



# Saint Mary-of-the-Woods College

## Annual Campus Security and Fire Report

Publication Date; September 28, 2018

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## Annual Campus Security and Fire Safety Report

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The annual security and fire safety report is released by October 1 of each year. The report is in compliance with state and federal crime awareness and campus security legislation, including the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at [www.smwc.edu/resources/security](http://www.smwc.edu/resources/security).

### Overview

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The Security Department is responsible for establishing and maintaining a safe and secure environment for the Saint Mary-of-the-Woods (SMWC) community. The Security Department is staffed 24 hours a day, seven days a week. All security officers are uniformed, and while not armed, are in radio contact with other officers and the Campus Life staff at all times. Should assistance be required, Security is also in contact with the Vigo County Sheriff's Department and the Indiana State Police. All security officers are trained in basic first aid and CPR procedures. Security can be reached on any campus phone by calling ext. 5253. If calling from an outside phone, please call 812-535-5253. In an emergency situation, Security can be reached directly at 812-535-6200, or by calling ext. 6200 from any campus phone.

Campus Life and the Security Department is responsible for the preparation of the annual security report. Security provides a compilation of all required crime statistics and fire statistics. The report is prepared in cooperation with the Security Department, Campus Life, and other administrators that have direct relationships with students such as athletic directors, coaches, and faculty advisors. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Saint Mary-of-the-Woods College's annual security report includes statistics for the previous three years concerning reported crimes that occurred on campus and property adjacent to campus and a fire safety report for the past year. The property adjacent to campus is all privately owned property; there is not any public-owned property easily accessible from campus. The Campus is located on 67 acres and either contains a fence or a wooded area beside public roadways. The Campus is shared with the Sisters of Providence. The report also includes emergency procedures, institutional policies concerning campus security, such as the policies concerning alcohol and drug use, crime prevention, the reporting of crimes, discriminatory harassment, sexual harassment, sexual assault, and fire statistics for the residence halls.

Each year, an email notification is made to all enrolled students, faculty, and staff providing the web site to access this report. The Annual Security Report is available to the community, prospective students, and prospective employees via our web site. It may be reviewed online or a printable copy may be downloaded. If desired, individuals may request a printed copy of the report by contacting Campus Life at (812) 535-5219 or email [campuslife@smwc.edu](mailto:campuslife@smwc.edu).

### Safety of and Access to Campus Facilities

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The SWMC campus is made up of a variety of facilities: Le Fer Hall, Jeanne Knoerle Sports and Recreation Center, Guerin Hall, Rooney Library, Hulman Hall, Conservatory of Music, Mari Hulman

George School of Equine Studies, and the Mary Goodwin Guest House. In the daytime there is open access to academic and administrative buildings.

Le Fer Hall, the residence hall for Saint Mary-of-the-Woods College is secured by a prox card system. The residence hall is locked 24 hours a day and 7 days a week. Only residence hall students have a prox card that will allow them into the residence hall portion of the building. The outer doors of the building are locked at 12:00 a.m. Monday – Thursday and 2:00 a.m. Saturday and Sunday. The outer doors of the building are unlocked every morning at 7:00 a.m. Le Fer Hall has front desk staff from 8 a.m. until midnight Monday through Friday and from 10 a.m. – 2 a.m. on Saturday and Sundays through the academic year with the exception of breaks. During all breaks buildings are locked by 6 p.m. and can be accessed by contacting Security should there be a legitimate reason to enter a building. Emergencies may necessitate changes or alterations to any posted schedules.

### Student Organization Facilities

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Saint Mary-of-the-Woods College does not have any student organization facilities, on or off-campus. If you believe a crime has been committed during a student event on campus, please follow the procedures outlined in *Reporting a Crime* within this report.

### Off-Campus Housing

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Saint Mary-of-the-Woods College does not have any off-campus housing. All campus housing is located on campus and served by SMWC/Sisters of Providence Security. If you believe that a crime has been committed in campus housing, please notify the Security at ext. 5253, or the Campus Life office at ext. 5219. When calling off campus, please call 812-535-5253 or 812-535-5219.

### SMWC's Working Relationships with State and Local Law Enforcement Agencies

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Saint Mary-of-the-Woods College/Sisters of Providence Security Personnel cooperate fully with local and state law enforcement agencies in cases that involve the campus.

### Campus Security Authority

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SMWC/SP Security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Saint Mary-of-the-Woods College. SMWC/SP Security officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. Security officers do not possess arrest power. Criminal incidents are referred to the local police who have jurisdiction on the campus. The SMWC/Security Office maintains a highly professional working relationship with the Vigo County Sheriff's Department. All crime victims and witnesses are strongly encouraged to immediately report the crime to Security and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

## Timely Warnings

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In the event that a situation arises, either on or off campus, that, in the judgment of the Vice President for Academic and Student Affairs and/or Vice President for Finance and Administration, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college email system to students, faculty, and staff.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, Security will send an emergency alert via the text-messaging service, e2Campus, a free service to all Saint Mary-of-the-Woods faculty, staff, and students. Again, depending on the circumstances of the crime and the immediate availability to electronic programs, the College may post the alert on the main page of the web site: <http://www.smwc.edu>.

Anyone with information warranting a timely warning should report the circumstances to Security personnel, by phone at 812-535-6200 or to the Associate Vice President for Student Affairs at 812-535-5219. To report in person, go to 032 Le Fer Hall (ground floor, north of center stairs) or 138 Le Fer Hall (first floor between the marble stairs and south elevator).

## Emergency Procedures

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### Fire Safety

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#### To Report a Fire

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1. ***Pull the fire alarm*** located at the end of each hallway.  
Note: Residents should acquaint themselves with the locations of these alarm boxes.
2. ***Call 911*** and tell them the exact location of the fire.
3. ***Call Security at ext. 6200***

Alarms will be sounded and the building is to be evacuated totally. If weather conditions or time warrant, occupants will be sent to another building.

- If you are in a room close the window
- If there is smoke use a wet towel to breathe
- Leave the room and close the door
- Use stairwells, do not use the elevator
- If the fire is outside the door remain in the room near the window so that firemen can locate you

Each building has a fire panel that indicates the location of the alarm or detector that has been triggered. Security will go to the indicated location to verify that there is indeed a fire and if a dangerous situation is present the fire department will be notified.

No one will be allowed to reenter the building until the fire department gives the all clear sign to Security.

### Tornado Safety

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Security and emergency responders will notify occupants if a tornado warning has been received from the National Weather service.

- Occupants will be directed by Security, resident assistants or staff members to the lowest and centermost floor of a building.
- Keep persons away from windows and do not let anyone exit the building until the danger has passed and the all clear has been given by Security

### Injury of Person

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If an ambulance is needed dial 911 and identify yourself and your specific location on campus.

- Call Security (ext. 6200) and inform them that you have called an ambulance so that they can assist in directing the response team.
- If it is a student that has suffered an injury the Associate Vice President for Student Affairs and/or resident assistant on call should be informed.
- If it is a staff or faculty member the Director of Human Resources should be notified.

### Earthquake

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If an earthquake should occur, individuals should follow these instructions:

- Stay calm and assess your situation; if you are inside, stay inside; if you are outside, stay outside.
- If indoors, take cover under a heavy desk, table, in a supported doorway, or along an inside wall. Do not exit the room, hall, or building until after the shaking has stopped.
- If outside, stay away from buildings and utility wires.
- Do not use candles or open flames.
- If in a moving vehicle, stop as quickly as possible and stay in the vehicle until the shaking stops.

After the shaking has subsided, persons should exit the building/vehicle and seek medical care if necessary. Please be aware that additional tremors are likely.

### Armed Intruder

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Call 911

- Notify Security (ext. 6200) immediately of the specific location of the armed individual.
- Do not approach the person and keep yourself and others away from the area until you receive instructions from Security or law enforcement officials.

Officials of the College in consultation with Security and local law enforcement will determine the need to lock down a facility or evacuate the building.

- If a building is locked down and secured, Security and designated College personnel will give directives to those in the building in question.
- An email marked urgent and a campus-wide voicemail will be sent informing the community of the necessary steps to take to prevent interaction with the intruder and/or law enforcement.

### Bomb Threat

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In the event that a bomb threat has been received the fire alarm in the targeted building(s) will be activated:

- Occupants will be directed to evacuate the building
- Law enforcement will be contacted
- Occupants may be directed to another building for shelter until the threat has been neutralized



- Vice President for Academic Affairs 206 Guerin Hall 812-535-5285
- Associate Director of Campus Life 027 Le Fer Hall 812-535-5173

Saint Mary-of-the-Woods College encourages anyone with knowledge of a crime on or off campus to report it. In order to maximize safety on campus and to aid in prompt investigations, please report to the SMWC/SP Security Department any incident that may qualify as homicide (murder, non-negligent and negligent manslaughter); sex offenses (forcible, non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; arson; and any hate crime for inclusion in the Annual Campus Security Report. Reporting does not mean you must take legal action. It may, however, help security officers to stop further incidents as well as keep the community informed about criminal activity.

To make a report in person, go to the Security office or the Campus Life office. The Security office is located on the ground floor of Le Fer Hall, room 032 across from the Campus Life office, located in room 027. To make a report by phone, call 812-535-5253 and describe the situation to the officer. In emergency situations, including fires and medical emergencies, call 911. If another person is available, ask them to call Security at 6200 to alert them to the 911 emergency and to give them as many details about the emergency as possible.

Saint Mary-of-the-Woods students requiring non-emergency medical care may contact the Health Services Center at 812-535-5200 (ext. 5200 on campus) to speak with the nurse practitioner and to receive referrals and information to clinics that see patients without appointments. Students seeking counseling services may contact the Counseling office at 812-535-5102 (ext. 5102 on campus).

### Confidential Reporting Procedures

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If you are the victim of a crime and do not want to pursue action with the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, Security can file a report on the details of the incident on your behalf. 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 where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

### SMWC/Sisters of Providence Security Response to a Crime Report

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When you report a crime to the SMWC/Sisters of Providence Security Office, an officer will meet with you, listen to what happened, and, if necessary, make a preliminary report. They may also ask that you speak with a member of the Campus Life staff or the Vigo County Sheriff's Department. They will advise you if there is anything further that you need to do. In the case where charges are pressed with the local police or sheriff, you may be asked to sign an arrest warrant.

You are encouraged to report any criminal activity even if you don't want to take legal action in order to help us maintain accurate statistical records. Campus Life is responsible for preparing the

College's Annual Campus Security Report and for obtaining the compiled crime statistics that are included in this report from Campus Security. The information you report may require the College to issue a Crime Alert if it is determined by the Vice President for Academic Affairs that the circumstances warrant such action.

## Reporting Off-Campus Crimes and Other Emergencies

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Victims or witnesses to criminal activity occurring off campus should contact the agency that has jurisdiction:

- Vigo County Sheriff's Department at 812-232-3801
- Indiana State Police at 812-299-1151
- Illinois State Police at 217-265-0050

SMWC/Sisters of Providence Security officers can assist in notifying law enforcement agencies.

## Daily Crime Logs/Summary of Criminal Incidents

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The SMWC/Sisters of Providence Security Department compiles statistical information from the contents of the daily security report which contains summaries of each day's events. In addition to the daily security report, individual reports are made for any campus incident. Incident reports include location, type, date, time, officer's name, and disposition of the complaint. To view a report, please contact the director of Security at 812-535-5253.

## Crime Alerts

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If a serious or unique crime has occurred and the circumstances warrant it (as in the case of a violent crime against a person or a major property crime), an email will be sent to the SMWC community by the Associate Vice President for Student Affairs or by Security. The alert may also be issued using our emergency text-messaging service, e2Campus, through the siren system, or by a combination of email, text-messaging, or siren alerts.

## Emergency Responders

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Each campus building has one or more emergency responders. The emergency responders are responsible for notifying others in their building of the emergency. The responder list will be activated by Security or a member of the College cabinet. Cabinet members include the President, Vice President for Academic and Student Affairs, Vice President for Finance and Administration, Vice President for Advancement, and the Vice President for Enrollment Management. This is in addition to the media alerts as outlined in the preceding paragraph.

## e2Campus

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e2Campus is a text-messaging alert system that is used to send critical alerts to the Campus Community when a serious crime is in progress or has been committed. This is a free subscription service for members of the College Community. Each member is encouraged to subscribe to this service. To subscribe:

- Go to <https://www.e2campus.net/my/smw/>
- Choose “Create New Account”
- Complete the form

## Emergency Sirens

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Saint Mary-of-the-Woods College has installed a siren system that will sound to alert the Campus about criminal or weather-related alerts. Alerts will be activated by security personnel.

## Additional Sources of Statistical Information/Voluntary, Confidential Reporting

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In accordance with Department of Education federal regulations, SMWC has developed, and periodically reviews, procedures to include in campus crime statistics, reports of required crimes made to the following Campus authorities: Office of Campus Life, and the SMWC/Sisters of Providence Security Department.

## Confidential reporting to Pastoral and/or Professional Counselors

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As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092(f), clarification was given to those considered to be campus security authorities. Under the law, campus pastoral and professional counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of campus crime statistics. As a matter of policy, however, Saint Mary-of-the-Woods College encourages its counselors, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All verified and unverified confidential reports of sexual offenses that meet the reporting criteria as determined by SMWC administrators and SWMC/Sisters of Providence Security are included in the SMWC campus crime statistics. Crimes reported to counselors at the Counseling Office are not included unless the victim chooses to report to one of the other campus security authorities.

## Obtaining Information about Registered Sex Offenders

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Adult criminal sex offenders who must register with law enforcement officials must notify those officials of their enrollment or employment at institutions of higher education within the state. The Indiana Sex and Violent Offender Registry is maintained by the Indiana Department of Correction.

Indiana Department of Correction  
Sex and Violent Offender Registry  
Indiana Government Center South  
302 W. Washington St., E334  
(317) 232-1232 (phone)  
(317) 234-1953 (fax)  
[www.insor.org](http://www.insor.org)  
[svor@cji.in.gov](mailto:svor@cji.in.gov)

## Annual Fire Safety Report

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Under the Higher Education Opportunity Act of 2008 (HEOA), Section 488(g), HEA 485(i), an FSA-eligible school that maintains on-campus housing facilities is required to publish an annual fire safety report. Saint Mary-of-the-Woods College maintains one student residence hall: Le Fer Hall.

### Residence Hall Fire Safety and Sprinkler System

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Le Fer Hall is equipped with a sprinkler system for fire suppression, smoke detectors, an alarm system, and emergency hall lighting. Alarm pulls and fire extinguishers are wall-mounted throughout the halls. Safety instructions are posted in key areas for quick reminders as to what to do in the case of a fire or other emergency.

### Mandatory Supervised Fire Drills

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In collaboration with the director of Campus Life, SMWC/SP Security performs supervised fire drills. These fire drills are held twice a semester at different times of the day and under various weather conditions. In order to simulate a real fire, drills are not pre-announced.

### Evacuation Procedures

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In the case of a fire or other emergency requiring evaluation, the following steps are taken:

1. Emergency alarms are activated
2. 911 is called  
Note: Students, faculty and staff need to dial 9-911 from a landline phone on campus.
3. Call to SMWC/SP Security to confirm alarm activation
4. Depending on the time of the day and day of the week, the Resident Assistant staff, Residential Community Advisors, or Emergency Responders will check the floors of the residence hall to ensure that everyone has evacuated the floor/hall.
  - a. Students are directed to:
    - i. If you are in a room close the window
    - ii. If there is smoke use a wet towel to breathe
    - iii. Leave the room and close the door
    - iv. Use stairwells, do not use the elevator
    - v. If the fire is outside the door remain in the room near the window so that firemen can locate you

No one will be allowed to reenter the building until the fire department gives the all clear sign to Security.

Note: Emergency Responders will check the floors during the work day; after hours and on weekends Resident Assistants and Residential Community Advisors will be responsible for checking the floors.

## Fire and Safety Policies

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The following regulations must be observed by all residents for purposes of personal safety, fire inspections, insurance and conservation of electrical energy:

1. Smoking is not allowed in any building on campus.
2. Every resident should use common sense when using electrical appliances. Appliances should not be left on in an unattended room. Electrical appliances that use heat (hair dryers, curling irons, etc.) need more power; therefore, they are more dangerous. The use of more than one of these heating appliances at once could result in a power failure to you and to your neighbors.
3. Power strips should be used in place of extension cords and plug adapters whenever possible.
4. Student installed air conditioners, halogen lights, hot plates, toasters, toaster ovens, microwaves and space heaters are NOT allowed in student rooms.
5. Refrigerators larger than 3.5 cubic feet are prohibited.
6. All appliances should be unplugged when the residence halls close.
7. The use of Christmas lights is discouraged. Lights can be used to decorate artificial trees in student rooms; however, students need to take the following precautions: unplug the lights when no one is in the room, keep cloth and other material away from the lights and do not use tape to hang the lights on walls and doors. In public areas (when students are present), electrical decorations may be used with the approval of the Associate Vice President for Student Affairs.
8. Candles and incense are not allowed due to fire hazard.

## Firearms

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Firearms/weapons are prohibited in all College buildings and on the College grounds.

**Annual Crime Statistics – Data from January 1, 2015 through December 31, 2017**

During the past three years, reported incidents for the following crimes are:

<b><u>Offense</u></b>	<b><u>Year</u></b>	<b><u>On-Campus Property</u></b>	<b><u>On-Campus Student Housing Facility</u></b>	<b><u>Non-Campus Facility</u></b>	<b><u>Public Property</u></b>
<b>Murder</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Negligent Manslaughter</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Sex Offense, Forcible</b>	2015	0	1	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Sex Offense, Non-Forcible</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Domestic Violence</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Dating Violence</b>	2015	0	0	0	0
	2016	0	1	0	0
	2017	0	1	0	0
<b>Stalking</b>	2015	1	0	0	0
	2016	0	1	0	0
	2017	0	0	0	0
<b>Robbery</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Aggravated Assault</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Burglary</b>	2015	1	2	0	0
	2016	2	0	0	0
	2017	1	0	0	0
<b>Motor Vehicle Theft</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0

<b>Arson</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Arrests: Illegal Weapons Possession</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Arrests: Liquor Law Violations</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Disciplinary Actions/Judicial Referrals: Drug Abuse Violations</b>	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
<b>Disciplinary Actions/Judicial Referrals: Liquor Law Violations</b>	2015	5	5	0	0
	2016	2	2	0	0
	2017	2	2	0	0

To date, we have not had any crimes committed that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity. In compliance with the Federal Student Right to Know and Campus Security Act, Saint Mary-of-the-Woods College provides information annually to all students and employees regarding rape prevention/sexual assault, drug and alcohol policies, drug and alcohol abuse prevention/treatment programs, and rates of instances of crime reported on campus.

Note: In prior years, statistics were reported for academic years rather than calendar years. This report is based on calendar years to comply with the Federal Student Right to Know and Campus Security Act.

### **Annual Fire Statistics - Data from January 1, 2015 through December 31, 2017**

Type of Fire/Related Injuries/Damage	2015	2016	2017
Unintentional Fire	0	0	0
Intentional Fire	0	0	0
Undetermined Fire	0	0	0
Deaths Related to Fire	0	0	0
Fire-related Injuries	0	0	0
Property Damage Value	0	0	0

Submission of SMWC Crime and Fire Statistics to Federal Agencies

In September 2000, Saint Mary-of-the-Woods College began submitting crime statistics online to the Department of Education. In September 2010, fire statistics were added to the submission. This data is available to the general public at <http://ope.ed.gov/security>.

## **Educational Programming – Crime Prevention Programs**

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Saint Mary-of-the-Woods College affords an environment that strives to minimize alcohol and drug use and to provide programming regarding crime prevention, dating violence and sexual harassment, both socially and in the work place. In addition, the College has a desire to intervene effectively or respond to the individual with a potential drug or alcohol problem. Consistent with the College mission, the College seeks to respond compassionately and with integrity through the following guidelines:

- conduct student presentations;
- work with College media;
- invite guest speakers to address alcohol and drug issues;
- invite guest speakers to address different social issues;
- inform and educate the campus and community.

Some of the programs offered annually to students, faculty and staff are listed below. Other programs regarding alcohol, drug use, sexual harassment, and smoking cessation will be offered upon request.

### Alcohol Awareness

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Campus Life sponsors and coordinates programs aimed at curbing alcohol use and raising awareness of the dangers associated with drinking. Throughout the year Campus Life in conjunction with the Resident Assistant staff offers alcohol prevention programming including alternatives to drinking alcohol. Additionally, alcohol free events are hosted on campus each weekend.

### Fire Prevention

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The resident assistants are trained in how to properly evacuate Le Fer Hall in the event of a fire. At the beginning of each semester, the resident assistants educate their residents on fire safety in a floor meeting. Students also volunteer to assist the resident assistants in the evacuation of their communities. Fire drills are conducted twice a semester in Le Fer Hall.

### Sexual Harassment/Sexual Violence

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Every undergraduate student in the campus program received a tri-fold brochure during orientation and registration that speaks about sexual harassment, sexual assault, and sexual violence. The brochure clearly defines sexual assault and gives several examples of what is considered “consent” and what is

considered “coercion.” It also makes it clear to the reader that a person who is sexually assaulted is never to blame for the assault. Other main topics of the brochure include what to do when you have been sexually assaulted and gives safety tips for dating smart, safety tips for partying smart, and how to respect sexual boundaries. When the brochure is folded, the back portion gives resources for those that have been sexually assaulted, identifying the Title IX coordinator and confidential resources, and provides contact information for the police, local hospitals, and various agencies that deal with abuse, pregnancy, crime, and mental health.

A workshop entitled Sexual Violence Prevention was attended by all freshmen attended during New Student Orientation. This session outlined the Saint Mary-of-the-Woods College sexual assault policy and covered all of the information in the tri-fold brochure (see above) and engaged students in open dialogue about consent, sexual assault and sexual harassment.

All students are required to annually complete an online workshop. *Think About It* is an ongoing online substance and sexual abuse training program that prepares students to confront and prevent serious campus problems.

All faculty and staff are required to annually complete an online workshop regarding Sexual Harassment/Sexual Assault. This workshop covers situations that may occur between supervisors and direct reports, employee and employee, and faculty and students.

## Saint Mary-of-the-Woods College Policies

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### Alcohol and Drug Policy

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Saint Mary-of-the-Woods College is committed to providing a safe environment for students, employees, and visitors. Furthermore, the College is committed to assuring its continued representation as a quality institution. To achieve these goals, Saint Mary-of-the-Woods College must take a firm and positive stand against drug and alcohol abuse. This policy is intended to ensure a drug free environment for our students, employees, and visitors.

#### Policy Requirement

- The use, possession, sale, or transfer of an illegal drug by any student on College property is strictly prohibited.
- Possession, distribution, or consumption of alcoholic beverages while on the property of Saint Mary-of-the-Woods College is not permitted except at official events catered by Food Service personnel and those served must be 21 years of age or older.
- No alcohol containers, whether empty or full, are to be used for decoration in resident rooms.

#### Treatment

- Students may be required to consult with the College Counselor to find a program that will help deal with any drug or alcohol problems.
- Students may be required to attend regular counseling sessions with the College Counselor and/or enroll in a substance abuse program.

#### Disciplinary Action

- A report will be written and submitted to the Campus Life office for any student found in possession of illegal drugs or alcohol.
  - Following the report submission, the Associate Vice President for Student Affairs may choose to forward the report to the Judicial Board. The Judicial Board is a peer-board that reviews reported incidents and recommends disciplinary sanctions should they feel that the evidence supports a policy violation. The Judicial Board is advised by the Student Affairs Administrative Assistant.
  - The student will be scheduled to appear before the Judicial Board. The board will review the report and give an appropriate sanction. Sanctions may include one or more of the following sanctions:
    - Online educational program on alcohol awareness
    - Community Service
    - Monetary Fine
    - Counseling
    - Meeting with the Vice President of Academic Affairs

- If the incident is deemed to be severe, the Associate Vice President for Student Affairs may choose to consult with the Vice President for Academic Affairs to review options. The options may include:
  - Required Counseling
  - Required Alcohol or Drug Program
  - Suspension
  - Dismissal

Updated August, 2009  
Revised August, 2011

## Harassment Free Environment

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The following policies address three different aspects of inappropriate conduct or behavior: Discriminatory Harassment, Sexual Harassment/Sexual Assault and Consensual Sexual or Romantic Relationships in the Workplace and Educational Setting. Collectively, the policies apply to all students, faculty, staff and others who participate in Saint Mary-of-the-Woods College's programs and activities.

### General Policy Statement for Sexual and Discriminatory Harassment

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It is the policy of Saint Mary-of-the-Woods College to provide an educational and workplace environment free from Sexual and Discriminatory Harassment. It is our goal to promote respectful behavior and interactions across our campus. No type of Sexual or Discriminatory Harassment will be tolerated and all incidents of intolerant or discriminatory behavior will be addressed. Individuals who violate this policy are subject to discipline up to and including termination of employment, dismissal from the College and/ or other appropriate sanction or action.

The College encourages a workplace and learning environment free of discrimination, harassment and/or inappropriate treatment of any student, employee or guest because of any person's race, sex, color, creed, religion, age, national origin, sexual orientation, veteran status, gender identity, gender expression, disability or any category protected under federal, state or local law. This policy applies to all students, faculty and staff of the College, as well as to persons employed by contractors or vendors who provide routine daily services to the college.

This policy encompasses all college activities including all academic, educational, extracurricular, athletic and other programs of the College. These activities may take place in a college facility, during college-sponsored trips or at a class, training program or event sponsored by the College at another location.

The College is committed to reviewing any and all sexual and discriminatory harassment charges and to handle such matters in a professional and timely manner. The College is obligated to communicate this policy to all members of the community and to provide educational programming and resources to ensure awareness and compliance with this policy.

## General Information

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### Responsibility of the Community

It is the responsibility of each employee of the College to report any suspected violation of this policy.

Every suspected violation of Sexual Harassment including sexual assault or misconduct, must be reported directly to the **Title IX Coordinators, Kari Wolfe (812-535-5220) and Frank Whittle (812-535-5161)**. The “responsible employee” is required to convey all pertinent information to the coordinator.

All other suspected violations of Discriminatory Harassment involving campus students should be reported to the **Associate Vice President for Student Affairs, 812-535-5219**, violations involving all other students should be reported to the **Vice President for Academic and Student Affairs, 812-535-5285** and incidents involving employee-employee violations should be reported directly to the **Director of Human Resources, 812-535-5284**.

Any student, campus visitor or person participating in a College activity, whether on or off campus, who has experienced or witnessed discrimination and/or harassment is required to report the incident(s) promptly. Prompt reporting of complaints is vital to the College's ability to resolve the matter.

## Confidentiality

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The College will make a reasonable effort to conduct all investigations and proceedings related to Sexual or Discriminatory Harassment allegations in a manner that will protect the confidentiality and privacy interests of all parties. Examples of situations where confidentiality cannot be maintained include circumstances where the College is required by law to disclose information, when disclosure is warranted by the College in order to protect the rights of others or in order to conduct a complete and thorough investigation. In addition to these efforts by the College, all parties to the alleged complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

## Retaliation

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Retaliation and/or reprisals against an individual who in good faith reports or provides information about behavior that may violate this policy will not be tolerated and may result in disciplinary action, up to and including termination of employment or dismissal from the institution.

## Required Training and Educational Programming

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All employees of the College, including student employees, are required to complete the online course from Workplace Answers once every two years. New employees will complete the online course during the first two weeks of employment. The College is required to identify and train a Title IX Coordinator and designate other qualified individuals as resources for all members of the community. Students must be offered educational programs and/or resources that promote personal safety, procedures for filing harassment complaints and specific information regarding sexual violence.

## Discriminatory Harassment

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Discriminatory Harassment is any unwelcome interpersonal conduct or comments, written, spoken or transmitted electronically, which would threaten a reasonable person, for reasons including but not limited to their race, color, sex, creed, religion, national origin, age, disability, gender identity, gender expression, disability, veteran status or sexual orientation. Similarly, any behavior that creates an offensive, demeaning, intimidating or hostile environment for a reasonable person constitutes harassment.

A “hostile work environment” is defined as any setting in which another’s (others’) behavior is sufficiently severe or pervasive that creates a work environment that is abusive. The level of “sufficient discomfort” must meet the legal test for “reasonableness” behavior that would cause any “reasonable” similarly employed person to be adversely impaired in performing assigned duties and responsibilities.

A “hostile educational environment” is defined as any educational setting in which another’s (others’) behavior causes or interferes with or limits a student’s ability to participate in or benefit from the educational program.

Reports or complaints of Discriminatory Harassment should be filed with the Director of Human Resources as soon as possible after the alleged offense has occurred and should be brought within 120 days of the incident of the discrimination.

## Complaint Procedures for Discriminatory Harassment

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### Reporting

Inquiries and complaints about discriminatory harassment involving employees may be brought to the **Director of Human Resources, 812-535-5284**, Guerin Hall, Room 110. Complaints involving employee-campus student will be addressed by the Director of Human Resources and the **Associate Vice President for Student Affairs, 812-535-5219, LeFer Hall, Room 138**, or the **Vice President for Academic Affairs, 812-535-5285**. Complaints involving employee-WOL/Graduate student will be addressed by the **Vice President for Academic and Student Affairs, 812-535-5285, Guerin Hall Room 206**. The management of all complaints of harassment and the implementation of these procedures is the responsibility of the Director of Human Resources. In the instance that a Vice President is the subject of a discriminatory harassment charge the President will be requested to designate another individual to fulfill responsibilities normally filled by an appropriate Vice President.

### Privacy

To protect both the Complainant and the Respondent, every effort will be made to protect the privacy interests of the persons involved in a manner consistent with the need for a thorough review of a report or complaint.

If the Complainant requests that his or her name or other identifiable information not be shared with the Respondent, or requests that the College take no formal action in response to a report, the Director of Human Resources in consultation with the appropriate Vice President(s) shall evaluate such request and notify the individual of the College’s response to the request. The College will honor the Complainant’s request to the extent possible based on a careful balancing of such requests with any legal reporting

requirements, the risk of harm to any individual and the College's duty to maintain a safe and non-discriminatory environment for all.

If the College honors the request for confidentiality, the College's ability to meaningfully investigate the incident and pursue disciplinary action against a Respondent may be limited. Complainants are advised, however, that the College may be obligated to move forward with a College - Initiated Investigation and potential disciplinary action if there is an individual or public safety concern and sufficient independent information exists to establish that the Discriminatory Harassment Policy has been violated.

### Interim Measures

Upon receipt of a complaint, the College will take interim measures to address concerns regarding safety and well-being. If necessary, the College will assist the Complainant in making reasonable efforts to avoid contact with the Respondent(s). Interim measures may include no contact directives, changes in class or work schedules, changes in College-owned living arrangements, interim suspension, College-imposed leave or any other measures that the College deems appropriate. Interim measures are available under both Informal and Formal Resolution Processes, although the ability to impose certain protective measures against a Respondent may require that the report be resolved through the Formal Resolution Process.

### Time Frame

The College encourages prompt reporting. Persons who have experienced or witnessed discriminatory harassment are encouraged to report the incident involving employees to the Director of Human Resources or incidents involving students, to the Associate Vice President for Student Affairs or the Vice President for Academic and Student Affairs as outlined above. Complaints must be filed within 120 days of the incident of discriminatory harassment or, where the discrimination or harassment is of an ongoing nature, within 120 days from the most recent incident. To file an Informal or Formal Complaint, a Complainant must complete a Complaint Information Form online, in person, or via electronic mail. The 120-day deadline to file a complaint does not apply to College-Initiated Investigations.

The resolution of the informal or formal complaint must be reached within thirty (30) days with the initial steps of the processes beginning within five (5) days of the filing of a complaint.

### Expectations Regarding Participation by the Parties

All employees and students have an obligation to cooperate in the conduct of these Procedures. Failure to do so may result in disciplinary action. In the event that a Complainant chooses not to participate in an interview or declines to provide information requested by the Director of Human Resources, the appropriate Vice President(s) and the Director of Human Resources may dismiss the Complaint. The Director of Human Resources and the appropriate Vice President shall provide written notice of such dismissal to the Complainant(s) and the Respondent(s). In the event that a Respondent chooses not to participate in an interview or declines to provide information requested by the Director of Human Resources or the Vice President, it may be determined that such information or interview, if provided or conducted, would be adverse to the Respondent. Where the Complaint or the circumstances involve potential criminal conduct,

however, a party may choose to remain silent during the process, and such silence will not be held as an admission or considered to be adverse to the party.

### Informal Resolution Process

The Informal Resolution Process is designed to empower the parties to an Informal Complaint to reach a mutually satisfactory agreement. For employee related incidents, the Director of Human Resources in consultation with the appropriate Vice President may take steps to resolve the Informal Complaint. For incidents involving students the Associate Vice President for Student Affairs will confer with the Director of Human Resources. Possible resolutions by agreement of the parties may include, but are not limited to, the following: an apology to the Complainant, assisting the Respondent to better understand the effects of his or her conduct and ways in which this behavior could be changed, participation in educational programs about equal opportunity or harassment, verbal or written reprimands, or other interventions or actions aimed at ending the discrimination or harassment, preventing its recurrence and addressing its effects.

Mediation may not be used, even with the agreement of the parties, in Complaints involving Sexual Violence or Relationship Violence. Similarly, a Complainant will not be required to resolve the matter directly with the Respondent.

The Informal Resolution Process will be concluded by one of the following: 1) a decision to stop further action on the Informal Complaint, 2) a resolution of the Informal Complaint by agreement of the parties or 3) initiation of the Formal Resolution Process.

### Formal Resolution Process

A Formal Complaint may be filed as the first course of action or following an Informal Complaint if there is no mutually acceptable resolution during the Informal Resolution Process. The College may also initiate an Investigation in the absence of a Formal Complaint by a Complainant.

To file a Formal Complaint, a Complainant must complete a written statement in person, or via electronic mail. The Complaint must be dated by the Complainant and describe the alleged incident(s) with the relevant date(s), name(s) of the Respondent(s) and name(s) of witness(es). For incidents involving employees, The Director of Human Resources can provide assistance in completing the Complaint Information Form.

Formal Complaints or College-Initiated Investigations in which a student or recognized student organization is named as a Respondent will be adjudicated by the Vice President for Academic Affairs upon the recommendation of the Associate Vice President for Student Affairs.

Formal Complaints or College-Initiated Investigations against employees, including faculty and staff, will be adjudicated by the Director of Human Resources and the appropriate Vice President.

## Investigations of Formal Complaints

As soon as practicable, the Director of Human Resources/Associate Vice President for Student Affairs/Vice President for Academic and Student Affairs will interview the Complainant. Following the completion of his or her interview with the Complainant, the appropriate Vice President will be notified in writing as to whether or not the allegations set forth in the Complaint, if substantiated, would constitute a violation of College policy.

In the event that this notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of College policy, or if the appropriate Vice President determines that the matter should be investigated, the Director of Human Resources will conduct a thorough fact-finding investigation and will meet separately with both the Complainant and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The Director of Human Resources may consider all relevant information, including evidence of pattern or prior misconduct by the Respondent, credibility of the parties and witnesses, and in very limited circumstances, the prior history of the Complainant with the Respondent. Both parties will be provided the opportunity to provide information and names of witnesses to the Director of Human Resources.

## Determination

Within five (5) days following the conclusion of the investigation, the Director of Human Resources will prepare and deliver a report to the appropriate Vice President. The report will include a finding based upon a preponderance of the evidence that 1) the allegations cannot be substantiated, 2) some or all of the allegations are substantiated or 3) the Formal Complaint was knowingly false or malicious. No violation of College policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the facts and information supporting each finding are more convincing than the facts and information offered in opposition to such finding. The report will include the basis upon which the Director of Human Resources reached his or her conclusions. The report will also include the determination of whether a violation of any College policy has occurred and a recommendation of the sanctions to be imposed, if any.

## Sanctions and Remedial Measures

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Sanctions will be decided by the Director of Human Resources and the appropriate Vice President. Sanctions will be decided on a case-by-case basis and will be in accordance with College policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, denial of a pay increase, demotion, probation or termination. Sanctions for students are listed in Regulations Governing Student Conduct and may include without limitation verbal or written warnings, restrictions, probation, probated suspension, suspension or dismissal.

Remedial measures for students, faculty and staff will be decided on a case-by-case basis. Such measures may include providing an escort to ensure safe movement on campus, ensuring that the Complainant and Respondent do not share classes or extracurricular activities, reassignment in the residence hall, tutoring or other academic support, arranging for extra time to complete or re-take a class or withdraw from a class without academic or financial penalty, job reassignment, targeted training for a group of students, faculty or staff and other remedies that can be tailored to the needs of the parties.

The appropriate Vice President will communicate in writing the final sanctions and/or remedial measures for the complainant/respondent employee(s) and/or complainant/respondent student.

## Policy Statement

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### Sexual Harassment/Sexual Assault/Sexual Violence

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Saint Mary of the Woods College defines Sexual Harassment as any unwelcome and inappropriate conduct of a sexual nature. Sexual Harassment is any act of sexual violence and sexual exploitation. It may include sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct resulting in the interference with an individual's employment or academic performance or creating an intimidating, offensive or hostile environment for that individual's employment, education or participation in a College activity.

### Responsibility of the Title IX Coordinator

Responsible for oversight of the investigation and resolution of all reports of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking, Domestic Violence and Dating Violence involving students, staff and faculty.

## Responsibility of the Community

It is the **responsibility of each employee** of the College to report any suspected violation of this policy.

Any student, campus visitor or person participating in a College activity, whether on or off campus, who has experienced or witnessed an incident of sexual harassment is encouraged to report the incident(s) promptly. Prompt reporting of complaints is vital to the College's ability to resolve the matter.

Every suspected violation of Sexual Harassment including sexual assault or sexual misconduct, must be reported directly to the **Title IX Coordinator, Kari Wolfe (812-535-5220) and Frank Whittle (812-535-5161)**. The “responsible employee” is required to convey on all pertinent information to the coordinator.

## Definitions

- What is Sexual Violence?
  - Any non-Consensual sexual act, including but not limited to rape, sexual assault, sexual battery and sexual coercion. Sexual Violence also includes Relationship Violence.
- What is Sexual Assault/Sexual Misconduct?
  - Any act of sexual violence, including but not limited to rape, sexual assault, sexual battery, stalking, and sexual coercion.
- What is stalking?
  - Any knowing or intentional course of conduct involving repeated or continued following, threatening or intimidating another by telephone, mail, electronic communication, social media, in person or any other action, device or method that 1) would cause a reasonable person to suffer substantial emotional distress or fear of bodily injury or death and 2) actually causes such person substantial emotional distress or fear of bodily injury or death.
- What is Domestic Violence?
  - Any act of violence or coercion committed by a current or former spouse of an individual, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- What is Dating Violence?
  - Any physical, sexual and/or psychological harm against an individual by a current or former intimate or romantic partner. Intimate or romantic partners may be dating, cohabitating, married, separated or divorced, and may be of the same or opposite sex.
- What is Sexual Consent?
  - Sexual activity requires consent, which is defined as clear, unambiguous and voluntary agreement between the participants to engage in a specific sexual activity. **Consent cannot be inferred simply from the absence of a "no"; a clear yes, verbal or otherwise is necessary.**
  - **Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs or some other condition.**

**Consent cannot be obtained by threat, coercion or force. Agreement given under such conditions does not constitute consent.**

- **Consent can be revoked at any time.**

## Procedures for Reporting a Sexual Harassment/Sexual Violence Incident

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A first step for any complainant or third party witness may be choosing how to proceed following an incident of Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking and/or Relationship Violence. The College recognizes that deciding whether to make a report and choosing how to proceed can be difficult decisions. The College encourages any individual who has questions or concerns to seek the support of campus and community resources listed in the appendix of this policy.

The College is committed to treating all members of the community with dignity, care and respect. Any individual affected by Sexual Harassment, Sexual Violence, Sexual Exploitation, Stalking or Relationship Violence, whether as a complainant, a respondent or a third party, will have equal access to support consistent with their needs and available College resources.

The College encourages complainants to pursue criminal action for incidents of Sexual Harassment, Sexual Violence, Sexual Exploitation Stalking and Relationship Violence that may also be crimes under state criminal statutes. The College will assist a complainant, at the complainant's request, in contacting local law enforcement and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process.

Further, while a criminal investigation is initiated at the request of the complainant or at the discretion of law enforcement authorities, a Title IX investigation is not discretionary; a school has a duty under Title IX to resolve complaints promptly and equitably and to provide a safe and nondiscriminatory environment for all students, free from sexual harassment and sexual violence. Because the standards for pursuing and completing criminal investigations are different from those used for Title IX investigations, the termination of a criminal investigation without an arrest or conviction does not affect the school's Title IX obligations.

Of course, criminal investigations conducted by local or campus law enforcement may be useful for fact gathering if the criminal investigation occurs within the recommended timeframe for Title IX investigations; but, even if a criminal investigation is ongoing, a school must still conduct its own Title IX investigation.

## Confidential Reporting Resources

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without express permission of the individual. These "confidential resources" include medical providers, mental health providers, ordained clergy and rape crisis counselors, all of whom have privileged confidentiality that has been recognized by the law. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, or the conduct involves suspected abuse of a minor under the age of 18.

## Privacy and Release of Information

The privacy of the parties will be respected and safeguarded at all times. If a report of misconduct discloses a serious and immediate threat to the campus community, the College will issue a timely notification to the community to protect the health or safety of the community. The College may also share non-identifying information about reports received in aggregate form, including data about outcomes and sanctions. At no time will the College release the name of the complainant to the general public without the express consent of the complainant or as otherwise permitted or required by law.

## Complaint Procedure for Sexual Harassment

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The Title IX Coordinator will meet within five (5) days after a complaint is filed with the complainant to discuss options, resources available, and conduct an initial assessment of the incident or behavior at issue. This assessment based on the complainant's desired course of action, and the necessity for any interim remedies or accommodations to protect the safety of the complainant or the community, will determine Title IX Coordinator's immediate course of action which may include contacting appropriate officials of the College to address specific needs and issues.

After the initial assessment the Title IX Coordinator shall conduct an interview with the complainant for the purpose of determining the complaint/type of alleged harassment, the facts pertaining to time, date, and the name of the alleged perpetrator. Complainants will be informed that in severe instances such as sexual assault, the College is obligated by law to pursue a formal investigation.

If the alleged harassment is not sexual assault and instead is a lesser form of sexual harassment, the Coordinator shall offer the complainant two methods for addressing the complaint- one informal and the other formal. The Title IX Coordinator will also explore with the complainant the resolution the complainant is seeking.

## Informal Procedure

The **informal procedure** shall consist of the Title IX Coordinator working with the complainant to seek a quick and satisfactory resolution with emphasis on advising, problem solving, and actions to get the harasser (respondent) to stop the offensive behavior. Every effort will be made through conversation, investigation, reports from witnesses and mediation to provide an opportunity for prompt resolution of the complaint via interaction with the complainant and the respondent. The Title IX Coordinator will maintain a written log of all conversations and investigative information. The complainant may request to end the informal process at any time or in the event that no resolution is achieved the complainant has the right to request a formal investigation.

## Formal Procedure

The **formal procedure** is implemented within five (5) days upon receipt of a written statement submitted to the Title IX Coordinator by a complainant. The coordinator will contact the complainant and set up an interview with the intent of clarifying the identification of the alleged harasser(s) and the actions complained of, including relevant background facts and circumstances and names of witnesses.

The Title IX Coordinator will provide prompt notification to the respondent(s) of the Formal Complaint or notice of allegations through certified or express mail, electronic mail or hand delivery. The notification to the Respondent(s) will include a copy of the Formal Complaint, or, in College-Initiated Investigations, a statement of allegations, and a copy of any relevant College Policy and Procedures.

## College Initiated Investigation

In a College-Initiated Investigation, a Respondent will be provided with written notice of the allegations forming the basis of the College-Initiated Investigation. A complainant who may have been subject to sexual harassment that forms the basis of a College-Initiated Investigation shall 1) be provided with written notice that the College has commenced a College-Initiated Investigation; 2) upon request, be afforded an opportunity to meet with the Title IX Coordinator; 3) be provided with written notice of the determination of whether a violation of College policy occurred and any sanction or remedial measures imposed in connection with the violation; and 4) be afforded the right to appeal such determination, sanctions or remedial measures in accordance with stated procedures.

## Investigation of Formal Complaints

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As soon as practicable, the Title IX Coordinator will interview the Complainant. Within three (3) days following the completion of his or her interview with the Complainant, the Title IX Coordinator will notify the appropriate Vice President in writing as to whether or not the allegations set forth in the Complaint, if substantiated, would constitute a violation of College policy. If the Title IX Coordinator's notification indicates that such allegations, if substantiated, would not constitute a violation of College policy, the appropriate Vice President may dismiss the Complaint, and that decision shall be final. The Title IX Coordinator shall provide the Complainant and Respondent(s) with written notice of such dismissal.

In the event that the Title IX Coordinator's notification indicates that the allegations set forth in the Complaint, if substantiated, would constitute a violation of College policy, or if the appropriate Vice President determines that the matter should be investigated, the Title IX Coordinator will conduct a thorough fact-finding investigation and will meet separately with both the Complainant and the Respondent(s), interview pertinent witnesses and review relevant documents regarding the Formal Complaint. The Title IX Coordinator may consider all relevant information, including evidence of pattern or prior misconduct by the Respondent, credibility of the parties and witnesses, and in very limited circumstances, the prior sexual history of the Complainant with the Respondent. Both parties will be provided the opportunity to provide information and names of witnesses to the Title IX Coordinator.

The investigation shall be completed within thirty (30) days following the assignment of the Formal Complaint to the Title IX Coordinator, unless an extension of time is approved by the appropriate Vice President.

Within five (5) days following the conclusion of the investigation, the Title IX Coordinator will prepare and deliver a report to the appropriate Vice President. The report will include a finding based upon a preponderance of the evidence that 1) the allegations cannot be substantiated, 2) some or all of the allegations are substantiated or 3) the Formal Complaint was knowingly false or malicious. No violation of College policy will be presumed unless a preponderance of the evidence standard supports the finding of a violation. This preponderance of the evidence standard requires that the facts and information supporting each finding are more convincing than the facts and information offered in opposition to such finding. The report will include the basis upon which the Title IX Coordinator reached his or her conclusions. The report will also include the Title IX Coordinator's determination of whether a violation of any College policy has occurred and a recommendation of the sanctions to be imposed, if any.

### Determination

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Within ten (10) days of receipt of the Title IX Coordinator's report, the appropriate Vice President will convene a meeting with and seek advice from a review panel comprised of the Director of Human Resources, the Title IX Coordinator, and if a student is either the complainant or respondent, the Associate Vice President for Student Affairs. Prior to the meeting, members of the panel shall be furnished with a copy of the Title IX Coordinator's report and copies of any Complaint or response of the parties. At the meeting, the panel will be afforded the opportunity to ask questions of the Title IX Coordinator. Upon request, the Complainant and the Respondent will be afforded an opportunity to meet with the appropriate Vice President and the panel.

Within five (5) days following the meeting with the panel the appropriate Vice President shall make a written determination whether a violation of College policy has occurred.

In the event the charge of discrimination and/or harassment is not substantiated following the written determination of the appropriate Vice President, reasonable efforts may be taken to restore the Respondent(s) to their prior status.

### Sanctions and Remedial Measures

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Sanctions will be determined by the appropriate Vice President in consultation with the Director of Human Resources. In the case of a student or recognized student organization, sanctions will be determined and imposed by the Vice President for Academic Affairs in consultation with the Associate Vice President for Student Affairs.

The appropriate Vice President will send the Complainant and the Respondent the written determination and final outcome of the matter, including sanctions, if any, by certified or express mail, electronic mail or hand delivery. The determination will include the rationale, a description of the parties' appeal rights, and any changes in the outcome before it becomes final. The appropriate Vice President is responsible for imposing the sanction.

Sanctions will be decided on a case-by-case basis and will be in accordance with College policy. Possible sanctions for employees include, but are not limited to, the following: a letter of reprimand, suspension or leave of absence without pay, reassignment of teaching or other responsibilities, denial of a pay increase, demotion, probation or termination. Sanctions for students are listed in Regulations Governing Student Conduct and may include without limitation verbal or written warnings, restrictions, probation, probated suspension, suspension or dismissal.

Remedial measures for students, faculty and staff will be decided on a case-by-case basis. Such measures may include providing an escort to ensure safe movement on campus; ensuring that the Complainant and Respondent do not share classes or extracurricular activities; reassignment within the residence hall; tutoring or other academic support; arranging for extra time to complete or re-take a class or withdraw from a class without academic or financial penalty; job reassignment; targeted training for a group of students, faculty or staff; and other remedies that can be tailored to the needs of the parties.

## Appeal

Either party may request a review of the findings or recommendations/sanctions of the appropriate Vice President by submitting a written request to the President. The individual sanctioned for harassment will be afforded a reasonable opportunity to meet with the President to present any defense against the charge and/or against the severity of the sanction imposed. The President will make the final determination and will distribute the written response to all relevant parties.

## Policy Statement

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### Consensual Sexual or Romantic Relationships in the Workplace and Educational Setting

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Saint Mary of the Woods College has a detailed policy regarding consensual sexual and romantic relationships between people in inherently unequal positions. If you are in such a relationship—or thinking about becoming involved in one—there are important risks, prohibitions and requirements that you should understand.

This policy highlights the risks in sexual or romantic relationships in the SMWC workplace or academic setting between individuals in inherently unequal positions; prohibits certain relationships between teachers and students; and requires recusal (from supervision and evaluation) and notification in other relationships.

There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions, and parties in such a relationship assume those risks. In the College context, such positions include, but are not limited to, teacher and student, supervisor and employee, senior faculty and junior faculty, adviser and advisee, coach and athlete and individuals who supervise the day-to-day student living environment and their students.

Because of the potential for conflict of interest, exploitation, favoritism and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided. Further, these relationships are often less consensual than the individual whose position confers power or authority believes. In addition, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a sexual or romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct.

Such relationships may also have unintended, adverse effects on the climate of an academic program or work unit, thereby impairing the learning or working environment for others – both during such a relationship and after any break-up. Relationships in which one party is in a position to evaluate the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities or simply creates a perception of these problems.

**For all of these reasons, sexual or romantic relationships--whether regarded as consensual or otherwise--between individuals in inherently unequal positions should in general be avoided and in many circumstances are strictly prohibited by this policy.** Since these relationships can occur in multiple contexts on campus, this policy addresses certain contexts specifically. However, the policy covers all sexual and romantic relationships involving individuals in unequal positions, even if not addressed explicitly in what follows.

### With Students

At a College, the role of the teacher is multifaceted, including serving as intellectual guide, mentor, role model and advisor. This role is at the heart of the College's educational mission and its integrity must be maintained. The teacher's influence and authority can extend far beyond the classroom and into the future, affecting the academic progress and careers of our students.

Accordingly, the College expects teachers to maintain interactions with students free from influences that may interfere with the learning and personal development experiences to which students are entitled. In this context, teachers include those who are entrusted by SMWC to teach, supervise, mentor and coach students, including faculty and academic advisors.

As a general proposition, the College believes that a sexual or romantic relationship between a teacher and a student – even where consensual and whether or not the student is subject to supervision or evaluation by the teacher – is inconsistent with the proper role of the teacher. Not only can these relationships harm the educational environment for the individual student involved, they also undermine the educational environment for other students. Furthermore, such relationships may expose the teacher to charges of misconduct and create a potential liability, not only for the teacher, but also for the College if it is determined that laws against sexual harassment or discrimination have been violated.

Consequently, the College has established the following parameters regarding sexual or romantic relationships with SMWC students:

**First, sexual or romantic relationships between teachers and undergraduate students are prohibited** – regardless of current or future academic or supervisory responsibilities for that student.

**Second, whenever a teacher has had, or in the future might reasonably be expected to have, academic responsibility over any student, such relationships are prohibited.** This includes, for example, any faculty member who teaches in a graduate program. Conversely, no teacher shall exercise academic responsibility over a student with whom he or she has previously had a sexual or romantic relationship. "Academic responsibility" includes (but is not limited to) teaching, grading, mentoring, advising on or evaluating research or other academic activity, participating in decisions regarding funding or other resources, clinical supervision, and recommending for admissions, employment, fellowships or awards. In this context, students include graduate and professional school students.

*Third*, certain staff roles (including deans and senior administrators, coaches, supervisors of student employees, student life staff, as well as others who mentor, advise or have authority over students) also have broad influence on or authority over students and their experience at SMWC. For this reason, **sexual or romantic relationships between such staff members and undergraduate students are prohibited**. Similarly, relationships between staff members and other students over whom the staff member has had or is likely in the future to have such influence or authority are prohibited.

When a preexisting sexual or romantic relationship between a College employee and a student is prohibited by this policy – or if a relationship not previously prohibited becomes prohibited due to a change in circumstances – the employee must both **recuse** himself or herself from any supervisory or academic responsibility over the student, and **notify** his or her supervisor, department chair or administrator about the situation so that adequate alternative supervisory or evaluative arrangements can be put in place. Failure to disclose the relationship in a timely fashion will itself be considered a violation of policy.

### In Other Contexts

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Consensual sexual or romantic relationships between adult employees (including faculty) are not in general prohibited by this policy. However, relationships between employees in which one has direct or indirect authority over the other are always potentially problematic. This includes not only relationships between supervisors and their staff, but also between senior faculty and junior faculty, faculty and both academic and non-academic staff, and so forth.

Where such a relationship develops, the person in the position of greater authority or power must **recuse** him/herself to ensure that he/she does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also **notify** his/her supervisor, department chair, dean or human resources manager, so that person can ensure adequate alternative supervisory or evaluative arrangements are put in place. Such notification is always required where recusal is required. Failure to disclose the relationship in a timely fashion will itself be considered a violation of policy.

The College has the option to take any action necessary to insure compliance with the spirit of this policy, including transferring either or both employees to minimize disruption of the work group.

### Smoke Free/Tobacco Free Campus Policy

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Saint Mary-of-the-Woods College is committed to promoting health, wellness, prevention and the treatment of diseases within its community, as well as providing a healthy, clean, safe, and secure workplace for administration, faculty, staff, students, visitors and vendors. Research findings show that tobacco use in general, including smoking and breathing secondhand smoke, constitutes a significant health hazard. Therefore, smoking and/or use of tobacco are prohibited in the buildings and on the grounds of the Saint Mary-of-the-Woods College campus. This policy will affect everyone on campus.

Saint Mary-of-the-Woods College has set the following policies:

1. Smoking and the use of any other tobacco product (cigarettes, cigars, pipes, and smokeless tobacco) is strictly prohibited in all Saint Mary-of-the-Woods College campus buildings and on the grounds of the campus.

2. Smoking and the use of any other tobacco product are strictly prohibited in all Saint Mary-of-the-Woods College owned, leased, or rented vehicles. Smoking and the use of tobacco products is also prohibited in privately owned vehicles when operated or parked on the grounds of the College.
3. Organizers and attendees at public events, such as conferences, meetings, public lectures, social events and cultural events using Saint Mary-of-the-Woods College facilities will be required to abide by the Smoke Free/Tobacco Free policy.

Saint Mary-of-the-Woods College will provide accessible treatment to help administration, faculty, staff and students to quit smoking and/or using tobacco. All areas of the Saint Mary-of-the-Woods College campus are designated as smoke free/tobacco free. Signs about the policy will be posted appropriately throughout campus.

Effective implementation of this Smoke Free/Tobacco Free Policy depends upon the courtesy, respect, and cooperation of all members of the Saint Mary-of-the-Woods College community. Those in violation of this policy will be subject to applicable disciplinary action.

Effective August 1, 2009, Revised November 1, 2009