
- c. In Rhode Island, driving while having a blood alcohol concentration of .08 percent and above is a crime. Some of the Rhode Island penalties for driving while under the influence of alcohol or other intoxicating drugs include fines starting at \$100, community service, license suspension and/or imprisonment.
- d. In Rhode Island, persons at least 18 years old but less than 21 years of age driving with a blood alcohol concentration greater than .02 but less than .10 are considered to be driving while impaired. The sanctions for driving while impaired include a fine of up to \$250, up to 30 hours of community restitution, suspension of driver's license for a minimum of one month up to three months and attendance at an alcohol or drug treatment program.
- e. Persons arrested for the sale of illegal drugs may be subject to being held in jail without bail until a hearing and are subject to forfeiting any money or vehicles associated with the sale of those illegal drugs.

Legal Sanctions for Illegal Drugs

Rhode Island statutes cover a wide range of drug offenses, including the use, possession, sale, distribution, transportation and manufacture of various types of drugs (Title 21, Chapter 28 of the Rhode Island General Laws). Among other provisions, the state law creates the following mandatory minimum prison sentences for first-time offenders who are not "drug dependent" persons. Actual sentences depend on the severity and the circumstances of the offense, and the character and background of the offender.

- a) Imprisonment of not less than 10 years for possession of enumerated quantities of controlled substances: heroin, coca leaves, cocaine, ecgonine, phencyclidine (PCP) and Lysergic acid diethylamide (LSD), plus a fine.
- b) Possession of larger enumerated quantities results in a minimum prison sentence of not less than 20 years plus fine.
- c) Distribution of a controlled substance to persons under age 18 is penalized by imprisonment for not less than 15 years.
- d) Education and counseling may be required.

Health Risks Associated with Use of Alcohol and Other Drugs

Many people are unaware of the potential physical and psychological consequences of their drug use. Not everyone who uses drugs becomes addicted. The vast majority of Americans who drink alcohol, for example, do so without any serious problems. However, it is important to remember that alcohol is a powerful drug – and like marijuana, cocaine or heroin, it can pose certain risks to your health and well-being. Alcohol abuse is responsible for an average 200,000 deaths annually in the United States. Half of all accidental deaths, suicides and homicides in the United States are estimated to be alcohol related. In addition, alcohol use is implicated in many cases of sexual assault.

- a. **Personal risk factors.** * Frequently, people who drink abusively do not consider themselves to be problem drinkers. Certain factors pose an increased risk for developing a serious alcohol problem. These are:
 - 1) Having one or more blood relatives with a history of alcohol or other drug problems.
 - 2) Growing up in a family in which alcohol was associated with family dysfunction.
 - 3) Drinking to get drunk.
 - 4) Being able to "hold your liquor" – seeming to be less affected by alcohol than most people.

- 5) Excessive drinking at a young age and/or having a history of other drug abuse.
- 6) Having one or more memory “blackouts” caused by drinking.
- 7) Drinking to relieve bad feelings or to escape from problems.
- 8) Having friends who are heavy drinkers.
- 9) Having a history of impulsivity and/or behavioral problems, such as conduct disorder.
- 10) Using other drugs that, when combined with alcohol, increases the effects and dangers of drinking.

** Sources: Miller, William R., Alcohol and You. Prepared for Project MATCH by the Center on Alcoholism, Substance Abuse, and Addictions (CASAA). The University of New Mexico, Albuquerque, NM 87131. Also Marlatt, G.A., Baer, J.S. & Larimer, M.E. (1995). Preventing alcohol abuse in college students: A harm reduction approach. In G.M. Boyd, J. Howard, & R.A. Zucker (Eds.), Alcohol problems among adolescents: Current directions in prevention research (pp.147-172). Northvale, NJ: Lawrence Erlbaum & Associates Inc.*

- b. **Birth defects.** Fetal Alcohol Syndrome (FAS) is among the three leading causes of birth defects. FAS refers to a pattern of physical and mental defects that may occur in infants whose mothers drink during pregnancy.
- c. **Acute alcohol poisoning.** Certain high-risk practices (e.g., drinking games, drinking grain alcohol punch) involve the quick ingestion of large amounts of alcohol that can shut down breathing and heart functioning. This can be fatal. Chronic alcohol abuse also has been linked to liver disease, gastrointestinal disorders, birth defects, depression, impotence and malnutrition. Alcohol and other drug use can impair judgment, reasoning, communication and perception. In addition, it may lead to risky sexual encounters such as unprotected sex and sexual assault. Alcohol may be a contributing factor in cases of acquaintance rape. Alcohol does not cause a person to commit sexual assault. Furthermore, drunkenness does not absolve a guilty party from the act of rape. Drunk or sober, sexual assault is a crime.
- d. **Signs and symptoms of alcohol poisoning.** If someone you know has any of the following symptoms after drinking alcohol, it is possible that he or she is suffering from acute alcohol poisoning. Do not leave the person alone. Do not let him or her “sleep it off.” Turn the person on his or her side to prevent choking should vomiting occur. Call 911 for immediate medical attention if you see any of the following:
 - The person is unconscious or semi-conscious and cannot be roused.
 - The person has cold, clammy, pale or bluish skin.
 - The person’s breathing is slow or irregular.
 - The person vomits while passed out and is not waking up after vomiting.

ANIMALS ON CAMPUS POLICY

Animals are allowed on college grounds outside college buildings that are open to the public; however, it is prohibited to bring animals into campus buildings, with the following exceptions.

- a. Exceptions made by the president of the college, or their designee, to this policy for special circumstances and/or events including, but not limited to, reasonable accommodation for a disability, pet shows, or college events.
- b. A dog acting as a service animal pursuant to federal and state statutes and regulations, including “personal assistance animals” under Rhode Island General Laws Section 40-9.1.
 - a. Employees and students may bring a service animal into non-public areas in campus buildings if they have obtained an accommodation from the college:
 - i. Employees must contact Human Resources for an accommodation.
 - ii. Students must contact Disability Student Services for an accommodation.
 - b. Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person’s disability. In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions:
 - i. Is the dog a service animal required because of a disability?

- ii. What work or task has the dog been trained to perform.
- c. Animals used by law enforcement or emergency personnel in the exercise of their official duties.
- d. Animals used for academic purposes.

The owner or other responsible person must ensure who brings an animal on to campus must ensure that the animal is leashed or caged. Owners are responsible for complying with state and local laws concerning animal possession/ownership, licensing, animal rights and owner responsibilities. Individuals responsible for an animal's presence on campus shall be responsible for the immediate removal and sanitary disposal of any excrement deposited by the animal. They shall have the appropriate means on his/her person for removal of such excrement when bringing the animal on campus. Service animals must be current with immunizations and wear a rabies vaccination tag; annual documentation is required. The owner or personal responsible for an animal is responsible for paying for any damage caused by the animal.

No animal shall be left unattended in any motor vehicle parked on college property. Animals may not be disruptive or out of control, disturb college activities, be physically ill, neglected, or mistreated. In addition, animals that are allowed in college building pursuant to this policy may not be unreasonably dirty or distract others during academic or work related activities.

Any animal discovered in violation of these regulations may be impounded and turned over to the appropriate animal control authority. In addition, the owner or person responsible for the animal may be asked to remove the animal from campus.

Definitions

1. The term "caged" refers to the animal being restrained in an enclosed pen, box, or other similar container controlled by the owner or other responsible person who prevents the animal from escaping.
2. The term "direct physical control" refers to the owner or other responsible person physically holding the animal in such a way that it is not likely to escape.
3. The term "leashed" refers to the animal being restrained on a cord, chain, or other similar restraint, not to exceed six (6) feet in length, controlled by the owner of the animal or other responsible person.
4. The term "non-public areas in campus buildings" refers to spaces that are not open to the general public, including – but not limited to – classrooms, laboratories, warehouse space, facilities operations spaces, and offices.
5. The term "public areas in campus buildings" refers to a part of a place of public accommodation that is open to the general public.
6. The term "service animal" refers to a dog that has been individually trained to do work or perform tasks for an individual with a disability.

BATHROOM AND LOCKER ROOM USAGE POLICY

All students, staff members, faculty members and guests should use the bathroom or locker room that corresponds to their gender identity or expression. Individuals are prohibited from using a public bathroom or locker room that does not correspond to their gender identity or expression.

In regards to privacy, all persons using a public bathroom or locker room are to be treated with dignity and respect. Anyone wishing more privacy may use any of the single-stall bathrooms that are marked on the campus maps or with the designated symbol. Anyone wishing more privacy in a locker room should contact a staff member in Athletics for access to a private changing area.

Harassment of those using the bathroom or locker room that corresponds to their gender identity or expression may constitute a violation of the Title IX Sexual Harassment Policy and Procedures and should be reported to Campus Police, the Dean of Students Office (deanofstudents@ccri.edu, 401-825-2367) or the Title IX Coordinator/ADA/Section 504 Coordinator (swahl1@ccri.edu, 401-825-1004).

COMMUNICATION

The official method of communication from the Community College of Rhode Island to all students is email directed to the student's CCRI email account. While other forms of communication will be used, students are expected to check their CCRI email account regularly and will be held accountable for information sent via this medium. Daily checking is strongly encouraged, as time-sensitive information is sent, especially prior to the beginning of each semester and regarding financial matters.

COMPLAINTS AGAINST EMPLOYEES

In incidents where students feel that college employees have acted inappropriately or unprofessionally, students have the right to file a complaint. In most cases, a conversation with the employee about the concerns is the quickest and simplest way to resolve a conflict. Complaint processes depend on who the subject of the complaint is and the nature of the complaint. Complaints regarding teaching style or methods or grading practices are generally not viable complaints as faculty members are free to develop their courses largely as they determine best within the confines of college policy and the law. Discussions on those matters are best referred to department chairs.

Discrimination, Disability or Harassment Complaints

Contact Sheila Wahl, Title IX Coordinator, and ADA/Section 504 Coordinator. Complaints will be handled per college and Council on Postsecondary Education policies.

Other Complaints

All other types of complaints should be submitted by completing an incident report form at <http://ccri.edu/hr/forms.html>. The director of Human Resources, will acknowledge and review all complaints. Complaints will be addressed as appropriate in regards to the relevant college, state or federal policies and in compliance with any relevant bargaining unit contracts. Complaints may be referred to other departments as necessary. Anonymous complaints will not be accepted.

REPORTING A CRIME

Responsibility to Inform

It is a shared responsibility of every community member to report crimes on campus. What to do:

First, contact Campus Police. If it is an emergency, dial ext. 2000 from any campus. Otherwise, call:

- Warwick: 401-825-2109
- Lincoln: 401-333-7035
- Providence: 401-455-6050
- Newport: 401-851-1620

The individual answering the phone will request the information below. Any information is useful, so do not hesitate to call if you can assist Campus Police with a particular incident.

- A good description of the offender including height, weight, color of hair and eyes, and clothes.
- Vehicle information including make and model, color, license plate and direction of travel.
- Number of people involved.
- Date and time of incident.
- Details about the crime.

A Campus Police officer will interview you further to complete the investigation. Some crimes will require the presence and collaboration of the local law enforcement agency.

Please remember:

- Do not handle, touch or remove evidence.
- Remove yourself from the crime scene if it's unsafe.
- Remain calm.

Any person who is a victim of a crime on campus may request the local law enforcement agency be notified of an incident. This does not mean that the other agency will respond to the scene of the incident.

Confidential Reporting Procedures

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. With your permission, the chief of Campus Police or his or her designee can file a report on the details of the incident without revealing your identity to the extent permitted by law and/or policy. However, for reports involving sexual misconduct, confidentiality cannot be guaranteed and the incident will be reported to the director of Institutional Equity. The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine whether there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community to potential danger. However, the college's attempt to investigate and act upon a confidential report are limited by the request for confidentiality. Reports filed in this manner are counted and reported in the annual crime statistics for the institution.

You may also file an anonymous report online. Please make sure that, if you wish to maintain anonymity, you not include any information that would reveal your identity. The online link is https://ccri-advocate.symlicity.com/public_report.

Mandated Reporters and Exemptions

Clery Act

The Clery Act requires institutions of higher learning to identify individuals on their campuses who are mandated to report crime. Specifically, the act requires that the school designate individuals who have significant responsibility for student and campus activities but do not have significant counseling responsibilities to report crimes that are made known to them. Based on this criterion, the following CCRI officials are considered campus security authorities (CSA) who must report all crimes:

- All administrative officers of the college
- Chief and deputy chief of Campus Police and all Campus Police officers and patrol officers
All deans, associate deans and assistant deans
- Director of Institutional Equity and Title IX coordinator
- Student Services directors and assistant directors
- Student Services advisers, coordinators and other professional staff
- All athletic coaches and trainers
- All student organization advisers

All CSAs are obligated to report all actual, suspected or alleged Clery violations that are reported to them, or of which they become aware, to Campus Police. These individuals must report to the appropriate college official even if the reporting party asks them not to do so.

All actual or alleged incidents of sexual misconduct should be reported to the Title IX coordinator at 401-825-1004, swahl1@ccri.edu or the dean of students at 401-825-2379, deanofstudents@ccri.edu . All employees are

encouraged to report alleged sexual misconduct to these individuals.

For those who do not want the matter reported to college officials but who would like to discuss the incident or learn about options in a confidential setting, there are confidential resources available.

Confidential Resources

Pastoral and professional counselors providing counseling services as part of their duties are exempt from mandated reporting, except in instances where there is a threat or danger to others or self.

These roles are defined as:

Pastoral counselor

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

Professional counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. If you would like to discuss a matter confidentially with a member of the college's counseling staff, please contact the office on your campus:

Knight (Warwick): 401-825-2301

Flanagan (Lincoln): 401-333-7160

Liston (Providence): 401-455-6063

Newport County: 401-851-1625

COMPUTER NETWORK AND USAGE POLICY

General Principles

Access to computer systems and networks owned or operated by the Community College of Rhode Island comes with certain responsibilities and obligations and is granted subject to college policies and local, state and federal laws. Acceptable use is always ethical, reflects academic honesty and shows restraint in the consumption of shared resources. It demonstrates respect for intellectual property, ownership of data, system security mechanisms and individual rights to privacy.

Policy on Computer Crime

Any persons who directly or indirectly access any computer system for any fraudulent purpose or who alter, damage or destroy any computer or parts of its systems without authorization shall be charged with a felony according to the General Laws of the State of Rhode Island (Chapter 52 of Title 11). This crime also may result in suspension or expulsion from the college.

Theft of a computer or any parts of its systems is a felony. In addition to disciplinary action taken by the college, the individual will be subject to prosecution by the state of Rhode Island.

A. Responsible Use of Information Technology

The Community College of Rhode Island is an educational institution that encourages continuous learning, experimentation and the development of the complete person. The college is committed to respecting individual privacy and freedom while expecting each individual to act in a responsible, legal, ethical and efficient manner when using the college's information technology systems. These systems are designed to encourage high-quality

educational, professional, career development and self-discovery activities.

B. Purpose

The purpose of this policy is to define responsible and ethical behavior that guides faculty, student and staff use of information technology resources at CCRI. Information technology includes but is not limited to desktop computers, workstations, network servers, mainframe computers, software, digital information, and voice, video and data networks. This policy is supplemented by all other college policies and by the policies of those networks to which CCRI is interconnected, including but not limited to Oshean. Applicable local, state and federal laws also apply to information technology users at CCRI.

C. Audience and Understanding

This policy applies to all students, faculty and staff of the Community College of Rhode Island and to all other users who are authorized to access information technology resources at CCRI. These users are responsible for reading, understanding and complying with this policy.

D. Policy

CCRI provides access to information technology resources for faculty, staff, students and certain other users to support our mission of access to learning and to conduct business. Every authorized user of information technology resources at CCRI is responsible for utilizing these resources in an efficient, ethical and legal manner and in ways consistent with overall college policy.

The following principles serve to guide the responsible use of information technology for all CCRI users.

Respect the rights of others by complying with all college policies regarding sexual, racial and other forms of harassment, and by preserving the privacy of other individuals. For example, you should not send harassing messages via email or transmit or reveal personal or private information about individuals unless you have authorization from those individuals.

Use computing facilities, accounts and data only when you have appropriate authorization and use them for approved purposes. For example, you should not use CCRI information technology resources to run a business or to access another individual's computer account.

Respect all pertinent licenses, contractual agreements and copyrights. Use only legal versions of copyrighted software in compliance with vendor license requirements. For example, you should not post another individual's copyrighted material on your webpage or install software with a single-user license on multiple computers.

Preserve the integrity of computing systems, electronic data and communications networks. For example, you should not modify settings on a desktop computer to make it unusable to others or excessively utilize networked resources, such as music videos, that overload CCRI's network bandwidth.

Respect and adhere to all applicable local, state and federal laws. For example, you should not use CCRI's information technology resources to attack computers on another network by launching viruses, worms or other forms of attack.

E. Privacy

Electronic resources, including but not limited to programs, files, data and email belonging to an information technology user at CCRI are private. CCRI reserves the right to have authorized college personnel examine computing resources, communication systems, files, electronic mail and printer listings. Reasons for examination include, but are not limited to, performing system maintenance, preventing or investigating unauthorized access

and system misuse, assuring compliance with software copyright and distribution policies, and complying with legal and regulatory requests for information. Every effort will be made to ensure the privacy of a user's files. However, if policy violations are discovered, they will be reported accordingly.

Guidelines

- A. In making acceptable use of resources, students must:
1. Access only files and data that are their own, that are publicly available or to which they have authorized access.
 2. Be sensitive to concerns of the taxpayers who support the college. Obscene sites are off limits; college resources may not be used to access them.
 3. Use only legal versions of copyrighted software in compliance with vendor license requirements.
 4. Be considerate in their use of shared resources. Students must refrain from monopolizing systems, overloading networks with excessive data or wasting computer time, disk space, printer paper, manuals or other resources.
- B. In making acceptable use of resources, students must NOT:
1. Use another person's system, ID card, password, files or data without permission.
 2. Use computer programs to decode passwords or access controlled information.
 3. Use any information technology resource to access or transmit the files or communications of other students, faculty or staff without authorization, or to provide information about, or lists of, students, faculty or staff to persons, groups or organizations outside the college without authorization.
 4. Download or display obscene material.
 5. Circumvent or subvert or attempt to circumvent or subvert system or network security measures.
 6. Engage in any activity that might be harmful to systems or to any information stored thereon, such as creating or propagating viruses, disrupting services or damaging files.
 7. Use college systems for commercial or partisan political purposes, such as using electronic mail to circulate advertising for products, for political candidates or for any profit-making company or enterprise.
 8. Make or use illegal copies of copyrighted software, store such copies on college systems or transmit them over college networks.
 9. Deploy an individual wireless network. Any unauthorized wireless access point connected to the campus will be considered a security risk and disabled.
 10. Use the network for purposes that place a heavy load on scarce resources.
 11. Waste computing resources, for example, by intentionally placing a program in an endless loop or by printing excessive amounts of paper.
 12. Use the college's systems or networks in a manner that subjects the college to civil or criminal liability.
 13. Use the college's systems or networks for personal gain such as selling a product or item without receiving authorization from the college.
 14. Use the college's systems or networks to transmit any material in violation of United States or Rhode Island laws or regulations.
 15. Engage in any other activity that does not comply with the general principles presented above.
 16. Engage in computer harassment. Computer harassment may be defined as:
 - a. Intentionally using the computer to annoy, harass, terrify, intimidate, threaten, offend or bother another person by conveying obscene language, pictures or other materials or threats of bodily harm to the recipient or the recipient's immediate family;
 - b. Intentionally using the computer to contact another person repeatedly with the intent to annoy, harass or bother, whether any actual message is communicated, and/or where no purpose of legitimate communication exists and when the recipient has expressed a desire for the communication to cease;
 - c. Intentionally using the computer to contact another person repeatedly regarding a matter for which one does not have a legal right to communicate, once the recipient has provided reasonable notice

- that he or she desires such communication to cease (such as debt collection);
- d. Intentionally using the computer to disrupt or damage the academic research, administrative work or related pursuits of another;
 - e. Intentionally using the computer to invade the privacy, academic or otherwise, of another or to threaten to invade the privacy of another.

Enforcement

The Dean of Students Office will review alleged student violations of acceptable use policies as referred through the student disciplinary system and in accordance with the Student Conduct Code procedures. Users who breach this code of practice may, after due process, be refused access to the college's computer and communications networks and may be subject to further disciplinary action. In an emergency, to prevent further possible unauthorized activity, the college may temporarily disconnect that user from the network. If this is deemed necessary by college staff, every effort will be made to inform the user prior to the disconnection and every effort will be made to re-establish the connection as soon as the college determines it is appropriate.

The college considers any violation of acceptable use of principles or guidelines to be a serious offense and reserves the right to copy and examine any files or information resident on college systems allegedly relating to unacceptable use. Offenders also may be prosecuted under all applicable local, state and federal laws.

Members of the CCRI community who believe they have been a victim of a violation of this policy or believe they have witnessed a student violation of this policy should file a complaint with the Dean of Students Office. Faculty members should report suspected violations to the vice president for Academic Affairs. Staff members should report suspected violations to their department head, who may report the problem to the director of Human Resources.

Reports of suspected unauthorized use or misuse of CCRI information technology resources will be investigated pursuant to standard college procedures.

Information technology users who are found in violation of this policy will be subject to CCRI disciplinary processes and procedures including, but not limited to, those outlined in this Student Handbook, the CCRI Employee Handbook and any applicable bargaining unit contracts. Privileges to use CCRI information technology resources may be revoked. Illegal acts also may subject users to prosecution by local, state and/or federal authorities.

Questions Relating to This Policy

The examples of unauthorized use of CCRI information technology resources given above are not meant to be exhaustive. Questions regarding this policy or the application of this policy to a specific situation should be referred to the director of Information Technology. Whenever you are in doubt regarding an issue of questionable use, it is in your best interest to resolve the issue before pursuing any questionable use of information technology resources.

**This Computer Usage Policy has been adapted from Middlesex Community College*

SIGN POLICY

Rationale

The Community College of Rhode Island's sign policy establishes standards for all interior signs on all campuses. It provides guidance about the placement and location of directional signs, event signs, departmental signs and student signs as well as provisions for their approval and removal. This policy is designed to recognize the needs of the college's distinct campuses while promoting an uncluttered and more attractive environment.

Scope

This policy applies to temporary signs and other displays on the Community College of Rhode Island campuses. For the most part, such signs will be event-related. It does not apply to college signs produced and installed by the college or college subcontractors and intended for display on a continuing basis, such as:

- Exterior building names
- Traffic signs
- Official college identity signs or banners
- Building directories or maps
- Room identifiers
- Classroom emergency procedure placards/signs
- No-smoking signs
- Out of order signs

Also, this policy does not apply to non-public areas of the campus, such as individual administration, faculty or student club offices, or to personal effects, such as clothing.

Statement of policy

- A. **Public areas.** CCRI's sign policy addresses temporary signs and displays within public areas inside campus buildings.
1. Signs and displays may be posted only on designated bulletin boards, except where otherwise noted within this policy.
 2. The attachment of signs or similar displays to any interior space not specifically permitted for such use is prohibited. This will prevent damage to public property and unnecessary cleanup or replacement costs, and will help to prevent potential health and safety hazards. Signs or similar displays may not be attached to:
 - Glass/windows (except when required by law and/or with special permission for critical information, i.e., college closing; also see Section B.)
 - Walls (painted, concrete or otherwise)
 - Doors (except with special permission for critical information, i.e., college closing)
 - Stairways, stairwells, railings and steps
 - Columns or pillars
 - Stainless steel surfaces
 - Elevators (both inside and out)
 - Permanent campus signs
 - Furniture
 - Trash or recycling receptacles
 - Light fixtures
 - Ceilings
 - Floors
 3. The unauthorized painting or defacing of any interior college-maintained surface or structure is prohibited.

4. Signs and similar displays shall not be installed so as to block the visibility of any existing sign or display. Posting over other materials is not allowed and may be subject to immediate removal.
 5. Signs and similar displays inside campus buildings shall not be larger than 11 inches by 17 inches.
 6. No sign or similar display shall be installed in such a way as to constitute a health or safety hazard or that is in violation of the fire safety code.
 7. One sign per event will be permitted per bulletin board. Multiple postings in one location are both wasteful and inconsiderate of other organizations and may be subject to immediate removal.
 8. The total allowable number of signs posted for any event is limited only by the total number of bulletin boards on a campus, except for the community bulletin board (See Section E.)
 9. All signs except student signs should adhere to the college's graphic standards. Graphic standards specify the use of the correct college logo and fonts that help to create a unified family look. CCRI's graphic standards are available on the college website at <http://ccri.edu/marketing/graphicstandards> for the college community to use.
 10. Signs, except student signs, that do not adhere to the college's graphic standards may be subject to immediate removal.
- B. **Faculty and administration areas.** Faculty and administration offices and department areas are exempt from some of the restrictions in Section A.
1. Signs and displays may be posted on glass and doors in these private areas.
 2. Individual departments are responsible for bulletin boards in their department areas and ensuring the material posted on them conforms to the provisions of this sign policy.
- C. **Timing.** Event and activity signs and displays that are posted in public areas must have a defined start and end date.
1. It is the sole responsibility of the individual/organization/department posting the signs to remove them by the stated end date.
 2. Failure to remove signs by the removal date will result in a warning.
- D. **Outside organizations.** Outside organizations may seek to have commercial or public interest posting put up on college bulletin boards. Permission to do so shall be granted by the Dean of Students Office when the advertising is consistent with college goals or supported by a member of the college community with the following exceptions:
1. In accordance with the college Alcohol Policy, no signs or displays posted may promote the sale or consumption of alcohol or drugs.
 2. No signs or displays may promote any organizations associated with adult entertainment if they contain obscene material and/or information that violates the college's nondiscrimination policy.
- Any outside organization wishing to post a sign or display in our campuses must receive a stamp of approval from the Dean of Students Office. Any signs posted without stamps will be removed.
- E. **Division of Workforce Partnerships.** Because of the unique nature of CCRI Workforce and the courses and classes that it offers, measures have been considered to meet its needs.
1. CCRI Workforce will be supplied its own, rolling bulletin boards for primary entrances/exits at each campus.
 2. CCRI Workforce will be solely responsible for its own posting and removal of signs and displays.
 3. CCRI Workforce will be responsible for taking out and putting away the rolling boards each day.
- F. **Student Government election signs.** Because students have limited means to communicate with the general student body, certain exceptions will be made in regard to the general sign policy. During a period of three (3) weeks prior to Student Government elections, candidates are not limited by the number of signs they are

allowed to post. Candidates may post signs in the following areas:

- One per bulletin board
- Columns or pillars
- Stairways and stairwells
- Stainless steel surfaces
- Internal windows
- Elevators (outside only)

All candidate signs must be removed within 48 hours of the close of the election. Failure to comply will be the responsibility of the candidate.

- G. **Directional signs.** With events and programs comes the need to direct individuals to these events.
1. Requests for directional signs should be made to Facilities at the campus where the event is taking place at least one week in advance of the event.
 2. Directional signs should be free standing, on easels or in sign holders. Bulletin boards also may be used.
 3. Directional signs should not be taped or attached to walls. The limitations listed in A.2 also apply to directional signs and displays.
- H. **Prohibitions.** Any postings that are obscene and/or have discriminatory information that violates the college's nondiscrimination policies are not allowed and will be removed immediately. The approved posting areas will not be used as personal message boards; they are solely for information that is intended to benefit the campus community as a whole. For the sake of maintaining a sense of community and support for all members, organizations are expected to refrain from using racial, gender or ethnic slurs, stereotypical depiction or similar references in all advertising material.
- I. **Violations.** Violations of this policy may result in referral to the dean of students for discipline.

Note. Because of unique circumstances, the following specific venues are exempt from the Sign Policy: the Library, the Bookstore, conference rooms and any teaching classrooms.

PUBLIC HEALTH EXPECTATIONS

During periods of public health emergencies as declared by the state of Rhode Island, all students are expected to comply with the directives of the Department of Health and the Governor's Office. Since public health situations can change rapidly, students should expect that rules and regulations may change relatively quickly. Changes will be communicated as quickly as possible. Please monitor your CCRI email account for updates and notifications.

For the current year, the following rules will be enforced on all campuses until further notice:

- Presentation of valid proof of being fully vaccinated against COVID-19.
- The correct wearing of an approved and effective face mask to prevent the spread of micro-droplets in public.
- Maintaining a social distance as required.
- Keeping all gatherings, indoors or outdoors, to the approved maximum.
- In support of these efforts, students are expected to comply with posted notices regarding entrances and exits, flow of traffic, spacing in lines, elevator occupancy guidelines, and classroom instructions.

Failure to comply with the above will be treated as a violation of the Student Code of Conduct, sections 9 and 11.

Students unable to wear a mask due to a disability or medical condition should contact Disability Services for

appropriate classroom accommodations. Please note, the Americans with Disabilities Act does not authorize not wearing a mask during a public health crisis as a reasonable accommodation. Other accommodations will be made for those with a medical need.

SMOKE-FREE CAMPUS

The Community College of Rhode Island prohibits smoking in all of its campus facilities as well as at all points of access and egress from its facilities, including all connecting ramps and walkways such as those at the Knight Campus megastructure. Smoking is allowed at or beyond designated enclosures located at each campus or at a distance equal to those enclosures from the building. Smoking includes traditional tobacco products as well as “electronic cigarettes” and similar vaping devices. Failure to comply will result in disciplinary action as stipulated by the Dean of Students Office for student infractions, and the appropriate disciplinary process as set forth in collective bargaining agreements or Board of Education policy for faculty and staff.

The prohibition within all facilities will not apply to the use of tobacco products as part of a preapproved, limited classroom demonstration or research project.

SOLICITATION POLICY

Solicitation is defined as a planned, in-person sharing of information with and/or requesting of information from students, faculty, staff or guests in the buildings and on the grounds of the college, for the purpose of:

- distributing advertising or other materials;
- compiling data for surveys or programs (excluding such activity that is part of formal college academic or vocational courses);
- recruitment of members or support for an organization; and
- providing information sessions (excluding such activity that is part of formal college academic or vocational courses).

Designated areas. On-campus solicitation activities are permitted in the following areas (“Designated Areas”):

Handouts/Literature Distribution

For all Campuses

- All interior areas that are open to the public
- Outside areas of the campus that are open to the public

Literature and handouts may be distributed within rooms or areas reserved for meetings, programs and events by the individual or organization (or group) that has reserved the room or area.

Tables and Displays

Knight Campus

- The Great Hall
- The ground floor foyer
- The second floor foyer
- Outside areas of the campus that are open to the public

Flanagan Campus

- The cafeteria and entry foyers ‘A’ and ‘F’
- Outside areas of the campus that are open to the public

Liston and Newport County Campuses

- The Atrium
- Outside areas of the campus that are open to the public

Table and/or display reservations are required and are issued on a “first-come, first-served” basis. They should be requested from the college’s Facility Management Department. Approval of reservation requests are based upon and subject to the size of the area(s) requested, as well as any other scheduled use of the area(s) on the date and time requested. Student organizations requesting a table or display reservation must also follow all Student Life event planning rules.

Restrictions.

Handouts/Literature Distribution

Members of the college community and/or the public may distribute handouts or literature in designated areas provided that:

- The free flow of traffic (pedestrian and/or vehicular) at any point is not obstructed (handouts and literature may not be distributed in or on the roadways on campus).
- Handouts and literature are not forced upon others.
- Handouts and literature are not distributed in designated parking lots/areas and are not placed on vehicles parked on campus.
- Distribution of handouts and literature does not interrupt or interfere with individuals who are engaged in the daily conduct of college business (e.g. students and faculty in labs, classrooms, study areas, or libraries, college personnel while engaged in their employment, and individuals attending college functions or using college facilities).
- All individuals and/or organizations ensure that their handouts and literature does not litter the area where it is being distributed.
- Distribution of handouts and literature, and/or the tables or displays does/do not block or hinder access to elevators, stairways, fire exits, entrances, hallways or walkways in and to college buildings.
- Distribution of handouts and literature is prohibited in stairwells, restrooms, libraries, labs, classrooms (without prior approval from applicable faculty or instructors), faculty and staff offices, and other administrative and/or operational areas of the college.

Tables and Displays

Tables and displays are subject to the following:

- The free flow of traffic (pedestrian and/or vehicular) at any point is not obstructed (handouts and literature may not be distributed in or on the roadways on campus).
- Handouts and literature distributed from a table and/or display are not forced upon others.
- The use of a table and/or display does not interrupt or interfere with individuals who are engaged in the daily conduct of college business (e.g. students and faculty in labs, classrooms, study areas, or libraries, college personnel while engaged in their employment, and individuals attending college functions or using college facilities).
- All individuals and/or organizations ensure that their handouts and literature does not litter the area where their reserved table or display is located.
- The table and/or display does/do not block or hinder access to elevators, stairways, fire exits, entrances, hallways or walkways in and to college buildings.
- Tables and displays must be attended at all times by the individual or organization (or group) sponsoring the distribution and/or who requested the reservation.

INCLUSION OF TRANSGENDER PERSONS POLICY

All persons whose gender identity or expression does not correspond with their assigned biological sex at birth are included in the college's nondiscrimination policy. All students can expect a prompt and effective response to sex-based harassment including bullying and/or harassment based on a student's actual or perceived gender identity or expression.

Transgender persons may use the public bathrooms or locker rooms consistent with their gender identity or expression. Transgender persons may participate in sex-segregated activities at the college in accordance with their gender identity or expression. Eligibility for participation in varsity athletic sports are regulated by the National Junior College Athletic Association (NJCAA). For details regarding NJCAA eligibility rules, please contact the Athletics Department.

Transgender persons can expect privacy from the institution regarding their transgender status. Legal name and gender changes can be submitted at any Enrollment Services counter with the proper documentation. Additionally, any person may submit a request to Enrollment Services that his or her preferred name be used on CCRI ID cards and class rosters.

Definitions:

(Provided by the Gay Lesbian Straight Education Alliance and recommended by the Rhode Island Department of Education)

The terms below are designed to provide a basic understanding of words, phrases and ideas related to gender. It's important to note that all language is constantly evolving; new terms are introduced, while others fade from use or change their meaning over time.

Gender: A set of cultural identities, expressions and roles – codified as feminine or masculine – that are assigned to people based upon the interpretation of their bodies and, more specifically, their sexual and reproductive anatomy. Since gender is a social construction, it is possible to reject or modify the gender one is assigned at birth and to develop, live and express a gender that feels truer and just to oneself.

Gender identity: A personal conception of oneself as male, female, both, neither and/or another gender. Gender identity can be the same as or different from the gender a person is assigned at birth. Gender identity is a matter of self-identification; no one can tell anyone else how to identify or what terms to use. Gender identity is different from sexual orientation, and everyone has both a gender identity and a sexual orientation.

Transgender: An umbrella term describing people whose gender identity does not match the gender they were assigned at birth.

Gender binary: A socially constructed system of viewing gender as consisting solely of two categories, "male" and "female," in which no other possibilities for gender are believed to exist. The gender binary is a restrictive and inaccurate way to view gender because it does not take into account the diversity of gender identities and gender expressions among all people. The gender binary is oppressive to anyone that does not conform to dominant societal gender norms.

Gender expression: The multiple ways (e.g., behaviors, dress) in which a person may choose to communicate gender to oneself and/or to others.

WEAPONS ON CAMPUS

The prohibition of deadly weapons on campus is a proactive step toward reducing the risk of injury or death due to the intentional, accidental or improper use of firearms and other weapons.

The Community College of Rhode Island has maintained a long-standing policy prohibiting weapons on any of its campuses. The introduction of guns, knives, or other devices on campus is potentially dangerous to the entire college community and inconsistent with a safe learning environment. Faculty, staff, and students are, therefore, advised that the introduction of any weapon is a direct violation of policy and a serious breach of security that will require immediate discipline, up to and including dismissal. Anyone aware of a potential violation of this policy should contact College Police immediately.

For the purposes of this policy, a deadly weapon is any device designed to produce death or serious bodily injury. Deadly weapons include, but are not limited to:

1. Firearms, whether loaded or unloaded
2. Pellet, flare, tranquilizer, stun, spear and dart guns
3. Knives with blades three inches or longer
4. Switchblades
5. Daggers
6. Striking instruments, including clubs, truncheons, blackjacks, metal knuckles and sap gloves
7. Martial arts weapons, including nunchuks, tonfas, staffs and throwing stars
8. Bow and arrow combinations
9. Explosive devices, including hand grenades, bombs, black powder, smokeless powder, percussion caps, friction primers and pyrotechnic fuses.
10. Electrical devices such as tasers
11. Other devices determined to be dangerous or deadly by the College Police

The definition of deadly weapons under this policy does not include devices such as commercially available aerosol dispensers of non-lethal chemical irritants, pocket knives, or general tools not designed as weapons.

This prohibition against deadly weapons applies equally to those carried by persons with a government-issued permit or license. The only exceptions to this policy are those listed below.

Procedures:

1. Individuals who possess deadly weapons in violation of this prohibition shall be directed and/or required to remove their weapons or themselves from CCRI premises, with all appropriate legal actions (including arrest) being taken upon failure to comply.
2. Employees who possess deadly weapons in violation of the prohibition stated in this policy and/or in related statutes are guilty of misconduct and subject to corrective action under CCRI's policies and procedure, up to and including termination of employment and all other appropriate legal actions.
3. Students who possess deadly weapons in violation of this prohibition are guilty of violations of the Code of Student Conduct and are subject to disciplinary action under that code, including expulsion from CCRI.

Persons who possess deadly weapons in violation of this policy will be required by the College Police Department to remove the weapons and/or themselves from college property.

Any college student, faculty or staff member who violates this policy shall be subject to action in accordance with college disciplinary policies and procedures for students, faculty and staff. Further, possession of a deadly weapon in

violation of federal, state, or local laws will be referred to College Police or other appropriate law enforcement authorities and may result in legal sanctions.

This policy is applicable to all students, faculty, staff, and visitors on all CCRI owned or operated premises (including parking lots).

This policy does not apply to:

- Duly-appointed law enforcement personnel
- Members of the United States armed forces when acting in accordance with directed service (state of emergency).

It is recognized that there may be activities related to the educational mission of the college (e.g., physical fitness activities or theatrical productions) that may appear to violate the letter but not the intent of this policy. In such cases, the department or organization coordinating the activity is responsible for obtaining written approval from the Director of Safety & Security or his designee, in advance, to conduct the activity. Such approval may extend for up to one year at a time.

NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURES

COUNCIL ON POSTSECONDARY EDUCATION NONDISCRIMINATION POLICY AND COMPLAINT PROCEDURES

I. Policy of Nondiscrimination

The Council on Postsecondary Education (“CPE”), its constituent institutions of higher education (specifically, Rhode Island College and the Community College of Rhode Island), and the Office of Postsecondary Commissioner (collectively referred to as the “Covered Entities”) prohibit students, employees, contractors, volunteers, and visitors (collectively, “community members”) from engaging in discrimination and harassment based on any individual’s race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. This prohibition applies to all the Covered Entities’ educational programs and activities—including admissions—as well as all employment actions, including but not limited to recruiting, hiring, promotion, demotion, compensation, and benefits.

The Covered Entities will investigate all complaints made under this Policy and, if necessary, take action to prevent the recurrence of prohibited discrimination, harassment, or retaliation and remedy its effects.

II. Background

This Policy and Complaint Procedures are applicable to complaints that may arise under, and are intended to be consistent and compliant with, the procedural and substantive provisions of applicable state and federal law and regulations.

III. Applicability

All faculty, staff, and students of the Covered Entities must comply with this Policy to help foster an inclusive and safe academic and work environment. This Policy applies to the perpetration of prohibited discrimination or harassment by one member of the Covered Entity’s community (faculty, staff, student, or volunteer) against another. The Policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity.

IV. Relationship to the Sexual Harassment Policy and other Policies Addressing Sexual Misconduct

Complaints involving Sexual Harassment as defined by the Title IX Sexual Harassment Policy shall be addressed exclusively through that policy and process. This Policy addresses all other forms of sex-based discrimination, including sex-based Harassment that does not rise to the level of Sexual Harassment as defined in the Title IX Sexual Harassment Policy.

Complaints of sexual violence and other forms of sexual misconduct that fall outside the scope of the Title IX Sexual Harassment Policy will be addressed through this Policy as a form of sex discrimination if the Respondent is a non-student. If a complaint of sexual violence or other sexual misconduct involves a student Respondent at Rhode Island College, it will be addressed through this Policy. If a complaint of sexual violence or other sexual misconduct involves a student Respondent at the Community College of Rhode Island, it will be addressed

through the CCRI Student Conduct Code.

V. Harassment and Discrimination

- A. **Harassment:** Harassment prohibited under this Policy is defined as verbal or physical conduct (including conduct using technology) directed toward an individual because of their membership in a protected class (or a perception that someone is a member of a protected class) that has the purpose or effect of substantially interfering with the individual’s educational or work performance, or creating an intimidating, hostile or offensive working or academic environment.

A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must create a hostile environment from both a subjective and objective perspective and must be so severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services, or opportunities from the Covered Entity’s education or employment programs and/or activities. In determining whether a hostile environment exists, the Covered Entity examines the context, nature, scope, frequency, duration, and location of incidents, as well as the relationships of the persons involved.

Examples of harassment can include offensive jokes, slurs, name calling, intimidation, ridicule or mockery, or displaying or circulating offensive objects and pictures that are based on a protected class.

- B. **Discrimination:** Discrimination prohibited under this Policy is defined as treating someone differently because of their membership in a protected class (or a perception that someone is a member of a protected class) in matters of admissions, employment, housing, services, or any other educational programs or activities of the Covered Entity. Disparate treatment discrimination occurs when there has been an adverse impact on the individual’s work or educational environment, individuals outside of the protected class have received more favorable treatment, and there is no legitimate, non-discriminatory reason for the action. Disparate impact discrimination occurs when a Covered Entity’s Policy or practice adversely impacts persons in a protected class even though the Policy or practice is neutral on its face.

VI. Terminology

“Complainant” means an individual who is reported to be the victim of conduct that could constitute discrimination or harassment in violation of this Policy.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute discrimination or harassment in violation of this Policy.

VII. Complaints Alleging Sexual Misconduct

The types of Sexual Misconduct prohibited by this Policy as a form of sex discrimination are defined below. Sexual Misconduct is an umbrella term that encompasses Sexual Assault, Non-Consensual Sexual Contact, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking as defined herein. It is important to note that Sexual Misconduct is prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Complainant or Respondent.

- A. **Prohibited Conduct**

1. Sexual Assault, which includes any of the following:
 - a. 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 consent;
 - b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without consent, including instances where a person is incapable of giving consent because of age or because of temporary or permanent mental incapacity
 - c. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
 - d. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. The age of consent in Rhode Island is 16 years of age (See RIGL § 1137-6).
2. Non-Consensual Sexual Contact: Any touching (however slight) with any part of the body or other object, by any person upon another, without consent, for the purpose of sexual gratification.
3. Sexual Exploitation: Purposefully taking sexual advantage of another person without consent. Sexual exploitation may include, but not be limited to, voyeurism; disseminating, streaming, or posting pictures or videos of another in a state of undress or of a sexual nature without the person's consent; or exposing one's genitals to another person without consent.
4. Domestic Violence: Physical violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse or the victim under the domestic or family violence laws of Rhode Island, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Rhode Island.
5. Dating Violence: Physical violence or the threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person against whom the physical violence or the threat of physical violence has been committed. The existence of such a relationship shall be determined based on factors such as the length and type of relationship, and frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.
6. Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress. For the purposes of this definition "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly,

indirectly, or through third parties, by any action, method, device, or means, including social media, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

B. Relevant Definitions

1. **Consent:** An affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in sexual activity or contact. Consent cannot be obtained through: (1) the use of coercion or force; or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, or the absence of resistance does not imply consent. Consent can be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be sought and freely given for each instance of sexual activity or contact.
2. **Incapacitation:** Incapacitation means the person is incapable of giving consent. A person is incapacitated if that person is in a physical or mental state that causes the person to be unable to make a knowing and voluntary choice to engage in the sexual activity or contact. A person may also become incapacitated due to many factors, including the use of alcohol and/or drugs, or when the person is asleep or unconscious, or due to intellectual or other disability. When determining incapacitation, the inquiry is whether a sober, reasonable person in the Respondent's position should have known that the Complainant was incapacitated and could not provide consent. Evidence of incapacitation may include, but is not limited to, slurred speech, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.
3. **Coercion:** Conduct, which can be verbal and/or physical, that includes intimidation, manipulation, or threats (either express or implied), that would reasonably cause a person to be in fear of immediate or future harm and that is undertaken to compel a person to engage in sexual activity or contact.
4. **Force:** The use of or threat of physical violence or intimidation, which prevents an individual's from making a knowing and voluntary choice to engage in sexual activity or contact.

C. Complainant Rights and Options

The Complainant shall be provided an explanation of his/her rights and options, which shall include a description of available options for, and assistance in, changing academic, living, transportation, and working situations, as well as information about:

- the importance of seeking immediate medical attention for sexual violence
- other available health care and counseling services

- the importance of preserving evidence for proof in the investigation or subsequent proceedings, or for obtaining a protective order
- to whom the alleged sexual violence should be reported
- options regarding notifying law enforcement and/or campus authorities, including notification of the Complainant regarding the Complainant's right to:
 - notify either police (local or campus) or campus authorities
 - be assisted by campus authorities in notifying law enforcement if the Complainant so chooses
 - decline to notify such authorities
- the rights of Complainants and the institutions in notifying law enforcement of the protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

If the Complainant alleging Sexual Misconduct is a student, the student shall also be referred to the appropriate Student Affairs Office responsible for advising student victims of alleged Sexual Misconduct, which shall provide further relevant information and assistance to the student, as required by applicable law and institutional policies.

D. Amnesty

The health and safety of every student is of utmost importance. The Covered Entities recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of sexual misconduct occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The Covered Entities strongly encourages students to report incidents of violence to institution officials. The Complainant, Respondent, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the Covered Entity or law enforcement will not be subject to the Covered Entity's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

E. Prevention and Awareness Programs

The Covered Entities are committed to creating educational programs designed at preventing Sexual Misconduct, including sexual assault, dating and domestic violence and stalking as they are defined in this Policy as well as in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). The Covered Entities' ongoing educational and primary prevention and awareness programs for all faculty, staff and employees (including incoming students and new employees) are designed to: promote awareness; prevent sexual misconduct and relationship violence; and to remind the entire community of the College's prohibition against sexual and misconduct and relationship violence, including sexual assault, dating and domestic violence and stalking. A description of each Covered Entity's educational and primary prevention and awareness programs can be found in its most recent Annual Security Report.

F. Bystander Intervention

Bystander intervention refers to safe and positive options that may be carried out by an individual(s) to prevent harm or intervene when there is a risk of Sexual Misconduct, including sexual assault, dating and domestic violence or stalking, against a person(s) other than the individual. Safe and positive options for bystander intervention include: recognizing prohibited conduct and situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying effective ways to intervene and take action provided that the intervention or action can be

undertaken in a way that ensures the safety of the bystander. For more information about bystander intervention please contact the Covered Entity's Affirmative Action Officer/Title IX Coordinator. A description of each Covered Entity's educational and primary prevention and awareness programs, including bystander intervention, can be found in its most recent Annual Security Report.

G. Risk Reduction

Risk reduction is defined as options designed to decrease perpetration and bystander inaction, increase empowerment in order to promote safety, and help individuals and communities address conditions that facilitate violence. A description of each Covered Entity's educational and primary prevention and awareness programs, including risk reductions, can be found in its most recent Annual Security Report.

VIII. Retaliation

It is a violation of this Policy to retaliate against any member of a Covered Entity's community who reports or assists in making a complaint of discrimination or harassment or who participates in the investigation of a complaint in any way. Persons who believe they have experienced retaliation in violation of this Policy can make a complaint in the manner set forth in this Policy.

Retaliation consists of materially adverse action taken against a person because the person made a good faith report of discrimination or harassment or participated in the investigation of a report of discrimination or harassment, such as by serving as a witness or support person. Examples of retaliation include, but are not limited to: pressuring a person to withdraw a complaint, rumor spreading, ostracism, destruction of property, sending threatening text or social media messages, encouraging friends or co-workers to relay unwelcomed messages, taking negative employment action, or suspending a person from an activity or limiting their involvement because they made a report of discrimination or harassment.

A finding of retaliation or a threat of retaliation shall constitute a separate violation of this Policy, subject to separate or consolidated disciplinary procedures, and is not dependent upon a finding of a violation of any other section of the Policy.

IX. Good Faith Reports

The Covered Entities encourage the good faith reporting of discrimination and harassment. However, the Covered Entities will not allow this Policy or the complaint resolution procedures to be abused for improper means. Therefore, if a Covered Entity's investigation reveals that a complaint was knowingly false, the complaint will be dismissed and the person who filed the false complaint may be subject to discipline, up to and including termination and/or expulsion. Such disciplinary action will not constitute prohibited retaliation. A person makes a bad faith report of discrimination or harassment if, at the time they make the report, they know the report is false or frivolous. Further, the Covered Entities may take disciplinary action against any person who knowingly provides false information during the investigation and resolution of a complaint of discrimination and harassment and such disciplinary action will not constitute prohibited retaliation.

X. Scope of Complaint Procedures

These complaint procedures describe the process for individual members of the relevant campus communities (e.g., faculty, staff or students), and employees of the Office of Postsecondary Commissioner ("OPC"), to follow in the event they believe themselves or others, to have been victim of prohibited discrimination, harassment, or retaliation. These procedures also describe the required process for the investigation and resolution of allegations of such wrongful conduct by the Covered Entities.

XI. Filing a Complaint

Complaints alleging discrimination or harassment in violation of this Policy, or questions regarding the Policy and its procedures, should be directed to the following offices:

Rhode Island College

Affirmative Action Office/Title IX Coordinator (Margaret Lynch-Gadaleta)

600 Mt. Pleasant Avenue

Providence, Rhode Island 02908

Phone: (401) 456-8000, TTY - via RI Relay at 1-800-745-5555

Community College of Rhode Island

Affirmative Action Office/Title IX Coordinator (Sheila Wahl)

400 East Avenue Warwick, Rhode Island 02886

Phone: (401) 825-1004, TDD: (401) 825-2313

Office of Postsecondary Commissioner

Affirmative Action Office/Title IX Coordinator (Interim: Ann Marie Coleman)

560 Jefferson Boulevard, Warwick, Rhode Island 02886

Phone: (401) 736-1100, TDD: (401) 734-9481

A complaint may also be filed with the above listed offices against institutional service providers, vendors, and other contractors. In such instances, the Covered Entity shall determine, within its discretion, appropriate response and action. Complaints regarding an institution's President or the Commissioner of Postsecondary Education should be filed with the Office of General Counsel for the Council on Postsecondary Education.

Complaints involving prohibited discrimination, including harassment or retaliation, against a group or class of individuals, reflecting an apparent pattern and practice of discrimination, shall be investigated and addressed pursuant to these procedures by the Covered Entity regardless of whether there is an identified Complainant.

The provisions of the collective bargaining agreements governing unionized employees may provide additional mechanisms for addressing allegations of discrimination.

XII. Third-Party Reporting

Any individual may make a report of discrimination or harassment. The report may be made without disclosing the identities of the parties involved. However, the Covered Entity's ability to respond to the third-party report of discrimination or harassment may be limited by the amount of information provided.

XIII. Employee Reporting

All employees of the Covered Entities are strongly encouraged to report discrimination or harassment in violation of this Policy when they receive a report of such conduct or witness such conduct. The report should be made to the appropriate office listed in Section XI above and should include all known relevant details of the alleged discrimination or harassment.

Employees with supervisory authority over other employees are required to report discrimination or harassment in violation of this Policy about which they have information, except mental health counselors, pastoral counselors, psychologists, health services staff, or other employees with a professional license that requires confidentiality. Failure to report in accordance with this Policy may be grounds for discipline, up to and including termination.

XIV. Confidential Resources

The Covered Entities shall maintain a list of confidential resources available to students and employees who experience discrimination or harassment in violation of this Policy. Those resources shall be included in the “available resources” materials attached hereto as Exhibits A and B.

XV. Reporting Deadlines

The Covered Entities encourage persons to make complaints of discrimination and harassment as soon as possible. Doing so enables the Covered Entity to conduct a prompt investigation and gather the most current evidence.

Complaints alleging violation of this Policy other than Sexual Misconduct must be filed within 365 days after the last act of alleged discriminatory conduct occurred. Complaints involving allegations of continuing unlawful discrimination or harassment may be filed and investigated pursuant to these procedures, even if they include specific acts outside the 365-day time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline (365 days).

There is no reporting deadline for complaints alleging Sexual Misconduct in violation of this Policy, although the Covered Entity’s ability to respond fully may be limited by the passage of time.

XVI. Criminal Violations

The Covered Entities strongly encourage anyone who becomes aware of behavior that may constitute a violation of Rhode Island State Law to report the incident to local law enforcement. The Covered Entity can provide support, resources and assistance to those who do so. Information about campus police and local law enforcement agencies and how to make a police report can be found on the Covered Entities’ websites.

Except for complaints involving Sexual Misconduct, if a complaint involves potential criminal violations, the Covered Entity shall notify the campus police and the appropriate President or the Commissioner of Postsecondary Education where applicable. In cases involving allegations of Sexual Misconduct, the Covered Entity shall inform Complainants of their right to: (1) to notify law enforcement authorities, including campus police; (2) to be assisted by campus authorities in notifying law enforcement authorities if the Complainant chooses; or (3) to decline to notify such authorities. The Covered Entity College will comply with a Complainant’s request for assistance in notifying law enforcement to the extent it is consistent with law. The Complainant’s choice to report to law enforcement will not impact the implementation of accommodations and/or protective measures if applicable. The Complainant has the right to file a criminal complaint and a complaint under this Policy simultaneously.

Regardless of whether a Complainant files a complaint with local law enforcement authorities, and regardless of any investigations or other actions taken by local law enforcement, the Covered Entity will continue to have an obligation to undertake and duly complete its own internal complaint and investigation procedure.

XVII. Procedural Options

Any person(s) who believes they have been the victim of discrimination, harassment, or retaliation in violation of this Policy, or who witnesses acts of discrimination, harassment, or retaliation in violation of this Policy, may file a formal complaint with the Covered Entity’s Affirmative Action Office/Title IX Coordinator as listed in Section XI of

this Policy.

If it is determined that a complaint falls within this Policy, the Covered Entity's Affirmative Action Officer/Title IX Coordinator will contact the Complainant to determine which of the following procedural resolution options the Complainant prefers to utilize:

- Informal Resolution (Not an Option for Sexual Misconduct Cases)
- Formal Resolution

The selected option will be verified by the Complainant's signature. Selection of one option does not preclude the Complainant from electing a different option later in the process, subject to the approval of the Affirmative Action Officer/Title IX Coordinator. Informal Resolution may only be utilized when mutually agreed upon by both the Complainant and Respondent.

If it is determined that the complaint does not fall within the scope of this Policy, the Covered Entity's Affirmative Action Officer/Title IX Coordinator will refer the Complainant to the appropriate office or department.

XVIII. Confidentiality

Upon receipt of a report or complaint of prohibited discrimination or harassment, the Covered Entity's Affirmative Action/Title IX Officer will review any confidentiality requests from the Complainant. The Covered Entity will make all reasonable efforts to honor requests for confidentiality, to the extent permitted by law. However, it must be understood that while some concerns or complaints can be resolved without disclosing one's identity, successful resolution may not always be achieved under such circumstances and the Covered Entity's ability to investigate the complaint or proceed with appropriate corrective or disciplinary action may be prevented or significantly hampered. Further, individuals who are directly accused of unlawful and/or discriminatory behavior and who, as a result, may be subject to disciplinary action, are entitled to a copy of the formal complaint and/or a summary of the charges against them so that they may prepare a proper defense.

The Covered Entities will keep identifying information about complainants, respondents, and witnesses confidential in accordance with all applicable legal requirements, and such information will generally only be shared on a need-to-know basis with individuals such as investigators, campus security personnel, student affairs officials, and other officials who are involved in responding to the complaint or who are legally required to receive such information. All individuals who participate in formal or informal proceedings under this Policy, or otherwise gain knowledge about the matter subject to the proceedings, shall treat all information acquired, whether written or oral, as confidential, provided however, that the parties to a proceeding may share such information with their personal advisors, advocates, and representatives.

The identity of, and identifying information about, complainants will not be disclosed in any public safety notices, final determination reports, or statistical reports that may be issued or made publicly available as required or permitted by law. If the Covered Entity is compelled by law, such as through a subpoena or court order issued in a legal proceeding, or through a public records request, to provide such information to third parties, the Institution or Office will make a reasonable effort, prior to complying with the request, to notify the individual, so that the individual may seek a protective order or take other actions as they may deem appropriate.

XIX. Threat Assessment and Interim Protective Measures

When the Affirmative Action Officer/Title IX Coordinator (or designee) becomes aware of a potential violation of this Policy, they will, in consultation with other administrators, as appropriate, conduct an initial threat

assessment to determine whether there is reasonable cause to believe that the Respondent poses a continuing, significant threat of harm to the health, safety, and welfare of others or to the campus community, and whether interim measures are necessary to alleviate or mitigate that risk.

If the Covered Entity determines that immediate action may be necessary to protect the rights, interests, or safety of the Complainant, Respondent or the campus community, the Affirmative Action Officer/Title IX Coordinator will advise the Covered Entity's Human Resources Office and Division/Office of Student Affairs (if applicable) of the situation. Upon consultation with appropriate institution/OPC officials, immediate action may be taken, which may include temporary changes in duties and responsibilities, directives to Complainant and Respondent regarding personal contact, warnings to the Respondent, and, in severe cases, the immediate suspension of the Respondent pending the completion of a formal investigation. These remedial and protective actions may be coordinated with any similar actions independently provided by the Covered Entity upon the request of the Complainant.

The Covered Entity will maintain the confidentiality of Interim Measures provided to either a Complainant or Respondent to the extent that maintaining such confidentiality does not impair the Covered Entity's ability to provide the Interim Measures in question.

XX. Participation in Investigations

All members of the Covered Entity's community are encouraged and expected to fully and truthfully cooperate with any investigation and resolution under these procedures. Employees who fail to cooperate and/or participate may face discipline, up to and including termination. In the event an alleged victim refuses to participate under these procedures, the Covered Entity may proceed as a Complainant without the participation of the alleged victim where the Affirmative Action Officer/Title IX Coordinator determines that doing so is necessary to protect the safety of the community. In the event a Respondent refuses to participate, the complaint procedures will be completed despite the Respondent's lack of participation and may result in a finding of responsibility *in absentia*.

XXI. Informal Resolution

The Informal Resolution Procedure offers an option to discuss, evaluate, and resolve allegations of discrimination without beginning a Formal Resolution/Investigation. The informal procedure is intended to effectuate the resolution of a complaint by reconciling the parties' differences and/or rectifying the alleged discriminatory action(s).

Complaints that involve discrimination against a group or class of individuals, or may involve criminal violations, may not be resolved through use of the informal resolution process. Informal resolution will also not be used in cases involving allegations of sexual violence. The determination of what is appropriately resolved through informal resolution will be made by the Covered Entity's Affirmative Action Officer/Title IX Coordinator.

During the informal resolution process, emphasis is placed on:

- Identifying the source of the allegations/concerns(s);
- Exploring alternatives to resolve the complaint; and
- Instituting solutions to address the current concerns(s) and eliminate the possibility of similar issues occurring in the future.

The following steps shall be taken to resolve complaints in an informal manner:

A. Step One: Notifying the Parties

Upon receipt of a complaint, the Office of Affirmative Action/Title IX Coordinator shall notify and meet with the Complainant and the Respondent separately.

B. Step 2: Information Gathering

In an effort to fully understand the facts and positions of the Complainant and the Respondent, the Affirmative Action Officer/Title IX Coordinator shall take steps they deem necessary to gather additional information from the parties or from others perceived to have knowledge of the allegations.

C. Step 3: Resolution or Next Steps

If all parties agree to participate in the informal resolution process, the Affirmative Action Officer/Title IX Coordinator will make all reasonable attempts to resolve the matter within thirty (30) days. The specific details of each case will determine the best possible means for achieving a satisfactory resolution. If the complaint is resolved, the terms of the resolution will be reduced to writing and signed by the parties.

If the informal resolution process fails to resolve the matter to the satisfaction of both the parties, or the terms of the informal resolution are subsequently broken, either party may request a Formal Resolution/Investigation of the charge within 10 calendar days of concluding the Informal Resolution Process.

XXII. Formal Resolution

The formal resolution process under these procedures consists of a fact-finding investigation to determine whether a preponderance of the evidence exists to support the allegation(s). Written findings shall be issued for all investigations. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations.

A. Step 1: Complainant's Written Statement

Normally, a signed incident complaint form containing a written statement of allegations initiates the formal process. In order to enable the Investigator to most effectively investigate the complaint, the written statement of allegations must contain a detailed description of the conduct being complained about, date and/or time period of the alleged conduct, the name(s) of the alleged offender(s), the name(s) of the alleged victim(s), the names of any alleged witnesses, and the name of the person filing the complaint. The Affirmative Action Officer/Title IX Coordinator will assist anyone for whom completion of the complaint form is difficult or impractical. Anonymous complaints, and complaints filed by individuals who request confidentiality, will be investigated by the Covered Entity to the extent possible pursuant to these procedures.

B. Step 2: Notifying the Respondent

Once the complaint has been filed, the Affirmative Action Officer/Title IX Coordinator will notify the Respondent(s) by written letter of its existence and provide the Respondent with a copy of the signed complaint.

The Affirmative Action Officer/Title IX Coordinator will offer to schedule a preliminary meeting with the Respondent at which the Affirmative Action Officer/Title IX Coordinator will: share the written complaint and

details of the allegation(s); explain the Respondent's rights and responsibilities under the process; describe any potential sanctions that may result from a finding of responsibility; and answer any questions the Respondent may have. At the preliminary meeting, the Respondent will also be provided with information regarding the Respondent's rights, including the right to have the complaint heard under these procedures; the right to receive notice of all violations of this Policy which have been reported, as well as any ancillary violations being alleged against the Respondent; the right to be heard by an impartial arbiter under this process; and the right to hear a description of all relevant information presented to the investigator(s) and adjudicator(s) that supports a finding of responsible or not responsible. Throughout this process, the Respondent will be informed of any new information that arises, which may impact the Respondent's rights under this Policy.

C. Step 3: Respondent's Written Response

The Respondent(s) will be provided an opportunity to file a formal written response. The formal response shall be filed with the Affirmative Action Officer/Title IX Coordinator by the Respondent(s) within ten business (10) days from the date the Respondent(s) received the signed complaint.

If the Respondent fails to file a formal response in a timely fashion and/or elects not to participate in the formal resolution process, the case will proceed and be investigated with or without the involvement of the Respondent.

D. Step 4: Investigation Process

Upon receipt of the Respondent's written response, or if no written response is received after ten (10) business days, the Affirmative Action Officer/Title IX Coordinator or designee will initiate an investigation. The Affirmative Action Officer/Title IX Coordinator will serve as the investigator or appoint an internal investigator(s), external investigator(s), or both. The role of the investigator(s) is to analyze and document the available evidence to support reliable decisions, synthesize all available evidence — including both inculpatory and exculpatory evidence — and take into account the unique and complex circumstances of each case. The investigator is neutral, objective, and does not act as an advocate for either party.

The investigator(s) will provide the opportunity for both the Complainant and the Respondent to present witnesses and evidence. The investigator will interview the Complainant, the Respondent, and any relevant witnesses. The investigator is authorized to contact all persons who may have information relevant to the complaint and shall have access to all relevant college/OPC records. The investigator shall also collect and evaluate other available records and information relevant to the complaint and investigation (e.g. email communications, medical test results, photographs), as appropriate. The investigator(s) will determine, in the investigator(s)' sole discretion, what information is relevant. Character evidence will not be considered; and pattern evidence (evidence of previous conduct) will only be considered if the previous conduct is so substantially similar to the conduct cited in the instant matter to indicate a pattern of behavior.

In cases involving Sexual Misconduct, past sexual history will typically not be considered except possibly where consent is at issue. Specifically, prior consensual sexual activity between the Complainant and the Respondent, while not determinative, may be relevant to determining whether consent was sought and received. Past sexual history may also be considered under very limited circumstances, for example, to explain injury. However, consent to one sexual act will never be considered to constitute consent to another sexual act.

Medical and counseling records are privileged and confidential. Therefore, those records will not be required to be disclosed.

If, during the investigation, the Complainant indicates a desire to withdraw the complaint, the Complainant shall sign a written statement of withdrawal containing the reasons therefore and the case may be closed at the discretion of the Affirmative Action Officer/Title IX Coordinator. The Affirmative Action Officer/Title IX Coordinator may continue to conduct the investigation and take action to address the issues raised by the Complainant regardless of the Complainant's wishes if the Affirmative Action Officer/Title IX Coordinator determines that doing so is necessary and in the best interests of the campus community.

The investigator shall maintain a record of the investigation, including any interviews, which shall be retained as an official record.

E. Preliminary Investigation Report

At the conclusion of the investigation, the investigator will prepare a preliminary written report. The preliminary report will contain a summary of the alleged conduct in violation of Policy; summary of the response to the allegations; summary of the scope of the investigation; summary of the relevant exculpatory and inculpatory evidence; and summary of material facts on which the parties agree and disagree. The report will include copies of all relevant evidence received and considered during the investigation. Both parties will be provided a copy of the preliminary report and have three (3) business days to respond to it in writing. In their responses, the parties may ask clarifying questions, seek clarifying information, clarify information previously shared, offer additional comments, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation. The Complainant and the Respondent may also request that the investigator ask clarifying questions of the other party, provided the questions are directly relevant to the complaint.

If, after receiving the written responses from the Complainant and the Respondent regarding the Preliminary Investigation Report, the investigator(s) determines that no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator(s), further inquiry is necessary, the investigator(s) will follow up on the information and ask any clarifying questions of the parties and witnesses before finalizing and completing the investigation. Any additional relevant information received and/or answers to clarifying questions will be included in the Final Investigation Report. The final investigative report shall normally be issued to the Affirmative Action Officer/Title IX Coordinator within ninety (90) calendar days after the complaint is filed. When more than ninety (90) days is needed to complete the investigation, the Affirmative Action Officer/Title IX Coordinator or designee shall notify the parties and direct the investigator to proceed as expeditiously as possible. Allegations or evidence of violations of policies and procedures that are discovered during the investigation, but which are outside the scope of this Policy, shall be referred to the appropriate office for resolution.

F. Investigation Conclusion and Written Decision

Upon receipt of the final investigation report, the Affirmative Action Officer/Title IX Coordinator will refer the matter to the appropriate institutional official to reach a determination regarding whether the preponderance of the evidence supports a finding that the Policy has been violated. In reaching a decision, the institutional official will review the final investigation report and meet separately with the parties to provide them with an opportunity to discuss whether any of the allegations are supported by a preponderance of the evidence and constitute a violation of Policy. In advance of the meeting, the parties will be permitted to submit relevant questions to the institutional official to be asked of the other party. The institutional official will have sole discretion to determine whether the questions submitted are appropriate and relevant to the issues in dispute.

After reaching a determination, the institutional official will prepare a written decision that will include a statement of, and rationale for, each allegation that constitutes a separate potential violation of this Policy, including a determination regarding responsibility for each separate potential incident. The written decision shall also articulate findings of fact, made under a preponderance of the evidence standard, that support the determination.

Unless otherwise indicated in the report, the date of the report shall be considered the date upon which the results of the investigation become final. The Affirmative Action Officer/Title IX Coordinator or designee will simultaneously provide copies of the written decision to the Complainant and the Respondent. The Complainant and Respondent will also be advised of the appeal process at that time.

XXIII. Advisor of Choice

The Complainant and the Respondent have the same opportunity to be accompanied to any related meeting or proceeding by one advisor of their choice for support, guidance, and/or advice. Employees may also be accompanied by their union representative in accordance with the applicable collective bargaining agreement. The Covered Entity will not limit the choice of the advisor or presence of the advisor for either the Complainant or Respondent in any meeting or proceeding, provided that the advisor complies with the guidelines for advisors outlined in this Policy. Notwithstanding the foregoing, the advisor may not be a witness and, in cases involving multiple Complainants or Respondents, the advisor cannot be another Complainant or Respondent.

The advisor's role is to provide support, guidance, and/or advice only. Except where required by applicable collective bargaining agreements or relevant labor laws, the advisor may not participate in any manner during any related meeting or proceeding, including interviews or hearings. This advisor may not: (1) address or question the investigator(s), or other parties or witnesses; (2) present evidence or make arguments; or (3) have any role other than to accompany and communicate with the party requesting support and/or advice. The Complainant or the Respondent may request a break during any meeting and/or proceeding to allow the Complainant or the Respondent to confer with their respective advisor in private.

The Covered Entity reserves the right to remove or dismiss a support/person advisor who fails to follow this Policy and applicable provisions of the complaint procedures, in which case the party will be allowed to select a different support person.

The Covered Entity may consider reasonable requests to reschedule a meeting or proceeding because an advisor cannot be present, however, the Covered Entity is not required to do so and will not do so if it unreasonably delays the process.

XXIV. Appeal Procedures

Either party (Complainant or Respondent) may appeal the investigation finding. Such appeals shall be filed with the Covered Entity's President (or designee). The appeal shall be filed with the Commissioner of Postsecondary Education if the respondent is an employee of the Office of the Postsecondary Commissioner or President of a Covered Entity. The appeal may be decided by the President or the Commissioner or their designee ("Appeals Officer"). Parties wishing to file an appeal must do so within ten (10) days after receiving the Affirmative Action Officer's/Title IX Coordinator's final report.

The appeal process will not involve reinvestigation of the complaint. Appeals may be filed only on the following grounds:

- There is a substantial likelihood that newly discovered information, not available at the time evidence was presented to the investigator, would result in a different decision;

- There was a procedural error significant enough to call the outcome into question and the procedural error was either unknown during the investigation or the appealing party objected to the procedural error in writing prior to the issuance of the final report; or
- There was bias or a conflict of interest on the part of the investigator, provided that the bias or conflict was unknown during the investigation or the appealing party raised the issue of bias/conflict prior to the issuance of the final investigation report;

Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the Appeals Officer. Copies of the appeal decision shall be simultaneously provided to the parties, with a copy also to be sent to the appropriate Vice President/Provost or Associate Commissioner.

XXV. Disciplinary Action and Remedial Action

If a complaint of discrimination or harassment is found to be substantiated, the Covered Entity will take appropriate corrective, disciplinary, and remedial action to stop the inappropriate conduct, address its effects, and prevent its recurrence. Students, faculty, and employees found to be in violation of this Policy will be subject to discipline, including but not limited to: written reprimand, suspension, probation, demotion, termination, or expulsion. Affiliates and program participants may be removed from the Covered Entity's programs and/or prevented from returning to campus.

The Affirmative Action Officer/Title IX Coordinator will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant. Remedial steps may include individual counseling, as well as academic, work, or transportation accommodations for the Complainant, separation of the parties, and training for the Respondent and other persons.

In matters where there is a finding that a student or other non-employee Respondent is responsible for violating this Policy, the appropriate Covered Entity official with disciplinary authority over the Respondent will determine any discipline to be imposed.

In matters where there is a finding that an employee Respondent is responsible for violating this Policy, it will be referred to the appropriate Vice President, Provost, or Associate Commissioner, or their designee, who shall consult with the Covered Entity's Office of Human Resources and determine the appropriate disciplinary and/or corrective action in accordance with applicable personnel policies and collective bargaining agreements. The Vice President/Provost/Associate Commissioner will be responsible for the implementation of all such disciplinary/corrective action measures.

In matters involving findings of Sexual Misconduct, written notice of the disciplinary determination will be provided to the Complainant.

A record of the outcome of each case will remain a part of the permanent file of the case maintained by the Affirmative Action Office/Title IX Coordinator.

XXVI. Post-Proceeding Protective Measures

In appropriate cases, the Vice President/Provost or Associate Commissioner, in consultation with the Covered Entity's Affirmative Action Officer/Title IX Coordinator and Office of Human Resources and/or Director/Office of Student Affairs, may direct that certain measures be instituted or provided, to protect or safeguard the Complainant or victim of the misconduct, and/or to prevent or minimize the possibility of a further harmful incident or offense. Such protective measures may include: no trespass orders, no contact directives, counseling,

reassignment of work duties, workplace relocation, referral to institutional offices capable of providing support, advice or other resources (e.g. Employee Assistance Program, Housing and Residential Life, Counseling Center, and Health Services), or any such other action(s) that may be described in the Covered Entity's policies and that are deemed appropriate under the circumstances.

XXVII. Presumption of Non-Responsibility

From the time a report or complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XXVIII. Rights of the Parties

During the investigation and resolution of a complaint, the Complainant and Respondent shall have equal rights. They include:

- Receiving copies of all relevant policies which apply to the allegation(s);
- Written explanation of rights and options;
- Written notification of existing counseling, health, mental health, victim advocacy, legal assistance, chaplain and pastoral care support, and other services available on campus and in the community;
- Equal opportunity to identify and have considered witnesses and other relevant evidence;
- The opportunity to provide written questions to the investigator and adjudicator to be asked of the other party or witnesses;
- Timely notice of meetings providing sufficient time to prepare for meaningful participation;
- Similar and timely access to relevant information considered by the investigator;
- Equal opportunity to review any statements or evidence provided by the other party; and
- Equal access to review and comment upon any information independently developed by the investigator.

XXIX. Resources

The Covered Entities shall publish and make available to their students and employees information about "available resources" for individuals who believe they are victims of, witnesses to, or are simply concerned about, discrimination and harassment.

The current "available resources" listings for Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner are attached hereto as Exhibits A and B, respectively, and are incorporated by reference into this Policy. Each Covered Entity shall be obligated to keep their "available resources" listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits A and B) to the Council, which will substitute the updated exhibits for the old ones and attach them to this Policy.

XXX. Conflicts of Interest, Bias, and Procedural Complaints

The Affirmative Action Officer/Title IX Coordinator, investigator, hearing officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any party who believes one or more of these officials has a material conflict of interest or material bias must raise the concern promptly so that the Covered Entity may evaluate the concern and find a substitute, if appropriate. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

XXXI. Constitutional Rights and Academic Freedom

The Covered Entities will construe and apply this Policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom specified in its handbooks. In no case will a Respondent be found to have committed discrimination or harassment based on expressive conduct that is protected by the First Amendment and/or the principles of academic freedom specified in the Covered Entity's handbooks.

XXXII. Vendors, Contractors and Third Parties

This Policy applies to the conduct of vendors, contractors, and third parties. Persons who believe they have been discriminated against or harassed in violation of this Policy should make a complaint in the manner set forth in this section. Third parties who violate this Policy may be subject to sanctions by the Covered Entity, including, but not limited to, loss of campus privileges, loss of future contracts, employment, and enrollment.

XXXIII. Extension of Deadlines

All deadlines and other time periods specified in this Policy are subject to modification by the Covered Entity where, in the Covered Entity's sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the investigator, adjudicator, or the parties; and unforeseen weather events.

XXXIV. Training

These procedures will be implemented by officials who receive annual training on the issues related to Discrimination and Harassment, including Sexual Violence, Domestic Violence, Dating Violence, and Stalking, and on methods and processes for conducting complaint investigations and proceedings in a manner that protects the safety of victims and promotes accountability.

XXXV. Recordkeeping

Throughout all stages of the investigation and resolution, the Affirmative Action Officer/Title IX Coordinator is responsible for maintaining documentation regarding the investigation, including documentation of all proceedings conducted under these complaint procedures.

The complaint file (including the investigator's notes, communications from the parties, investigation reports, determination letters, evidence collected during the investigation, and documentation of remedial measures) shall be retained for a minimum of seven years and shall be stored in a manner reasonably designed to maintain its confidentiality. However, nothing in this Policy shall limit the Covered Entity's right to use the complaint file, or portions thereof, in connection with the Covered Entity's business, the investigation or resolution of other complaints, in the course of litigation, or in connection with any investigation by any government agency.

XXXVI. Outside Agencies

All individuals shall be informed regarding their right to seek redress through the following outside agencies:

Office of Civil Rights, Region I
US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Tel.: (617) 289-0111
Fax: (617) 289-0150

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

United States Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-866-408-8075
Fax: 617-565-3196
<http://www.eeoc.gov/field/boston/index.cfm>

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, Rhode Island 02903
Tel: 401-222-2662
Fax: 401-222-2616
<http://www.richr.state.ri.us/frames.html>

SUPPORT SERVICES FOR STUDENTS

ESCORT POLICY

It is the policy of the Campus Police to escort any individual who has concern for his or her personal well-being. After contacting an officer, the student should explain his or her concerns. We do not provide vehicle escorts but will walk you to your on-campus destination. Please be patient if an officer cannot accompany you immediately. You may call the Campus Police at one of the following numbers for assistance.

- Warwick: 401-825-2109
- Providence: 401-455-6050
- Lincoln: 401-333-7035
- Newport: 401-851-1620

STUDENTS WITH DISABILITIES

CCRI is dedicated to all students' academic, personal and professional success. The college recognizes disability as a form of diversity that strengthens and enriches the campus communities and is committed to creating an educational environment that is supportive, accepting, and accessible to all students. The Community College of Rhode Island will not deny admission to or otherwise unlawfully discriminate against a qualified applicant solely on the basis of disability. In addition, no otherwise qualified student with a disability shall be denied the opportunity to participate in or benefit from an aid, benefit or service offered by the college.

To receive support services, students with disabilities must self-identify with the Disability Services for Students (DSS) Office on the CCRI campus they attend and provide the DSS office with current and appropriate documentation of the disability that supports the need for the accommodations requested. CCRI will make modifications to academic requirements where appropriate and provide the necessary reasonable accommodations to ensure accessibility. The institution cannot, however, make modifications that would substantially change the essential elements of a curriculum. While striving to meet the individual needs of all students, CCRI reserves the right to set and maintain standards for academic performance and personal conduct.

CCRI prohibits unlawful discrimination based on disability. Any individual who believes that he or she has been discriminated against based on disability by a student should report the matter to Dean of Students Taiwo Adefiyiju, 401-825-2367, deanofstudents@ccri.edu. Those who believe that they have been discriminated against based on disability by a faculty or staff member should report the matter to the Title IX Coordinator, and ADA/Section 504 Coordinator, Kara DiPaola, (401)-825-2387, kddipaola@ccri.edu.

PREGNANT AND PARENTING STUDENTS

The college is dedicated to all students' academic, personal, and professional success. We will work with you to find appropriate ways, when available, to support you to the extent your academics and involvement in other college-sponsored activities and program may be affected by your pregnancy and childbirth.

You may be entitled to adjustments when reasonably available, such as:

- A larger desk, elevator access, or the ability to make frequent trips to the restroom when necessary.
- Excused absences due to pregnancy or childbirth for as long as your doctor says it is necessary.
- The ability to return to the same academic and extracurricular status as before your pregnancy leave began, which should include giving you the opportunity to make up any work missed while you were out.
- The ability to submit work after a deadline you missed because of pregnancy or childbirth.
- The ability to make up participation or attendance points missed due to being absent because of pregnancy or childbirth.

Helpful Tips for Pregnant and Parenting Students:

- Ask for help. Speak with a counselor, advisor or the dean of students to understand what supports may be available.
- Pursuant to the Council on Postsecondary Education Sexual Harassment and Sexual Violence Policy, unlawful discrimination based on pregnancy and parenting status is prohibited.

To request an accommodation due to pregnancy related conditions, contact the Disability Services for Students Office on your respective campus. To report concerns or complaints to the college's Title IX coordinator, Alix Ogden, (401)-825-2387, aogden@ccri.edu.

Services for Parenting Students

Children on Campus

Children (or any unregistered person) are not allowed in classrooms or labs; however, parenting students may have their minor children with them while conducting business on campus or while attending events or other activities. Minor children must be accompanied by a parent, legal guardian or other responsible adult at least 18 years or older at all times. Children under 6 years of age who need adult assistance in restrooms or locker rooms should use the restroom that the parent or guardian adult would choose.

Changing Stations

Most restrooms include changing stations for your use. Restrooms with changing stations are indicated on the campus maps.

Babysitting

CCRI does not offer babysitting services on site. A list of local, licensed day care providers can be provided.

Lactation Rooms

Nursing mothers may sign up to use lactation rooms on campus. CCRI has a stand-alone lactation room at each campus. Rules for using the lactation rooms are located on the wall in each room and can be found online at www.ccri.edu/doss/deanstudents/rules.

To sign up to use the lactation rooms, please email studentlife@ccri.edu. You will be placed on an access list or given a temporary card for door access.

SOCIAL AND COMMUNITY RESOURCES

Do you need groceries? Are you behind on the rent? Do you need help with something and don't know where to go? For confidential and compassionate help, contact the Community and Social Resources (CSR) office by calling or texting (401) 484-1650 or emailing Shanna Wells at swell1@ccri.edu.

The Community and Social Resources Office helps remove obstacles to student success by providing resources and referrals at CCRI and in your community.

Types of assistance offered (not an exhaustive list):

- Emergency food and shelter referrals
- CCRI Emergency Fund and Lending Library
- Medical and Mental Health Referrals
- Childcare referrals and Transportation assistance
- COVID-19 Emergency Resources
- Adulting 101

- Stress Management
- Online Student Support Group

VETERAN SERVICES OFFICE

The Community College of Rhode Island prides itself on its commitment to veterans who aspire to attain a higher education. CCRI recognizes the challenges veterans may face while applying for educational benefits and transitioning from the role of service member to student.

In collaboration with the Department of Veteran Affairs, the VetSuccess on Campus (VSOC) office works alongside the Veteran Services Office (VSO) and locations have been established at all four main campuses. The VSOC coordinator, Micaela Black, can be reached at 401-612-3470 or micaela.black@va.gov. The VSO is staffed by veterans utilizing VA educational benefits and is available to assist service members, veterans, and their families. The Veteran Services Coordinator is Dennis Cosmo, 401-825-2281, Room 0034, Knight Campus.

Veteran Services Office numbers

- | | | | |
|-----------|--------------|--------------|--------------|
| • Warwick | 401-825-2281 | • Providence | 401-455-6056 |
| • Lincoln | 401-333-7349 | • Newport | 401-851-1726 |

In accordance with federal law, the CCRI Financial Aid office complies with the Civil Service Relief Act (CSRA) to service members on active duty to ease financial burden in regards to loans and repayment.

Rhode Island Army and Air National Guardsmen are eligible for Rhode Island’s State Tuition Assistance Program (STAP), a tuition fee waiver for up to five classes per semester at Rhode Island state institutions (CCRI, URI, and RIC). Books and non-tuition fees are the responsibility of the service member. At CCRI, classes must be toward a certificate or associate degree. These waivers must be obtained and signed at your National Guard educational office and submitted to the Bursar’s Office. The STAP waivers can be used in conjunction with VA educational benefits.

Rhode Island Army National Guard Education Office

Command Readiness Center
645 New London Ave.
Cranston, RI 02920

Rhode Island Air National Guard Education Office

RI Air National Guard
1 Hercules Drive
North Kingstown, RI 02852

Because a veteran is utilizing his or her educational benefits does not mean that he or she is exempt from utilizing the Free Application for Financial Student Aid (FAFSA). Veterans and service members in need of financial assistance are encouraged to file for financial aid. The Pell Grant and Stafford loans offered can be used in conjunction with all other veteran benefits.

A Disabled American Veteran (DAV) Waiver is available to veterans with a minimum 10 percent VA service-connected rating who reside in the state of Rhode Island. The DAV waiver is intended to waive tuition with recently dated evidence of the disability. Evidence of the disability and printed confirmation of a completed FAFSA is to be submitted to the Bursar’s Office.

In accordance with R.I. General Laws, combat veterans who received an honorable discharge are eligible for priority registration. Priority registration allows those eligible to select their courses two weeks prior to the general student population. Proof of combat status is required in the form of a DD214 and is to be submitted to the veteran certifying official at Enrollment Services four weeks prior to the normal registration date. Service members currently serving who do not have a DD214 must present award citation and copy of deployment orders that demonstrate service in combat.

TITLE IX

COUNCIL ON POSTSECONDARY EDUCATION

TITLE IX SEXUAL HARASSMENT POLICY AND PROCEDURES

CPE Approved Amendment (4-21-21)

I. Policy Statement

It is the Policy of the Council on Postsecondary Education (“CPE”), its constituent institutions of higher education (specifically, Rhode Island College and the Community College of Rhode Island) and the Office of Postsecondary Commissioner (collectively referred to as the “Covered Entities”) to prohibit all forms of unlawful Sexual Harassment occurring within the Covered Entities’ Education Programs or Activities, as those terms are defined herein.

II. Purpose and Goals of Policy

- A. Define the conduct that is prohibited Sexual Harassment at the Covered Entities;
- B. Provide examples of such prohibited conduct;
- C. Set forth the reporting options and procedures pertaining to such conduct that is witnessed, experienced or learned about by, or reported to, employees of the Covered Entities.
- D. Set forth the process to investigate and adjudicate complaints of Sexual Harassment encompassed within this Policy.
- E. Provide contact information for the Title IX Coordinator at each Covered Entity.
- F. Provide a list of internal and external resources available to individuals who experience, witness, or are accused of acts of Sexual Harassment.

III. Background

Sexual Harassment, as defined herein, is prohibited in Education Programs or Activities by Title IX of the Education Amendments of 1972 and its implementing regulations (“Title IX”) (see 34 C.F.R. § 106 et seq.). Sexual Assault, Domestic Violence, Dating Violence, and Stalking, as defined herein, are also prohibited under the Violence Against Woman Reauthorization Act of 2013 (“VAWA”).

IV. Applicability

All faculty, staff, and students at all Covered Entities must comply with this Policy to help foster an inclusive and safe academic and work environment. This Policy applies to the perpetration of Sexual Harassment by one member of the Covered Entity’s community (faculty, staff, student, or volunteer) against another. The Policy may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the Covered Entity.

V. Remedies for Sexual Harassment

Administrators, faculty members, staff, students, contractors, guests, and other members of a Covered Entity’s community who commit Sexual Harassment are subject to the full range of discipline including, but not limited to, verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; permanent separation from the institution (i.e., termination or dismissal); physical restriction from the Covered Entity’s property; cancellation of contracts; and any combination of the same.

Disciplinary sanctions for violations of this Policy are imposed in accordance with applicable policies and collective bargaining agreements.

A Covered Entity will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the Covered Entity’s education programs or activities.

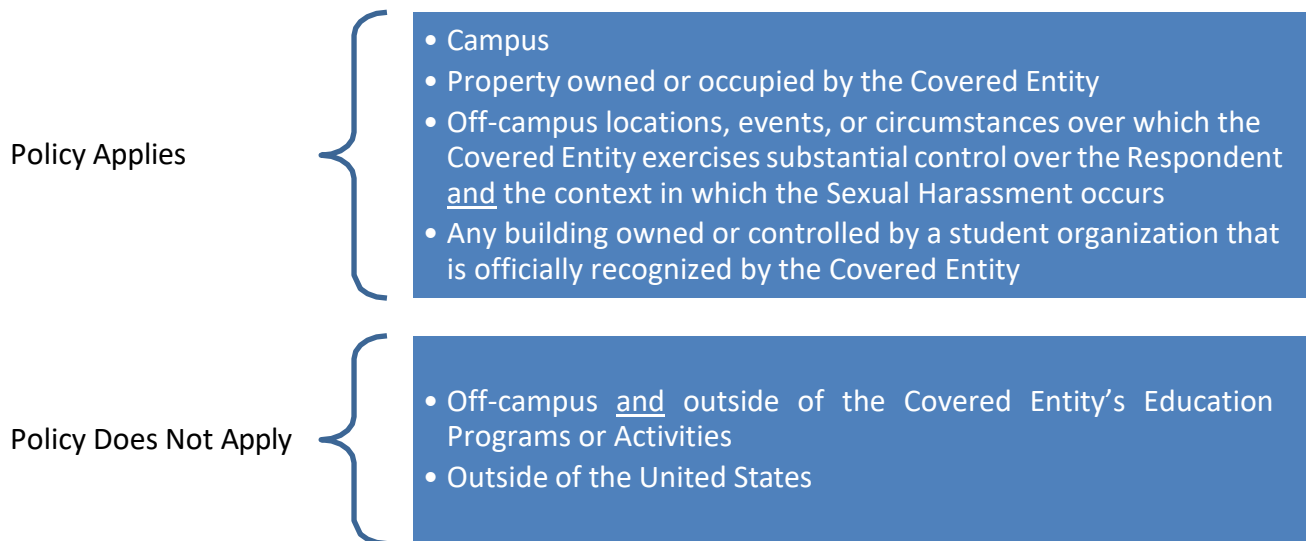
VI. Scope

This Policy applies to Sexual Harassment that occurs within the Covered Entities’ Education Programs or Activities and its procedures are the exclusive means for resolving Formal Complaints of Sexual Harassment.

This Policy does not apply to Sexual Harassment that occurs off-campus, in a private setting, and outside the scope of a Covered Entity’s Education Programs or Activities; such Sexual Harassment or other forms of sexual misconduct may be prohibited by a Covered Entity’s Student Code of Conduct if committed by a student or employment policies if committed by an employee.

Consistent with the U.S. Department of Education’s implementing regulations for Title IX, this Policy does not apply to Sexual Harassment that occurs outside the geographic boundaries of the United States, even if the Sexual Harassment occurs in a Covered Entity’s Education Programs or Activities, such as a study abroad program. Sexual Harassment that occurs outside the geographic boundaries of the United States may be governed by a Covered Entity’s Student Code of Conduct if committed by a student or employment policies if committed by an employee.

The following graphic summarizes the geographic scope of this Policy:



VII. Other Forms of Sexual Misconduct or Sex Discrimination

Complaints involving allegations of sex discrimination that do not meet the definition of Sexual Harassment under this Policy are investigated and adjudicated in accordance with the Council for Postsecondary Education Non-Discrimination Policy and Complaint Procedures.

Each Covered Entity shall investigate complaints against their students involving sexual misconduct that does not meet the definition of Sexual Harassment under this Policy in accordance with procedures described in their respective student conduct policies or the Council for Postsecondary Education Non-Discrimination Policy and Complaint Procedures, as determined by the Covered Entity.

VIII. Definitions

- A. "Sexual Harassment" is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.¹
- B. "Quid Pro Quo Sexual Harassment" occurs when an employee of a Covered Entity conditions the provision of an aid, benefit, or service of the Covered Entity on an individual's participation in unwelcome sexual conduct. The following is an example of "Quid Pro Quo Sexual Harassment:"
- A faculty member conditions a student's favorable evaluation on the student's submission to sexual advances. The faculty member then gives the student a poor evaluation after the student rejects the faculty member's advances.
- C. "Hostile Environment Sexual Harassment" is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the Covered Entity's Education Programs or Activities. The following are examples of "Hostile Environment Sexual Harassment:"
- A student editor for the college newspaper continually and inappropriately touches another student newspaper staff member in a sexual manner over an extended period of time. The touching is unwelcome and continues even after the student editor is asked to stop. The conduct makes the staff member uncomfortable and creates an offensive environment in the newsroom.
 - A male faculty member has a habit of touching the hair and shoulders of female students during class when he walks through the classroom reviewing their projects. Additionally, when he addresses female students, he often prefaces his comments with "hey, beautiful" or "hello gorgeous." Several students have changed courses as a result.
- D. "Sexual Assault" includes the sex offenses of rape, attempted rape, sodomy, sexual assault with an object, fondling, incest, and statutory rape as defined in 20 U.S.C. §1092(f)(6)(A)(v).² These sex offenses encompass the following prohibited conduct:
- The carnal knowledge³ of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.
 - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.

¹ Sexual assault, domestic violence, and stalking are also crimes under Rhode Island law. Information about these criminal offenses can be found in Appendix C.

² This Policy's definition of "Sexual Assault" is mandated by federal regulations implementing Title IX of the Education Amendments of 1972. Those regulations require the Covered Entities to adopt a definition of "Sexual Assault" that incorporates various forcible and non-forcible sex crimes as defined by the FBI's Uniform Crime Reporting System. See 34 C.F.R. § 106.30(a).

³ "Carnal knowledge" exists where there is the slightest penetration of the vagina or penis by the sexual organ of the other person.

- Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia.
 - Touching the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of a temporary or permanent mental or physical incapacity.
 - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Rhode Island law.
 - Sexual intercourse with a person who is under the statutory age of consent as defined by Rhode Island law.
- E. “Domestic Violence” is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Rhode Island, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Rhode Island.
- F. “Dating Violence” is physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on a consideration of the length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship.
- G. “Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or suffer substantial emotional distress.
- H. “Consent” refers to words or actions that a reasonable person in the perspective of the Respondent would understand as agreement to engage in the sexual conduct at issue. A person who is Incapacitated is not capable of giving Consent.
- I. “Coercion” is defined as direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would otherwise not have submitted. Coercion can include unreasonable and sustained pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person’s words or conduct alone cannot amount to Coercion for purposes of this Policy unless they wrongfully impair the other’s freedom of will and ability to choose whether or not to engage in sexual activity.
- J. “Incapacitated” refers to the state where a person does not appreciate the nature or fact of sexual activity due to the effect of drugs or alcohol consumption, medical condition or disability, or due to a state of unconsciousness or sleep.
- K. “Retaliation” is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because

an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

- L. “Complainant” means an individual who is reported to be the victim of conduct that could constitute Sexual Harassment.
- M. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute Sexual Harassment.
- N. “Formal Complaint” means a document filed by a Complainant or signed by the Title IX Coordinator alleging Sexual Harassment against a Respondent and requesting that the Covered Entity investigate the allegation of Sexual Harassment in accordance with this Policy. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in the Covered Entity’s education programs or activities. A “document filed by a Complainant” means a document or electronic submission (such as an email) that contains the Complainant’s physical or electronic signature or otherwise indicates that the Complainant is the person filing the Complaint.
- O. “Supportive Measures” are non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to restore or preserve equal access to the Covered Entity’s Education Programs or Activities without unreasonably burdening another party, including measures designed to protect the safety of all parties implicated by a report or the Covered Entity’s education environment, or to deter Sexual Harassment.

Examples of Supportive Measures include, but are not limited to: counseling, extensions of academic or other deadlines, course-related adjustments, modifications to work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. Supportive Measures may also include mutual restrictions on contact between the parties implicated by a report.

- P. “Education Programs or Activities” refers to all the operations of a Covered Entity, including, but not limited to, in-person and online educational instruction, employment, research activities, extracurricular activities, athletics, residence life (where applicable), dining services, performances, and community engagement and outreach programs. The term applies to all activity that occurs on campus or on other property owned or occupied by the Covered Entity. It also includes off-campus locations, events, or circumstances in which the Covered Entity exercises substantial control over the Respondent and the context in which the Sexual Harassment occurs, including Sexual Harassment occurring in any building owned or controlled by a student organization that is officially recognized by the Covered Entity.

IX. UNDERSTANDING HOSTILE ENVIRONMENT SEXUAL HARASSMENT

In determining whether a hostile environment exists, the Covered Entity will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the context in which the conduct occurred; and the number of persons affected.

Sexual Harassment need not be intentional. The intent of the person who is alleged to have committed such behavior is not relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged behavior to be Sexual Harassment.

Sexual Harassment can arise from many different types of unwelcome verbal, nonverbal, and physical conduct ranging from sexual gestures or teasing to sexual assault, acts of sexual violence, including domestic and dating violence,

stalking, and other coercive activity. Examples of such conduct and behaviors that may constitute Sexual Harassment include, but are not limited to, the following:

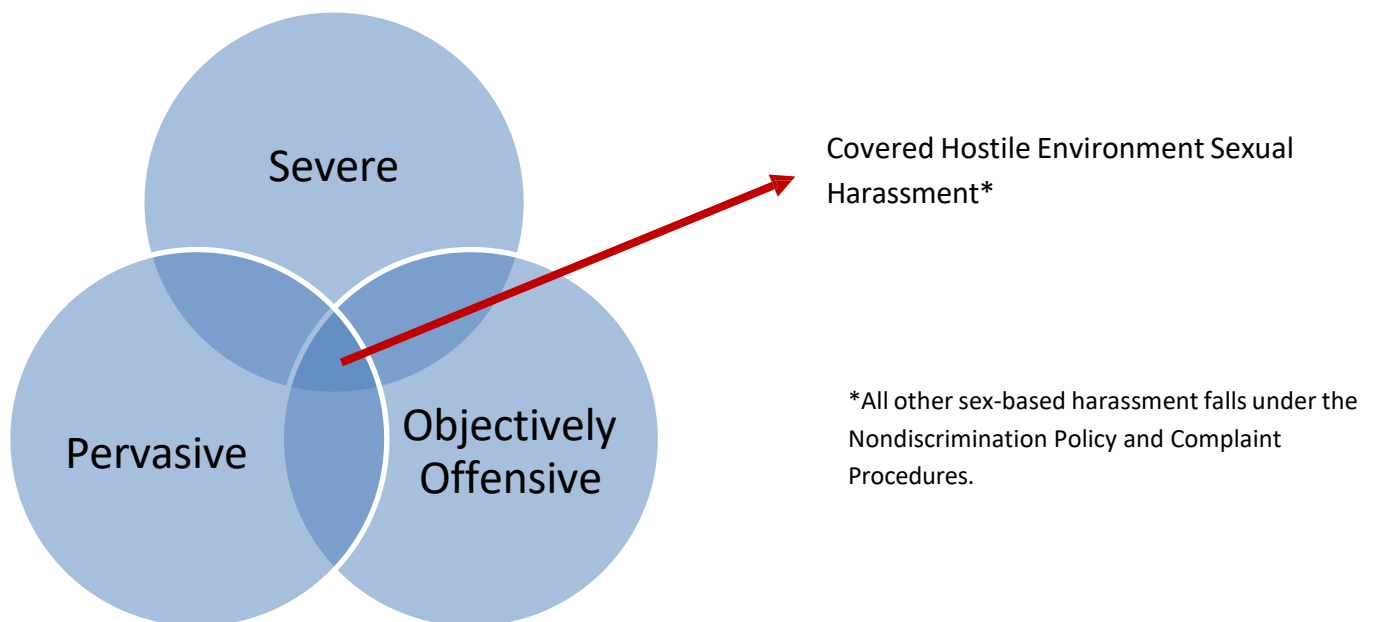
- Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcomed stories about someone’s social or sexual life, and propositions or pressure for social or sexual contact.
- Non-verbal: The display of sexually explicit stares, gestures, or suggestive pictures, including secretly video recording sexual acts or objects.
- Physical: Unwanted touching, patting, grabbing, pinching, including sexual assault, domestic violence, dating violence, stalking, and rape.

Acts that do not necessarily involve conduct of a sexual nature but are based on sex or gender stereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting, and hazing may also be considered Hostile Environment Sexual Harassment under this Policy. Specific examples of such behavior that may lead to a finding of Sexual Harassment include the following:

- A male employee is repeatedly taunted and insulted verbally by his co-workers for his “looking like a girl,” “for acting like a girl” and “acting like a queer.”
- A female program director is repeatedly called “bossy,” “overly aggressive,” and “un- lady like” by her male supervisors with some of these criticisms noted in her performance evaluations.

The Covered Entities encourage members of their communities to report any and all instances of Sexual Harassment, even if they are unsure whether the conduct rises to the level of a Policy violation.

The following diagram explains the scope of Hostile Environment Sexual Harassment as encompassed within this Policy, as compared to other forms of sex-based harassment addressed by the Nondiscrimination Policy and Complaint Procedures:



X. Consent and Incapacitation

A. Consent

Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation, coercion, or any kind of physical force or weapon, and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent (age 16) are factors which may make consent impossible.

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

B. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual contact because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the “who, what, where, when, why or how” of the sexual interaction) and/or is physically or mentally helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual contact is occurring.

Incapacitation can only be found when the Respondent knew or should have known that the Complainant was incapacitated when viewed from the position of a sober, reasonable person. One’s own intoxication is not an excuse for failure to recognize another person’s incapacitation.

Incapacitation may result from the use of alcohol and/or other drugs; however, consumption of alcohol or other drugs, inebriation, or intoxication alone are insufficient to establish incapacitation. Incapacitation is beyond mere drunkenness or intoxication. The impact of alcohol or drugs varies from person to person, and evaluating incapacitation requires an assessment of how consumption of alcohol and/or drugs impacts an individual’s:

- Decision-making ability
- Awareness of consequences
- Ability to make informed judgments
- Capacity to appreciate the nature of circumstances of the act

No single factor is determinative of incapacitation. Some common signs that someone may be incapacitated include slurred speech, confusion, shaky balance, stumbling or falling down, vomiting, and unconsciousness.

XI. Reporting Sexual Harassment

Any person may report Sexual Harassment to the Covered Entity’s Title IX Coordinator. Reports may be made in person, by regular mail, telephone, electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. In-person reports must be made during normal business hours, but reports can be made by regular mail, telephone, or electronic mail at any time, including outside normal business hours.

In addition to reporting to the Title IX Coordinator, any person may report Sexual Harassment to a Covered Entity official with authority to institute corrective measures when Sexual Harassment has occurred. Such officials, referred to as “Reporting Officials,” must promptly forward reports of Sexual Harassment to the Title IX Coordinator.

The name and contact information for each Covered Entity’s Title IX Coordinator, as well as a list of Reporting Officials, if any, is attached hereto as Exhibits A and B.

XII. Employee Reporting

All employees of the Covered Entities are strongly encouraged to report Sexual Harassment to the Covered Entity’s Title IX Coordinator when they receive a report of such conduct or witness such conduct. The report should include all known relevant details of the alleged Sexual Harassment.

Notwithstanding the language above, employees who are designated as Campus Security Authorities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) must fulfill their reporting obligations as described by the Covered Entity’s policies.

All employees are required to report known or suspected cases of child abuse and/or neglect to the Rhode Island Department of Children, Youth and Families (DCYF) within 24 hours of becoming aware of such abuse/neglect. DCYF has a single, statewide toll-free hotline that operates twenty-four (24) hours per day, seven (7) days per week. The number is 1-800-RI-CHILD (1-800-742-4453).

XIII. Guidance for Individuals Reporting Sexual Assault, Domestic Violence, Dating Violence, or Stalking

If you believe you are the victim of Sexual Assault, Domestic Violence, or Dating Violence, get to safety and do everything possible to preserve evidence by making certain that the scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. For those who believe that they are victims of Sexual Assault, Domestic Violence, or Dating Violence, the Covered Entities recommends the following:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence of the crime — avoid bathing, using the toilet, rinsing one’s mouth or changing clothes. If it is necessary, put all clothing that was worn at the time of the incident in a paper bag, not a plastic one.
- Do not launder or discard bedding or otherwise clean the area where the assault occurred; preserve for law enforcement
- Preserve all forms of electronic communication that occurred before, during, or after the assault
- Contact law enforcement by calling 911 or campus police.
- Get medical attention – all medical injuries are not immediately apparent. This will help collect evidence that may be needed in case the individual decides to press charges. Local hospitals have evidence collection kits necessary for criminal prosecution should the victim wish to pursue charges. Take a full change of clothing, including shoes, for use after a medical examination.
- Contact a trusted person, such as a friend or family member for support.
- Talk with counselors, health care providers, or other campus officials who can help explain options, give information, and provide emotional support.
- Talk with or make a report to the Title IX Coordinator.
- Explore this Policy and its avenues for resolution.

It is also important to take steps to preserve evidence in other investigations, such as stalking, to the extent such evidence exists. Such evidence is more likely to be in the form of letters, emails, text messages, electronic images, etc., rather than evidence of physical contact and violence.

Once a report of Sexual Assault, Domestic Violence, Dating Violence, or Stalking is made, the victim has several options such as, but not limited to:

- obtaining Supportive Measures,
- contacting parents or a relative,
- seeking legal advice,
- seeking personal counseling (always recommended),
- pursuing legal action against the perpetrator,
- filing a Formal Complaint,
- or requesting that no further action be taken.

The Covered Entity's Department of Public Safety can assist individuals in obtaining a personal protection order ("PPO").

XIV. Preliminary Assessment

Upon receipt of a report made pursuant to Section VI, the Title IX Coordinator will conduct a preliminary assessment to determine:

- Whether the conduct, as reported, falls or could fall within the scope of the Policy; and
- Whether the conduct, as reported, constitutes or could constitute Sexual Harassment.

If the Title IX Coordinator determines that the conduct reported could not fall within the scope of the Policy, and/or could not constitute Sexual Harassment, even if investigated, the Title IX Coordinator will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA"). The Title IX Coordinator may refer the report to other offices, as appropriate.

If the Title IX Coordinator determines that the conduct reported could fall within the scope of the Policy, and/or could constitute Sexual Harassment, if investigated, the Title IX Coordinator will proceed to contact the Complainant.

As part of the preliminary assessment, the Title IX Coordinator may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

XV. Contacting the Complainant

If a report is not closed as a result of the preliminary assessment and the Complainant's identity is known, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of Supportive Measures; to discuss and consider the Complainant's wishes with respect to such Supportive Measures; to inform the Complainant of the availability of such Supportive Measures with or without filing a Formal Complaint; and to explain the process for filing and pursuing a Formal Complaint. The Complainant will also be provided options for filing complaints with the local or State police and information about resources that are available on campus and in the community.

XVI. Supportive Measures

If a report is not closed as a result of the preliminary assessment, the Covered Entity will offer and make available Supportive Measures to the Complainant regardless of whether the Complainant elects to file a Formal Complaint.

Contemporaneously with the Respondent being notified of a Formal Complaint, the Title IX Coordinator will notify the Respondent of the availability of Supportive Measures for the Respondent, and the Covered Entity will offer and make available Supportive Measures to the Respondent in the same manner in which it offers and makes them available to the Complainant. The Covered Entity will also offer and make available Supportive Measures to the Respondent prior to the Respondent being notified of a Formal Complaint, if the Respondent requests such measures.

The Covered Entity will maintain the confidentiality of Supportive Measures provided to either a Complainant or Respondent, to the extent that maintaining such confidentiality does not impair the Covered Entity's ability to provide the Supportive Measures in question.

XVII. Emergency Removal and Administrative Leave

At any time after receiving a report of Sexual Harassment, the Title IX Coordinator may remove a student Respondent from one or more of the Covered Entity's Education Programs or Activities on a temporary basis if the Covered Entity's threat assessment committee conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Harassment justifies removal. In the event the Title IX Coordinator imposes an interim removal, the Title IX Coordinator must offer to meet with the Respondent within twenty-four hours and provide the Respondent an opportunity to challenge the interim removal.

In the case of a Respondent who is a non-student employee (administrator, faculty, or staff), and in its discretion, the Covered Entity may place the Respondent on administrative leave at any time after receiving a report of Sexual Harassment, including during the pendency of the investigation and adjudication process.

For all other Respondents, including independent contractors and guests, the Covered Entity retains broad discretion to prohibit such persons from entering onto its campus and other properties at any time, and for any reason, whether after receiving a report of Sexual Harassment or otherwise.

XVIII. Formal Complaint

A Complainant may file a Formal Complaint with the Title IX Coordinator requesting that the Covered Entity investigate and adjudicate a report of Sexual Harassment in accordance with these procedures. Provided, however, that at the time the Complainant submits a Formal Complaint, the Complainant must be participating in, or attempting to participate in, one or more of the Covered Entity's education programs or activities.

A Complainant may file a Formal Complaint with the Title IX Coordinator in person, by regular mail, or by email using the contact information specified in Exhibit A or B.

In any case, including a case where a Complainant elects not to file a Formal Complaint, the Title IX Coordinator may file a Formal Complaint on behalf of the Covered Entity if doing so is not clearly unreasonable. Such action will normally be taken in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the Covered Entity's community. No person other than the Complainant or the Title IX Coordinator may submit a Formal Complaint.

If the Complainant or the Title IX Coordinator files a Formal Complaint, then the Covered Entity will commence an investigation and proceed to adjudicate the matter as specified in these procedures. In all cases where a Formal Complaint is filed, the Complainant will be treated as a party, irrespective of the party's level of participation.

In a case where the Title IX Coordinator files a Formal Complaint, the Title IX Coordinator will not act as a Complainant or otherwise as a party for purposes of the investigation and adjudication processes.

XIX. Consolidation of Formal Complaints

The Covered Entity may consolidate Formal Complaints of Sexual Harassment where the allegations arise out of the same facts or circumstances. Where the investigation and adjudication process involve more than one Complainant or more than one Respondent, references in this Policy to the singular "party," "Complainant," or "Respondent" include the plural, as applicable. A Formal Complaint of Retaliation may be consolidated with a Formal Complaint of Sexual Harassment.

XX. Dismissal Prior to Commencement of Investigation

In a case where the Complainant files a Formal Complaint, the Title IX Coordinator will evaluate the Formal Complaint and must dismiss it if the Title IX Coordinator determines:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the Policy specified in Section VI (i.e., because the alleged conduct did not occur in the Covered Entities' Education Programs or Activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

In the event the Title IX Coordinator determines the Formal Complaint should be dismissed pursuant to this section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The dismissal is a final determination unless modified or overturned on appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other offices and procedures, as appropriate.

XXI. Notice of Formal Complaint

Within five (5) business days of the Title IX Coordinator receiving a Formal Complaint, the Title IX Coordinator will transmit a written notice to the Complainant and Respondent that includes:

- A physical copy of this Policy or a hyperlink to this Policy;
- Sufficient details known at the time so that the parties may prepare for an initial interview with the investigator, to include the identities of the parties involved in the incident (if known), the conduct allegedly constituting Sexual Harassment, and the date and location of the alleged incident (if known);
- A statement that the Respondent is presumed not responsible for the alleged Sexual Harassment and that a determination of responsibility will not be made until the conclusion of the adjudication and any appeal;
- Notifying the Complainant and Respondent of their right to be accompanied by an advisor of their choice;
- Notifying the Complainant and Respondent of their right to inspect and review evidence;
- Notifying the Complainant and Respondent of the Covered Entities' prohibitions on retaliation and false statements; and
- Information about resources that are available on campus and in the community.

Should the Covered Entity elect, at any point, to investigate allegations that are materially beyond the scope of the initial written notice, the Covered Entity will provide a supplemental written notice describing the additional allegations to be investigated.

XXII. Investigation

A. Commencement and Timing

After the written notice of Formal Complaint is transmitted to the parties, an investigator selected by the Title IX Coordinator will undertake an investigation to gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence. The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the Covered Entity and not with the parties. The investigation will culminate in a written investigation report that will be submitted to the adjudicator during the selected adjudication process. Although the

length of each investigation may vary depending on the totality of the circumstances, the Covered Entity strives to complete each investigation within ninety (90) calendar days of the transmittal of the written notice of Formal Complaint.

B. Equal Opportunity

During the investigation, the investigator will provide an equal opportunity for the parties to be interviewed, to present witnesses (including fact and expert witnesses), and to present other inculpatory and exculpatory evidence. Notwithstanding the foregoing, the investigator retains discretion to limit the number of witness interviews the investigator conducts if the investigator finds that testimony would be unreasonably cumulative, if the witnesses are offered solely as character references and do not have information relevant to the allegations at issue, or if the witnesses are offered to render testimony that is categorically inadmissible, such as testimony concerning sexual history of the Complainant. The investigator will not restrict the ability of the parties to gather and present relevant evidence on their own.

The investigation is a party's opportunity to present testimonial and other evidence that the party believes is relevant to resolution of the allegations in the Formal Complaint. A party that is aware of and has a reasonable opportunity to present particular evidence and/or identify particular witnesses during the investigation, and elects not to, will be prohibited from introducing any such evidence during the adjudication absent a showing of mistake, surprise, or excusable neglect.

C. Documentation of Investigation

The investigator will take reasonable steps to ensure the investigation is documented. Interviews of the parties and witnesses may be documented by the investigator's notes, audio recorded, video recorded, or transcribed. The particular method utilized to record the interviews of parties and witnesses will be determined by the investigator in the investigator's sole discretion, although whatever method is chosen shall be used consistently throughout a particular investigation.

D. Access to the Evidence

At the conclusion of the evidence-gathering phase of the investigation, but prior to the completion of the investigation report, the investigator will transmit to each party and their advisor, in either electronic or hard copy form, all evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence the Covered Entity may choose not to rely on at any hearing and inculpatory or exculpatory evidence whether obtained from a party or some other source. Thereafter, the parties will have ten (10) calendar days in which to submit to the investigator a written response, which the investigator will consider prior to completing the investigation report.

The parties and their advisors are permitted to review the evidence solely for the purposes of this complaint resolution process and may not photograph or disseminate the evidence to the public.

E. Investigation Report

After the period for the parties to provide any written response as specified above has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The investigator will also transmit the investigation report to each party and their advisor, in

either electronic or hard copy form. The parties and their advisors are provided the report for the purposes of this complaint resolution process and may not disseminate the report to the public.

XXIII. Adjudication

A. Hearing Officer

After receipt of the investigation report, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process and render a determination of responsibility for the allegations in the Formal Complaint, at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator.

B. Hearing Notice and Response to the Investigation Report

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the Covered Entity's Hearing Procedures. Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) calendar days from the date of transmittal of the written notice of hearing.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any objection that the party has to the Covered Entity's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the pre-hearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request that the Covered Entities provide an advisor for purposes of conducting cross-examination.

A party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the Formal Complaint are supported by a preponderance of the evidence; and

- Argument regarding whether any of the allegations in the Formal Complaint constitute Sexual Harassment.

C. **Pre-Hearing Conference**

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

D. **Issuance of Notices of Attendance**

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any Covered Entity employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The subject of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The Covered Entity will not issue a notice of attendance to any witness who is not an employee or a student.

E. **Hearing**

After the pre-hearing conference, the hearing officer will convene and conduct a hearing pursuant to the Covered Entity's Hearing Procedures. The hearing will be recorded (audio or audiovisual) or transcribed. The recording or transcript will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. By default, the hearing will be conducted with the hearing officer, the parties, the advisors, witnesses, and other necessary Covered Entity personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each party's advisor to cross-examine directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;

- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect; and
- Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the Title IX Coordinator, and other necessary Covered Entity personnel. Witnesses will be sequestered from one another at the hearing until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them before the conclusion of the investigation.

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this section, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rationale for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this section are met.

F. Subjection to Questioning

In the event that any party or witness refuses to attend the hearing, or attends but refuses to submit to questioning by the parties' advisors, the statements of that party or witness, as the case may be, whether given during the investigation or during the hearing, will not be considered by the hearing officer in reaching a determination of responsibility.

Notwithstanding the foregoing, the hearing officer may consider the testimony of any party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither party requested attendance of the witness at the hearing.

In applying this section, the hearing officer will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

G. Deliberation and Determination

After the hearing is complete, the hearing officer will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing officer will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or because it constitutes impermissible sexual history information. The hearing officer will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the Policy as alleged in the Formal Complaint.

H. Discipline and Remedies

In the event the hearing officer determines that a student or other non-employee Respondent is responsible for violating this Policy, the hearing officer will, prior to issuing a written decision, consult with an appropriate Covered Entity official with disciplinary authority over the Respondent and such official will determine any discipline to be imposed. The hearing officer will also, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant.

In the event the hearing officer determines that an employee Respondent is responsible for violating this Policy, the hearing officer will, prior to issuing a written decision, consult with the Title IX Coordinator who will determine whether and to what extent ongoing support measures or other remedies will be provided to the Complainant. The hearing officer will refer the matter to the appropriate Vice President, Provost, or Associate Commissioner, along with a recommendation regarding appropriate disciplinary and/or corrective action that comports with applicable personnel policies and collective bargaining agreements. The Vice President, Provost, or Associate Commissioner shall consult with the Covered Entity's Office of Human Resources and determine the appropriate disciplinary and/or corrective action in accordance with applicable personnel policies and collective bargaining agreements.

I. Written Decision

After reaching a determination and consulting with the appropriate Covered Entities official and Title IX Coordinator, the hearing officer will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment made in the Formal Complaint;
- A description of the procedural steps taken by the Covered Entity upon receipt of the Formal Complaint, through issuance of the written decision, including notification to the parties; interviews with the parties and witnesses; site visits; methods used to gather non-testimonial evidence; and the date, location, and people who were present at or presented testimony at the hearing.
- Findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment, including a determination regarding responsibility for each separate potential incident;
- The discipline determined by the appropriate Covered Entity official (for students and non-employees) or the discipline recommended to the appropriate Covered Entity official (for employees);
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the Covered Entity's process and grounds for appeal.

The hearing officer's written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

Although the length of each adjudication by hearing will vary depending on the totality of the circumstances, the Covered Entities strives to issue the hearing officer's written determination within fourteen (14) business days of the conclusion of the hearing.

XXIV. Dismissal During Investigation or Adjudication

The Covered Entity shall dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that one or more of the following is true:

- The conduct alleged in the Formal Complaint would not constitute Sexual Harassment, even if proved; or
- The conduct alleged in the Formal Complaint falls outside the scope of the Policy.

The Covered Entity may dismiss a Formal Complaint at any point during the investigation or adjudication process if the Title IX Coordinator determines that any one or more of the following is true:

- The Complainant provides the Title IX Coordinator written notice that the Complainant wishes to withdraw the Formal Complaint or any discrete allegations therein (in which case those discrete allegations may be dismissed);
- The Respondent is no longer enrolled or employed by the Covered Entity; or
- Specific circumstances prevent the Covered Entity from gathering evidence sufficient to reach a determination as to the Formal Complaint, or any discrete allegations therein (in which case those discrete allegations may be dismissed).

In the event the Title IX Coordinator determines that a Formal Complaint should be dismissed pursuant to this section, the Title IX Coordinator will provide written notice of dismissal to the parties and advise them of their right to appeal. The Title IX Coordinator may refer the subject matter of the Formal Complaint to other offices or procedures, as appropriate. The dismissal is a final determination unless modified or overturned on appeal.

XXV. Appeal

Either party may appeal the determination of an adjudication, or a dismissal of a Formal Complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, or hearing officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) business days of the date they receive notice of dismissal or written determination. The appeal must be submitted in writing to the Covered Entity's designated appeal officer. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the appeal officer will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the appeal officer confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) business days. The appeal officer shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the appeal officer will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

Although the length of each appeal will vary depending on the totality of the circumstances, the Covered Entity strives to issue the appeal officer's written decision within twenty one (21) business days of an appeal being filed.

XXVI. Advisor of Choice

The Complainant and Respondent will have the right to be accompanied by an advisor of their choice to all meetings, interviews, and hearings that are part of the investigation, adjudication, and appeal process. The advisor may be any person the party chooses.

Except for the questioning of witnesses during the hearing, the advisor will play a passive role and is not permitted to communicate on behalf of a party, insist that communication flow through the advisor, or communicate with the Covered Entity about the matter without the party being included in the communication. In the event a party's advisor of choice engages in material violation of the parameters specified in these procedures, the Covered Entity may preclude the advisor from further participation, in which case the party may select a new advisor of their choice.

In the event a party is not able to secure an advisor to attend the hearing, the Covered Entity will provide the party an advisor, without fee or charge, who will conduct questioning on behalf of the party at the hearing. The Covered Entity will have sole discretion to select the advisor it provides. The advisor the Covered Entity provides may be, but is not required to be, an attorney.

The Covered Entity is not required to provide a party with an advisor in any circumstance except where the party does not have an advisor present at the hearing, and one is provided to conduct questioning on behalf of the party.

XXVII. Treatment Records and Other Privileged Information

During the investigation and adjudication processes, the investigator and adjudicator are not permitted to access, consider, disclose, permit questioning concerning, or otherwise use – unless the Covered Entity has obtained the party's voluntary, written consent to do so for the purposes of the investigation and adjudication process – the following:

- A party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; or
- Information or records protected from disclosure by any other legally recognized privilege, such as the attorney-client privilege

Notwithstanding the foregoing, the investigator and/or adjudicator may consider any such records or information otherwise covered by this section if the party holding the privilege affirmatively discloses the records or information to support their allegation or defense.

XXVIII. Sexual History

During the investigation and adjudication processes, questioning regarding a Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. Notwithstanding the foregoing, a Complainant who affirmatively uses information otherwise considered irrelevant by this section for the purpose of supporting the Complainant's allegations, may be deemed to have waived the protections of this section, but only to the limited extent the Complainant has used the information.

XXIX. Informal Resolution

At any time after the parties are provided written notice of the Formal Complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the Formal Complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process to be utilized;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another Covered Entities official, or a suitable third-party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the Formal Complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended. A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

If the parties do not reach a resolution through the informal resolution process, the Complainant may choose to proceed with the formal investigation and adjudication process outlined in these procedures.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the Covered Entity, except as

otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the Covered Entity. Informal resolution reached pursuant to this section is not subject to appeal.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty one (21) calendar days. If an informal resolution process does not result in a resolution within twenty one (21) calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

Other language in this section notwithstanding, informal resolution will not be permitted if the Respondent is a non-student employee accused of committing Sexual Harassment against a student.

XXX. Presumption of Non-Responsibility

From the time a report or Formal Complaint is made, a Respondent is presumed not responsible for the alleged misconduct until a determination regarding responsibility is made final.

XXXI. Resources

The Covered Entities shall publish and make available to all students and employees, information about “available resources” for individuals who believe they are victims of, witnesses to, or are simply concerned about, Sexual Harassment and other forms of sexual violence. Such “available information” should include a list of internal and external agencies, offices, hotlines, websites, or other information resources or service providers the Covered Entity believes would be important or valuable resources for their students and employees.

The current “available resources” listings for Rhode Island College, the Community College of Rhode Island, and the Office of the Postsecondary Commissioner are attached hereto as Exhibits A and B respectively and are incorporated by reference into this Policy. Each Covered Entity shall be obligated to keep their “available resources” listings current, and to promptly provide all updates to them (i.e. revisions to Exhibits A and B) to the Council, which will substitute the updated exhibits for the old ones and attach them to this Policy.

XXXII. Conflicts of Interest, Bias, and Procedural Complaints

The Title IX Coordinator, investigator, hearing officer, appeals officer, and informal resolution facilitator will be free of any material conflicts of interest or material bias. Any party who believes one or more of these officials has a material conflict of interest or material bias must raise the concern promptly so that the Covered Entity may evaluate the concern and find a substitute, if appropriate. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

XXXIII. Objections Generally

Parties are expected to raise any objections, concerns, or complaints about the investigation, adjudication, and appeals process in a prompt and timely manner so that the Covered Entity may evaluate the matter and address it, if appropriate.

XXXIV. Constitutional Rights and Academic Freedom

The Covered Entities will construe and apply this Policy consistent with the First Amendment to the U.S. Constitution and the principles of academic freedom specified in its handbooks. In no case will a Respondent be found to have

committed Sexual Harassment based on expressive conduct that is protected by the First Amendment and/or the principles of academic freedom specified in the Covered Entity's handbooks.

XXXV. Relationship with Criminal Process

This Policy sets forth the Covered Entities' processes for responding to reports and Formal Complaints of Sexual Harassment. The Covered Entities' processes are separate, distinct, and independent of any criminal processes. While the Covered Entities may temporarily delay its processes under this Policy to avoid interfering with law enforcement efforts if requested by law enforcement, the Covered Entities will otherwise apply this Policy and its processes without regard to the status or outcome of any criminal process.

XXXVI. Civil Lawsuits

The Complainant may choose to file a civil lawsuit against the Respondent, whether or not criminal charges have been filed. A civil lawsuit provides the Complainant the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering, and emotional distress.

XXXVII. Amnesty

The health and safety of every student is of utmost importance. The Covered Entities recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The Covered Entities strongly encourage students to report incidents of violence to institution officials. The reporting party, responding party, a bystander acting in good faith, or a reporting individual acting in good faith, who discloses any incident of violence to the Covered Entity or law enforcement will not be subject to the Covered Entity's student conduct code for violations of alcohol and/or drug-use policies occurring at or near the time of the commission of the incident of violence.

XXXVIII. Vendors, Contractors and Third Parties

The Covered Entities do business with various vendors, contractors, and other third parties who are not students or employees of the Covered Entities. Notwithstanding any rights that a given vendor, contractor, or third-party Respondent may have under this Policy, the Covered Entity retains its right to limit any vendor, contractor, or third-party's access to campus for any reason. And the Covered Entity retains all rights it enjoys by contract or law to terminate its relationship with any vendor, contractor, or third-party irrespective of any process or outcome under this Policy.

XXXIX. Bad Faith Complaints and False Information

It is a violation of this Policy for any person to submit a report or Formal Complaint that the person knows, at the time the report or Formal Complaint is submitted, to be false or frivolous. It is also a violation of this Policy for any person to knowingly make a materially false statement during the course of an investigation, adjudication, or appeal under this Policy. Violations of this section are not subject to the investigation and adjudication processes in this Policy; instead, they will be addressed under the Code of Student Conduct in the case of students and other Covered Entity policies and standards, as applicable, for other persons.

XL. Retaliation

It is a violation of this Policy to engage in Retaliation. Reports and Formal Complaints of retaliation should be filed directly with the Title IX Coordinator. Any report or Formal Complaint of Retaliation will be processed under this Policy in the same manner as a report or Formal Complaint of Sexual Harassment. The Covered Entity retains discretion to

consolidate a Formal Complaint of Retaliation with a Formal Complaint of Sexual Harassment for investigation and/or adjudication purposes if the two Formal Complaints share a common nexus.

XLI. Confidentiality

The Covered Entity will keep confidential the identity of any individual who has made a report or Formal Complaint of Sexual Harassment or Retaliation including any Complainant, the identity of any individual who has been reported to be a perpetrator of Sexual Harassment or Retaliation including any Respondent, and the identity of any witness. The Covered Entity will also maintain the confidentiality of its various records generated in response to reports and Formal Complaints, including, but not limited to, information concerning Supportive Measures, notices, investigation materials, adjudication records, and appeal records. Notwithstanding the foregoing, the Covered Entity may reveal the identity of any person or the contents of any record if permitted by FERPA, if necessary to carry out the Covered Entity's obligations under Title IX and its implementing regulations including the conduct of any investigation, adjudication, or appeal under this Policy or any subsequent judicial proceeding, or as otherwise required by law. Further, notwithstanding the Covered Entity's general obligation to maintain confidentiality as specified herein, the parties to a report or Formal Complaint will be given access to investigation and adjudication materials in the circumstances specified in this Policy.

While the Covered Entities will maintain confidentiality specified in this section, the Covered Entity will not limit the ability of the parties to discuss the allegations at issue in a particular case. Parties are advised, however, that the manner in which they communicate about, or discuss a particular case, may constitute Sexual Harassment or Retaliation in certain circumstances and be subject to discipline pursuant to the processes specified in this Policy.

Note that certain types of Sexual Harassment are considered crimes for which the Covered Entity must disclose crime statistics in its Annual Security Report that is provided to the campus community and available to the public. These disclosures will be made without including personally identifying information.

XLII. Extension of Deadlines

All deadlines and other time periods specified in this Policy are subject to modification by the Covered Entity where, in the Covered Entity's sole discretion, good cause exists. Good cause may include, but is not limited to, the unavailability of parties or witnesses; the complexities of a given case; extended holidays or closures; sickness of the investigator, adjudicator, or the parties; and unforeseen weather events.

XLIII. Other Violations of this Policy

Alleged violations of this Policy, other than violations of the prohibitions on Sexual Harassment and Retaliation, will be subject to review under the Student Code of Conduct for students and applicable personnel policies for employees. Examples of such violations include, but are not limited to, failure to abide by Supportive Measures or dissemination of evidence in contradiction to Section XXII, D of this Policy.

XLIV. Education

Each Covered Entity shall provide information regarding its education and primary prevention and awareness programs as required by VAWA as an appendix to this Policy.

XLV. Outside Appointments and Dual Appointments

The Covered Entities retains discretion to retain and appoint suitably qualified persons who are not Covered Entity's employees to fulfill any function of the Covered Entity under this Policy, including, but not limited to, the investigator, hearing officer, informal resolution officer, and/or appeals officer.

The Covered Entities also retain discretion to appoint two or more persons to jointly fulfill the role of investigator, hearing officer, informal resolution officer, and/or appeals officer.

XLVI. Training

The Covered Entities will ensure that Covered Entity officials acting under this Policy, including but not limited to the Title IX Coordinator, investigators, hearing officers, administrative officers, informal resolution facilitators, Covered Entities provided advisors, and appeals officers receive training in compliance with 34 C.F.R. § 106.45(b)(1)(iii) and any other applicable federal or state law.

XLVII. Recordkeeping

The Covered Entities will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of seven years after which point in time they may be destroyed, or continue to be retained, in the Covered Entities' sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

EXHIBIT A

(Title IX Coordinator and Resource Listings for Rhode Island College)

Omitted

EXHIBIT B

Title IX Coordinator and Resource Listings for The Community College of Rhode Island

TITLE IX COORDINATOR CONTACT INFORMATION

Kara DiPaola
Assistant Director, AA, EO and Diversity/Title IX Coordinator
400 East Avenue, Warwick, Rhode Island 02886
Tel: 401-825-2387
kddipaola@ccri.edu

Taiwo Adefiyiju
Dean of Students
400 East Avenue, Warwick, Rhode Island 02886
Tel: 401-825-2367
deanofstudents@ccri.edu

LIST OF REPORTING OFFICIALS

Title IX Coordinator
Director of Human Resources
Dean of Students

AVAILABLE RESOURCES

Various on-campus support and counseling services are available for victims of sexual assault. CCRI offers counseling services:

Warwick:	401-825-2301
Lincoln:	401-333-7160
Providence:	401-455-6063
Newport:	401-851-1625

Students may contact CCRI's Health Services at 401-825-2103 or email nurse@ccri.edu. Hours of operation for these services vary and this should not be considered an emergency contact. Check the website for current hours of operation.

Off-campus services that are available 24 hours/7 days a week include:

Day One: 401-421-4100

The personnel in these offices can provide advice and counseling, detailed information on health issues and reporting procedures, or referrals to other resources.

COLLEGE POLICE

LINCOLN	401-333-7035
NEWPORT	401-851-1620
PROVIDENCE	401-455-6050
WARWICK	401-825-2109

External Resources:

U.S. Department of Education Office for Civil Rights, Boston Office
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
617-289-0111

Rhode Island Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
401-222-2662

Equal Employment Opportunity Commission, Boston Area Office
J.F.K. Federal Building, Room 475
475 Government Center
Boston, MA 02203
Toll Free 1-866-408-8075
617-565-3200

EXHIBIT C

RHODE ISLAND STATE LAW:

SEXUAL OR RELATIONSHIP ASSAULT OR VIOLENCE

SEXUAL ASSAULT- (R.I.G.L. 11-37-1 thru 11-37-6)

§ 11-37-1. Definitions.

The following words and phrases, when used in this chapter, have the following meanings:

(1) "Accused" means a person accused of a sexual assault.

(2) "Force or coercion" means when the accused does any of the following:

(i) Uses or threatens to use a weapon, or any article used or fashioned in a manner to lead the victim to reasonably believe it to be a weapon.

(ii) Overcomes the victim through the application of physical force or physical violence.

(iii) Coerces the victim to submit by threatening to use force or violence on the victim and the victim reasonably believes that the accused has the present ability to execute these threats.

(iv) Coerces the victim to submit by threatening to at some time in the future murder, inflict serious bodily injury upon or kidnap the victim or any other person and the victim reasonably believes that the accused has the ability to execute this threat.

(3) "Intimate parts" means the genital or anal areas, groin, inner thigh, or buttock of any person or the breast of a female.

(4) "Mentally disabled" means a person who has a mental impairment which renders that person incapable of appraising the nature of the act.

(5) "Mentally incapacitated" means a person who is rendered temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or other substance administered to that person without his or her consent, or who is mentally unable to communicate unwillingness to engage in the act.

(6) "Physically helpless" means a person who is unconscious, asleep, or for any other reason is physically unable to communicate unwillingness to an act.

(7) "Sexual contact" means the intentional touching of the victim's or accused's intimate parts, clothed or unclothed, if that intentional touching can be reasonably construed as intended by the accused to be for the purpose of sexual arousal, gratification, or assault.

(8) "Sexual penetration" means sexual intercourse, cunnilingus, fellatio, and anal intercourse, or any other intrusion, however slight, by any part of a person's body or by any object into the genital or anal openings of another person's body, or the victim's own body upon the accused's instruction, but emission of semen is not required.

(9) "Spouse" means a person married to the accused at the time of the alleged sexual assault, except that such

persons shall not be considered the spouse if the couple are living apart and a decision for divorce has been granted, whether or not a final decree has been entered.

(10) "Victim" means the person alleging to have been subjected to sexual assault.

§ 11-37-2. First-degree sexual assault.

A person is guilty of first-degree sexual assault if he or she engages in sexual penetration with another person, and if any of the following circumstances exist:

(1) The accused, not being the spouse, knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.

(2) The accused uses force or coercion.

(3) The accused, through concealment or by the element of surprise, is able to overcome the victim.

(4) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

§ 11-37-4. Second-degree sexual assault.

A person is guilty of a second-degree sexual assault if he or she engages in sexual contact with another person and if any of the following circumstances exist:

(1) The accused knows or has reason to know that the victim is mentally incapacitated, mentally disabled, or physically helpless.

(2) The accused uses force, element of surprise, or coercion.

(3) The accused engages in the medical treatment or examination of the victim for the purpose of sexual arousal, gratification, or stimulation.

§ 11-37-6. Third-degree sexual assault.

A person is guilty of third-degree sexual assault if he or she is over the age of eighteen (18) years and engaged in sexual penetration with another person over the age of fourteen (14) years and under the age of consent, sixteen (16) years of age.

DOMESTIC VIOLENCE- (R.I.G.L. 12-29-2)

§ 12-29-2. Definitions.

(a) "Domestic violence" includes, but is not limited to, any of the following crimes when committed by one family or household member against another:

- (1) Simple assault (§ 11-5-3);
- (2) Felony assaults (chapter 5 of title 11);
- (3) Vandalism (§ 11-44-1);
- (4) Disorderly conduct (§ 11-45-1);
- (5) Trespassing (§ 11-44-26);
- (6) Kidnapping (§ 11-26-1);
- (7) Child-snatching (§ 11-26-1.1);
- (8) Sexual assault (§§ 11-37-2, 11-37-4);
- (9) Homicide (§§ 11-23-1 and 11-23-3);
- (10) Violation of the provisions of a protective order entered pursuant to § 15-5-19, chapter 15 of title 15, or chapter 8.1 of title 8 where the respondent has knowledge of the order and the penalty for its violation, or a violation of a no contact order issued pursuant to § 12-29-4;
- (11) Stalking (chapter 59 of title 11);
- (12) Refusal to relinquish or to damage or to obstruct a telephone (§ 11-35-14);
- (13) Burglary and Unlawful Entry (chapter 8 of title 11);
- (14) Arson (chapter 4 of title 11);
- (15) Cyberstalking and cyberharassment (§ 11-52-4.2);
- (16) Domestic assault by strangulation § 11-5-2.3; and
- (17) Electronic tracking of motor vehicles (§ 11-69-1).

(b) "Family or household member" means spouses, former spouses, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past three (3) years, and persons who have a child in common regardless of whether they have been married or have lived together, or persons who are, or have been, in a substantive dating or engagement relationship within the past one year which shall be determined by the court's consideration of the following factors:

- (1) The length of time of the relationship;
- (2) The type of the relationship;
- (3) The frequency of the interaction between the parties.

(d) "Victim" means a family or household member who has been subjected to domestic violence.

STALKING- (R.I.G.L. 11-59-1 through 11-59-2)

§ 11-59-1. Definitions.

For the purpose of this chapter:

(1) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct."

(2) "Harasses" means a knowing and willful course of conduct directed at a specific person with the intent to seriously alarm, annoy, or bother the person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, or be in fear of bodily injury.

§ 11-59-2. Stalking prohibited.

(a) Any person who: (1) harasses another person; or (2) willfully, maliciously, and repeatedly follows another person with the intent to place that person in reasonable fear of bodily injury, is guilty of the crime of stalking.

(b) Stalking shall be deemed a felony punishable by imprisonment for not more than five (5) years, by a fine of not more than ten thousand dollars (\$10,000), or both.

ADDITIONAL IMPORTANT INFORMATION

CAMPUS CRIME STATISTICS

The college compiles annual statistics on crimes occurring on or adjacent to each of our campuses and satellite locations in full compliance with the Clery Act. The college's annual report can be accessed online from the college's home page under "Quick Links." Hard copies of the report may be requested directly from Campus Police.

CLOSINGS, CANCELLATIONS AND DELAYS

Please note: Parking that prevents snow removal is prohibited.

The following radio and television stations and websites will be broadcasting/publishing up-to-date information concerning class cancellations whenever a weather or general emergency exists. These announcements will pertain to all campuses, including our satellite campuses.

Closings of one or more campuses due to problems specific to each campus also will be announced via the mediums listed below. Announcements also will be placed on the CCRI home page and made through the college's RAVE emergency notification system. Local media sources where up-to-date storm and emergency closing and delays information will be posted include:

FM Radio: WELH - 88.1, WPRO - 92.3, WHJY - 94.1

Television: WLNE - Channel 6 (ABC), WJAR - Channel 10 (NBC), WPRI - Channel 12 (CBS)

Online: ABC6.com, TurnTo10.com, WPRI.com

ID CARDS

All students enrolled in CCRI are required to obtain a Knight+ student ID card through the Campus Store. Student IDs are necessary for library, computer lab, and field house usage. To receive a student ID, students must present their driver's license or state ID along with their current CCRI schedule. A detailed schedule can be obtained through MyCCRI bearing the student's ID number. There is no charge for the first ID card. Reprints for any reason are \$15 for students, faculty, or staff. Students are encouraged to use the "Picture upload" feature included in the free TouchNet OneCard app in order to receive their ID quickly.

LOST AND FOUND

Campus Police handles all lost and found property. Students who find any items including textbooks, handbags, clothing, eyeglasses, etc., should bring the items to the Campus Police office on the campus where the item was found so an attempt can be made to locate the owner. Students also are encouraged to go to the Campus Police office to check for their lost items and file a report. Whenever claiming property, students must provide proper identification.

PARKING POLICY

These regulations have been established for the control of parking on the campuses of the Community College of Rhode Island. These regulations apply to students, faculty, staff and visitors to the campus.

1. General Provisions

- Parking on campus throughout the year, including break periods, is only allowed between the hours of 6 am–11 pm Monday through Friday, and between 7 am–9 pm Saturday and Sunday.
- All vehicles operated and parked on college property by students, faculty, and staff must be registered.
- Faculty and staff must affix parking permits to the lower right of the vehicle's rear window; they must be

clearly visible from the rear of the vehicle.

- The registration of a vehicle on campus does not guarantee a parking place, but affords the registrant an opportunity to park in authorized parking areas when parking space is available. To take advantage of campus parking, students, faculty, and staff agree to park in appropriate, designated areas.
- Campus Police are responsible for the administration and enforcement of these regulations and may impose traffic control restrictions as required.
- Conference parking, special events parking and all temporary parking requirements of the college are to be scheduled in writing and approved through Campus Police by the college sponsor or host.
- All vehicles must display current motor vehicle registration.
- Infractions of these parking regulations are the responsibility of the owner who registered the vehicle.
- Faculty and staff with a registered vehicle who need to operate a different vehicle temporarily must secure a temporary permit at no charge from the Campus Police.
- The college is not responsible for losses due to theft or damage to vehicles while on college-owned property.
- Students may only park in the designated student lots. They may not park in visitor spaces or in faculty or staff lots.

2. Visitors

Knight Campus

- One-hour (maximum) parking is provided for anyone needing to access the Student Services area (i.e. Bursar, Enrollment Services, registration, etc.) in the short-term parking located at the north entrance of the building. All other students, faculty and staff are not permitted to use this lot at any time. This lot, however, may be restricted by the Campus Police for officially sanctioned college events with proper notification and reservation with the Campus Police.
- Visitors will park only in designated areas or the large student lot.

Flanagan Campus

- Visitors will park in the designated visitor spaces in the faculty/staff lot adjacent to the administrator parking area.

Liston and Newport County campuses

- Students and visitors will park in the large designated student parking areas.

3. Regulations and Violations

The following constitute parking violations:

- Parking in fire lanes;
- Parking in handicapped, reserved, loading or visitors' spaces without a proper permit;
- Parking in a lot without a proper and current permit;
- Parking on the grass, unless authorized by Campus Police;
- Parking in violation of a posted sign;
- Obstructing other vehicles or traffic;
- Taking more than one parking space or failure to park within lines and designated spaces;
- Parking against yellow curbing; and
- Other violations as promulgated by the Rhode Island Council on Postsecondary Education.

Students may park only in the designated student lots. Faculty and staff must display a current parking permit properly and park in their designated lots. Campus Police officers enforce all parking and traffic laws as well as all other laws as permitted in the General Laws of the State of Rhode Island.

4. Tow and Parking Penalties

The following are penalties:

- Parking in fire lanes: \$100 plus towing at owner's expense
- Parking in handicapped spaces: Penalty for the first offense is \$100, which increases with each subsequent violation.

- Misuse of handicap passes/placards: \$125
- Parking in reserved areas, loading areas or the short-term lot: \$85
- Obstructing other vehicles or traffic: \$85 plus towing at owner's expense
- Parking in a lot without proper permit: \$85
- Parking on the grass: \$85
- Parking in violation of a posted sign: \$85
- Taking more than one parking space: \$85
- Right of way in cross walks: \$85

Payments should be made as instructed on the parking ticket. Failure by students, faculty and staff to remit fines or the repeated violation of parking regulations may result in the loss of parking privileges. Failure to remit fines will result in the loss of the vehicle owner's registration and suspension of driver's license as mandated in the General Laws of the State of Rhode Island.

Unauthorized vehicles parked on campus, vehicles parked in fire lanes, vehicles illegally parked in handicapped, reserved, loading, short-term parking or visitors' spaces, vehicles that are immobilized, obstruct traffic or impede the normal functions of the college are subject to towing at the owner's or operator's expense. Notify Campus Police immediately if your vehicle is disabled on campus.

Students, faculty, and staff with two unpaid parking fines who incur a fine for a third parking violation are subject to revocation of their parking privileges, towing or other penalty.

5. Appeals

Tickets for parking violations may be appealed by checking "Not Guilty" on the ticket and mailing the document to the indicated address. You must then appear on the court date on the violation.

All questions regarding parking regulations should be addressed to the chief of Campus Police.

RECOGNITION OF STUDENT ORGANIZATIONS

Groups of students may come together around a common purpose or activity under the auspices of the community college. These student groups must be recognized by the college in order to operate on campus and use the name Community College of Rhode Island or CCRI. Student groups may be sponsored by Student Government or, if appropriate, chartered with the Dean of Students Office if determined to be a necessary component of campus life. Participation in student groups requires active enrollment status and leadership in a student group also requires a minimum cumulative GPA of 2.5. Student groups may establish additional participation requirements; however, they may not establish requirements that violate existing college policy or the college's nondiscrimination policy.

Recognition is a privilege granted by the college. Recognition confers the following privileges:

- Use of "Community College of Rhode Island" in the group's name and materials.
- The opportunity to request funding from Student Activities Fees.
- The ability to reserve campus facilities and hold events and activities on campus.

Recognition can be revoked if the group does not conduct itself according to college policies and the Student Code of Conduct.

To apply for recognition, a group must:

- Have a purpose and identity that is not duplicative of other groups on that campus. Groups that wish to establish a presence on a campus that is similar or identical to that of a group on a different campus must work with that group as part of the application process.

- Secure the commitment of a full-time faculty member or staff member who agrees to serve as the group's adviser, observe and enforce college policies and procedures and to participate in regular adviser training.
- Establish the group's initial leadership, minimally a president and treasurer, who have the minimum student leader required GPA of 2.5 and who are not on academic or disciplinary probation.
- Compile a roster of at least six (6) additional students who are committed to being members of the group for a total of ten (10) founding members.
- Develop a constitution for your group using the templates available from Student Life and submit for review.
- Once all of the above is done, petition your campus Student Senate for its support.

If your campus Student Senate supports your recognition, the president of your campus Student Government will present your request for formal recognition as a club to the dean of students after a period of no less than one semester and no greater than two semesters. During this conditional period, the student group is supported by its campus Student Government as it establishes itself, organizes and holds initial events, though it will lack a vote in the campus Student Senate.

Faculty- or staff-driven organizations for students that do not qualify for status as a club, but believe that they have a compelling purpose that would contribute to the quality of student life may petition the dean of students for recognition as a sponsored program. Athletic and academic organizations that are managed by a department or carry a considerable co-curricular component may not be sponsored by Student Government and must be organized through the Dean of Students Office. This carries most of the privileges of becoming a recognized club, less a reserved seat in the campus Student Senate.

STUDENT GOVERNMENT

The Community College of Rhode Island recognizes the right of students to associate and form an autonomous student government association under the umbrella of the Community College of Rhode Island. To that end, the community college grants the following limited privileges to student government that are subject to, and under the supervision of, the Vice President of Student Affairs and/or her designees.

- The right and responsibility to negotiate and adhere to a constitution which, upon approval of the vice president of Student Affairs, shall serve as an agreement between the community college and Student Government on how Student Government will operate and that will delineate the boundaries of Student Government's authority within the community college.
- The right and responsibility to elect officers on each campus to officially represent the students of the community college.
- The right and responsibility to appoint students to college committees and boards where students have seats.
- The right and responsibility to prudently manage and allocate appropriated student activities fees for the benefit of all students regardless of class, status, program or any other categorization in accordance with state accounting and purchasing guidelines and in collaboration with Student Affairs.
- The right and responsibility to advocate on behalf of students for the improvement of the student experience in and out of the classroom.

The rights and responsibilities delegated to the student government association may be revoked by the community college if rights are abused, responsibilities are not met, or college policies are violated. The community college has established staff positions through the Dean of Students Office to facilitate the activities and operations of Student Government and other student groups.

SEX OFFENDER REGISTRY

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 is provided by the state concerning registered sex offenders and where it may be obtained. It also requires sex offenders to register with the state and to provide

notice, as required under state law, to each institution of higher education in that state at which the person is employed, carries on a vocation or is a student.

In Rhode Island, convicted sex offenders must register with the local police department in their municipality AS WELL AS the local police department in the town or city in which they take classes. Every person convicted on or after July 1, 1997, including juveniles sentenced as adults of an offense for which registration is required as part of the sentence imposed upon conviction, to register and reregister with the local police agencies.

In addition, all persons convicted of violations under United States law or any other state law substantially similar to an offense for which registration is required shall provide to the local agency all necessary information within 10 days of establishing a residence and reregistering within ten (10) days of any change.

The Community College of Rhode Island requires that sexual offenders register as such with Campus Police before the first day of **every semester** in which they will be enrolled. Failure to comply with any part of this policy will result in administrative withdrawal from all registered courses and possible disciplinary action.

Offenders may be restricted from registering for courses in certain locations or at certain times depending on the type of activities that may occur in said place or at said time. In addition, depending on the terms of their registration, prevented from registering in courses in which minors are enrolled. In order to ensure that minors are protected and that offenders are not unknowingly violating the terms of their registration, offenders may have an administrative hold placed on their account and must register for their classes through the Dean of Students Office.

It is the practice of the community college to make the following notifications through the Dean of Students Office in conjunction with Campus Police when a level II or III sexual offender registers with the college:

- The faculty members for the offender's classes for the current semester
- The Vice President of Student Affairs
- Campus Police
- Managers of open-access centers on the campuses in which the offender is taking classes, including
 - The library
 - Computer labs
 - Success Centers
 - Fitness Centers
 - Advising and Counseling

Notifications are not subject to announcement, but can be shared with staff working in an open-access center. The community college does not make notifications for Level I sexual offenders pursuant to state law.

To Obtain Information on Sex Offenders

Any person wanting information on registered sex offenders or related information should contact the local municipal police agency with jurisdiction for the location of our campuses. The State of Rhode Island Parole Board maintains the following website: www.paroleboard.ri.gov/sexoffender/agree.php

TEXTBOOKS

To assist Campus Police in returning lost textbooks, students should record some identification or contact information or in the book. Please note: Students should confirm they have purchased the correct textbooks before recording any information in the book.

TRAFFIC ACCIDENTS

All traffic accidents that occur on campus must be reported to the Campus Police as soon as possible 401-825-2000. Police officers patrol the campus on foot and with patrol vehicles and should be summoned to the scene of any accident. A report to police will allow the officers to call for the assistance of rescue, fire, and additional police

personnel. Any person who leaves the scene and fails to report an accident will be subject to the same penalties under Rhode Island Motor Vehicle Laws and will be referred to the Dean of Students Office.

At the time of its publication, the information contained in this handbook was accurate and complete to the best of the knowledge of CCRI faculty and staff. Please be advised, however, that the college reserves the right to make changes it deems necessary at any time to the policies included herein, without notice or obligation. Students should check this site for regular updates.