

WESLEYAN



STUDENT AFFAIRS

Public Safety

Wesleyan University

2015

Annual Campus Security and

Fire Safety Report

Wesleyan University 2015 Annual Campus Safety and Security/Fire Safety Report

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Wesleyan University Annual Campus Safety and Security/Fire Safety Report

Issued September 2015

To the University Community -

On behalf of the members of the Office of Public Safety, I want to thank you for your interest in our annual report. The document is published in compliance with federal law and includes statistics for the previous three years concerning crimes on campus; in certain off campus buildings or property owned or controlled by the University; and on public property within or immediately adjacent and accessible from university property. The report also contains valuable information for our campus community as well as prospective students and visitors. Maintaining the safety and security of the campus should be considered the responsibility of the entire community - students, faculty and staff.

In addition to statistics you will find information about our organization, including descriptions of certain services that we provide. You will become familiar with our strong commitment to supporting victims of crimes. Lastly, you will find important information about security policies and procedures on our campus, including crime prevention awareness information.

We join President Roth in the commitment to foster a secure and supportive environment at Wesleyan University, and are proud to be an integral part of the institution's tradition of excellence. As noted above, campus safety and security is a collaborative effort. We partner with the many Departments that have a critical role in fostering campus safety, including Environmental Health & Safety, Physical Plant, and other departments in the Division of Student Affairs. We also collaborate with Middletown Police and other local safety resources and responders.

It has always been our goal to provide the highest quality service to the University, and are committed to making the Wesleyan University campus a safe place in which to live, work, and study. Any questions, concerns or feedback regarding this report is always welcome. I can be reached at (860) 685-2809 or at srohde@wesleyan.edu.

Scott W. Rohde

Director - Wesleyan Public Safety

Equal Opportunity Statement

Wesleyan University is fully committed to a policy of equal opportunity throughout the University, and to this end abides by all applicable federal, state, and local laws pertaining to non-discrimination and fair employment practices.

Accordingly, the University recruits, hires, trains, promotes and educates individuals without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression. Wesleyan University administers all personnel action such as compensation, benefits, transfers, layoffs, return from layoffs, education, tuition assistance, and social and recreational programs without regard to race, color, religion, national or ethnic origin, age, disability, veteran status, sex, marital status, sexual orientation, gender identity or gender expression.

ANNUAL SECURITY REPORT

PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Wesleyan University Office of Public Safety prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Office of Public Safety (OPS), information provided by other University offices such as Student Affairs, Residence Life, and other Campus Security Authorities and information provided by local law enforcement agencies surrounding the main campus. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by Wesleyan University. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

The University distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Office of Public Safety at 860-685-2345 or by visiting <http://www.wesleyan.edu/publicsafety>

ABOUT THE OFFICE OF PUBLIC SAFETY

Role, Authority, and Training

The Office of Public Safety is staffed by individuals who patrol the campus on a 24-hour basis 365 day a year. Public Safety has direct contact with the Middletown Police and Fire departments as well as emergency medical services.

We are here to help you. Our orientation is service, prevention and detection. Our personnel are trained to help in solving problems and we will assist you the best that we are able in the given set of circumstances. Public Safety personnel are on and around campus constantly and we hope you are not hesitant to call as necessary.

The Office of Public Safety, located at 208 High Street, houses our central dispatch center which coordinates the activities of the staff in the field providing ongoing response and service to the community.

Wesleyan Public Safety personnel are required to report violations of the rules, regulations, and laws pertaining to alcohol and drug violations on campus. They also enforce University regulations pertaining to the University Code of Non-Academic Conduct, Parking Control/Enforcement, Fire Safety and Academic/Administration department rules and procedures. Every effort is made to enforce these regulations equitably and professionally.

For patrol purposes the campus is divided into sectors that are assigned to personnel in highly visible/recognized patrol vehicles, on bikes, T-3s (personal transporters) or on foot. Public Safety uniforms are designed to allow for ready identification.

Although Public Safety personnel cannot complete a criminal arrest and serve in a non-sworn capacity, they are well trained in public safety and may refer individuals to the Middletown Police Department. All receive and maintain certification in CPR and First Aid as well as other areas related to Public Safety in a university setting. Officers are trained and certified in defensive tactics including the baton, handcuffing techniques, defensive spray and the management of aggressive behavior. These assist in officer safety as well as providing safety to the community members.

The Department is comprised of 30 personnel that include a Director, Associate Director, Five (5) Supervisors, 22 Public Safety Officers and one (1) administrative assistant.

Safety, Our Number One Priority

Safety for all is a major concern. Realistically no society, be it state, city or college campus, can be free of all crime. Wesleyan strives to provide an ideal environment for learning, working and recreation but safety on campus does not happen by chance. Thus, the university has instituted numerous policies and procedures to enhance security. Members of the Wesleyan community have a responsibility to make good use of the security procedures, guidelines, recommendations and services available. As well community members must be accountable for their own well-being and also for the well-being of others.

The university urges all members of the Wesleyan community, students, faculty, and staff to participate in maintaining campus safety by promptly reporting suspicious circumstances, accidents, or criminal acts to the office of Public Safety at 860-685-3333 or x3333 from a campus extension.

Working Relationship with Local, State, and Federal Law Enforcement Agencies

The Office of Public Safety relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Wesleyan University students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the Office of Public Safety will actively investigate certain crimes occurring on or near campus. If the Office of Public Safety learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Office of Student

Affairs, as appropriate. To enhance communications between the Middletown Police Department, and Public Safety, Wesleyan Officers are equipped with radios to monitor police activities. To insure clarity in communication, Public Safety and the Middletown Police Department are entering into a Memorandum of Understanding detailing how information will be shared and how response to reported incidents will be coordinated.

Crimes Involving Students and Student Organizations at Off-Campus Locations

The University requires all students and recognized student organizations to abide by federal, state, local laws, and University regulations. The Middletown Police Department has assigned an officer to coordinate directly with the Office of Public Safety. Meetings are held on a routine basis to monitor criminal activity to include off campus student locations. The Office of Public Safety will assist local agencies in any on-going criminal investigation.

Students charged with an off-campus criminal violation are not automatically subject to university disciplinary procedures. Rather, the question of initiating university disciplinary action depends on whether the incident that led to the arrest also harmed a distinct interest of the University. Therefore, the University is faced with the necessity of developing sufficient information to determine if and in what manner the interests of the university community have been harmed. If it is determined that such harm has taken place, the information will be presented to the Student Judicial Board (SJB) as the basis for disciplinary action.

REPORTING CRIMES AND OTHER EMERGENCIES

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately report all incidents to the Office of Public Safety at 860-685-3333 to ensure an effective investigation and appropriate follow-up actions, including issuing a Crime Alert or emergency notification.

Voluntary, Confidential Reporting

The University has a policy that allows victims or witnesses to report crimes to the Office of Public Safety on a voluntary confidential basis for inclusion in the annual disclosure crime statistics. We encourage University community members to report crimes promptly, and to participate in and support crime prevention efforts. Anyone can choose to report an incident anonymously, but the ability of the University to follow-up may be limited.

Reporting Crimes to the Office of Public Safety

Community members, students, faculty, staff and guests are encouraged to report all crimes and public safety related incidents to the Office of Public Safety in a timely manner, immediately when possible. The Office of Public Safety staffs a dispatch center that is available by phone at 860-685-3333 for an immediate emergency or 860-685-2345 for non-emergency situations. You may contact an officer in person twenty-four hours a day at their office located at 208 High Street. Although information contained in the compliance document includes information about on campus and off campus resources, the official reporting entity for criminal offenses that occur at Wesleyan is the Office of Public Safety. Reporting incidents to Public Safety will aid in providing timely warning notices to the community when appropriate. This then insures inclusion of reported incidents in the annual disclosure of crime statistics for the institution.

Emergency Phones

The University has installed 71 emergency phones throughout the University campus. Phones are located in public areas of buildings including parking lots, elevators, residential areas, administration buildings, and also numerous outdoor locations. Emergency phones provide direct voice communications to office of Public Safety Dispatch Center. For a list of Blue Light Phone locations please visit <http://www.wesleyan.edu/publicsafety/communication/bluelights.html>.

Reporting to Other Campus Security Authorities

While the University prefers that community members promptly report all crimes and other emergencies directly to the Office of Public Safety at 860-685-3333 or 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

While the University has identified several hundred CSAs at the University, we officially designate the following offices as places where campus community members should report crimes:

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Official	Campus Address	Phone Number
University Office of Public Safety	208 High Street Middletown, CT 06459	860-685-3333 (emergency) 860-685-2345 (non-emergency)
Dean of Students and Office of Student Affairs	North College, Room 108 237 High Street Middletown, CT 06459	860-685-2775 860-685-2772
Director of Human Resources	212 College Street Middletown, CT 06459	860-685-2100
Office of Affirmative Action and Office of Equity and Inclusion	North College, Room 318 237 High Street Middletown, CT 06459	860-685-4771
Office of the General Counsel	North College, Room 421 237 High Street Middletown, CT 06459	860-685-3360
Office of Residential Life, including all Head Residents, Resident Assistants, House Managers, Community Advisors and Area Coordinators	North College, Basement Level 237 High Street Middletown, CT 06459	860-685-3550

Pastoral and Professional Counselors

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by Wesleyan University to serve in a counseling role are not considered

Campus Security Authorities when they are acting in the counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them. These resources are identified in this report under the section Wesleyan University's Response to Sexual and Gender Violence.

TIMELY WARNING REPORTS - CRIME ALERTS

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the Office of Public Safety issues "Crime Alerts." Public Safety will generally issue Crime Alerts for the following crimes: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. Public Safety will post these warnings through a variety of ways, including but not limited to e-mails, other electronic communication, and campus media. The University also has the ability to send text message alerts to those who register their cell phone numbers. Text messaging is a very effective way to send important information to the campus community.

The purpose of these Crime Alerts is to notify the campus community of the incident and to provide information that may enable community members to protect themselves from similar incidents. The University will issue Crime Alerts whenever the following criteria are met: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. Such crimes include, but are not limited to: 1) Clery Act crimes that are reported to any campus security authority or the local police; or 2) the University determines that the incident represents an on-going threat to the campus community.

Additionally, Wesleyan Public Safety may, in some circumstances, issue Crime Alerts when there is a pattern of crimes against persons or property. At Wesleyan University, the Director of Public Safety will generally make the determination, in consultation with other University offices, if a Crime Alert is required. However, in emergency situations, any Public Safety supervisor may authorize a Crime Alert. For incidents involving off-campus crimes, the University may issue a Crime Alert if the crime occurred in a location used and frequented by the University population.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergency Management at Wesleyan University

The Wesleyan University Emergency Response and Business Continuity Plan is a compilation of guidance documents, organizational charts, checklists, asset lists, emergency response procedures and forms that would be used by campus emergency responders to react to and recover from any type of emergency.

The plan is an “all hazards” plan, designed to deal with any type of emergency, natural or man-made, large or small. The plan is reviewed and updated by the Wesleyan Business Continuity Planning Committee periodically or as needed. Drills are conducted periodically in conjunction to test the effectiveness of the plan and make improvements. Further information on emergency response procedures can be obtained at Wesleyan’s Emergency Preparedness page.

In cases of a serious emergency or a dangerous situation that poses an immediate threat to the community, an emergency alert system that notifies the community by both voice and text message to a designated phone and e-mail will be utilized. This is done via the Connect-Ed system. You can find more information on the Emergency Preparedness page.

Drills, Exercises and Training

Annually, the University conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year, and include several departments from across the campus.

To ensure the University’s emergency management plans remain current and actionable, the University will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The University conducts after-action reviews of all emergency management exercises. The University will notify the community of the exercise and remind the community of the information included in the University’s publicly available information regarding emergency response at Wesleyan’s Emergency Preparedness page.

Emergency Notification

Wesleyan University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Wesleyan University uses the emergency notification system Connect-ED. Connect-ED is an emergency notification service available to students, staff, and anyone in the University community who wants to subscribe. Connect-ED can be used to send emergency messages within minutes of the occurrence of an incident.

The Middletown Police Department has a community information service that alerts the greater Middletown community to deliver important and timely information. More information on this free service provided by Nixle is available from the Middletown Police web site: <http://www.cityofmiddletownpolice.com/nixle.html> or at [Nixle](#).

Wesleyan University performs a University-wide annual test of the system. The following procedures outline the process the University uses when issuing emergency notifications.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

The Office of Public Safety and /or other campus first responders may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to the Public Safety Dispatcher or upon discovery during patrol or other assignments.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in the Office of Public Safety or other authorized University office to issue an emergency notification.

The University's authorized representatives will immediately initiate all or some portions of the University's emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the University will issue the emergency notification to the campus community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the University community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the University mass notification system, the University will also post applicable messages about the dangerous condition on the University homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, University officials will distribute the notification to the entire campus community.

Determining the Contents of the Emergency Notification

The office responsible for issuing the emergency notification (usually the Office of Public Safety) will, in concert with University and local first responders, determine the contents of the notification. The University has developed template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the present incident. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to

convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the mass notification system Connect-ED, the University's e-mail system, and verbal announcement within a building and public address system on Public Safety's cars. The University will post updates during a critical incident on the homepage. If the situation warrants, the University will establish a telephone call-in center to communicate with the University community during an emergency situation.

Enrolling in Wesleyan University's Emergency Notification System

Wesleyan University has implemented a campus-wide emergency notification system, Connect-ED (Blackboard Connect), to alert students, parents*, faculty and staff of serious campus-wide emergencies such as catastrophic weather, accident or other life-threatening situations. This notification system will call pre-determined office, home and cell phones, as well as, send both text and email messages. At the start of each school year, we will conduct a test message to students, faculty and staff.

*Parent phone numbers can be included for specific campus-wide emergency situations. However, since the focus of the campus wide emergency notification system is to protect people on campus, we do not include parents in our preloaded emergency lists.

Updating Your Emergency Contact Information

Students can update their personal and parent/guardian phone numbers via their Electronic Portfolio by going to EP>Enrollment Status>Enrollment Checklist & Addresses.

Graduate Students can update their personal and parent/guardian phone numbers via their Electronic Portfolio by going to EP>Enrollment Status>Enrollment Checklist & Addresses.

GLSP Students can update their phone numbers by emailing masters@wesleyan.edu

Faculty and staff members can update their campus-wide emergency contact information and settings via their Electronic Portfolio by going to EP>Employee>Personal Information>Personal Profile. We encourage University community members to regularly update their information.

SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

Academic buildings on campus are secured with lockable entrances and, in many cases, intrusion-detection systems. These buildings may be accessed during regular working hours and after hours by authorized personnel only. Public Safety personnel may admit students after normal business hours if their names are on the current authorization list provided by the appropriate faculty or administrative member. Buildings that are open during the evening for classes and computer use are secured by the Office of Public Safety when the classes are concluded. Some buildings on campus, such as the Science Center, are open continuously. These buildings are patrolled regularly by Public Safety personnel.

Wesleyan Public Safety encourages faculty, staff, and students working in their offices to engage in the following security practices:

- * Report any suspicious persons or occurrences to Public Safety immediately at 860/685-3333 or campus extension 3333. If your telephone has speed dial, program it for Public Safety.
- * Keep a Wesleyan emergency telephone sticker on your telephone. They are available through Public Safety.
- * In a prominent location, display the Wesleyan Public Safety Crime Prevention posters that are sent to department chairs and administrators each fall.
- * Lock your valuables in a file cabinet or desk should you leave your office, even for a brief period of time.
- * If you work alone on weekends or after regular hours, lock yourself in your office or building. Notify Public Safety that you are working alone late and request that they stop by periodically.
- * When you leave your office for the day, make sure windows are closed and locked, doors are locked, and, if applicable, that the intrusion alarm is activated. In some instances where interior office space is easily visible by Public Safety patrol, it is wise to leave a few lights on after dark.
- * Do not hesitate to call Public Safety if you feel that something is amiss. We would rather respond and find that nothing is wrong rather than have a person feel apprehensive.
- * If you have computers or other valuable items, contact Public Safety for advice on the best security measures to safeguard them.

Many cultural and athletic events held in the University facilities are open to the public. Other facilities such as the bookstore, library, and performance center are likewise open to the public. Only those who have demonstrated a need are issued keys to a building.

Special Considerations for Residence Hall Access

Wesleyan University's residential living areas vary from traditional residential halls to small wood-frame houses. They are equipped with security devices and with locking exterior doors. These doors should never be propped open or tampered with in any way, since they offer the first barrier to an intruder. Corridor doors should also never be propped open or tampered with in any way since they offer the first barrier to smoke and flame in a fire emergency. Many room doors close and lock automatically for your safety; those that do not should be secured when you have entered or exited the room and should remain locked at all times. It is never advisable to leave your door unsecured or your keys in the lock. Many individual room doors are equipped with peep holes, allowing the resident to view a person prior to opening the door.

Students should lock windows in the units whenever they are sleeping or leaving their rooms. Many lower windows are secured with "Charlie Bars," which secure the window when closed, and/or locking stops, which lock the window in a slightly open position and prevent further opening from the outside. Several living units have security screens, hinged to allow emergency exiting if necessary.

Residential Guest Policy

The University recognizes that members of the community will host non-University guests on campus and in residence halls. All guests staying overnight at Wesleyan need to be registered with a current student; registration information and the guest registration form are located in each student's electronic portfolio. While on campus, all guests should remain with their host for the duration of their visit.

Several buildings contiguous to campus are owned or managed by student organizations recognized by the institution. The physical condition and security at these buildings is the responsibility of the organizations to which they belong. The Office of Public Safety has a duty to address suspected safety or security issues and/or suspected policy violations in these privately owned residences. Public Safety will be allowed by these organizations, keyed access to all common areas of the organizations property. Public Safety will seek the assistance of Middletown Police as needed to address any concerns at these locations. As private residences, Middletown Police may respond based on reports submitted directly to their department.

During the course of their daily responsibilities, Public Safety personnel will submit a daily report of their sector. This will include any noted unsafe conditions, mechanical problems and non-functioning lights that will be reported to Physical Plant for corrective action.

The University is in the process of installing a new higher security key system throughout the campus and many of the residence halls now use these high-security keys for access to the building and individual rooms. These keys are difficult to duplicate and help to offer a more secure environment. Most residence halls also have an electronic card access system on the exterior doors.

Security Considerations for the Maintenance of Campus Facilities

Wesleyan University is committed to campus safety and security. At the University, locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled, lighted routes from parking areas to buildings and from building to building.

Many administrative offices, including The Office of Residential Life, Physical Plant, Environmental Health & Safety, along with representatives from the Office of Public Safety, and students, conduct surveys of University property at least annually to evaluate campus lighting and other environmental issues impacting safety and security of the campus.

We encourage community members to promptly report any security concern, including concerns about locking mechanism, lighting, or landscaping to the Office of Public Safety.

WESLEYAN UNIVERSITY'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

Our Commitment to Addressing Sexual Assault

The University does not tolerate sexual misconduct or abuse, such as sexual assault, rape or any other form of nonconsensual sexual activity. Sexual misconduct in any form violates the University's Sexual Misconduct and Sexual Assault Policy and may violate Federal and State Laws.

Violations of this policy are subject to disciplinary sanctions through the Dean of Student's Office, the Graduate Judicial Board or the Faculty Committee on Rights and Responsibilities. For further information about the Sexual Misconduct & Assault Policy and the Wesleyan Judicial Resources and Processes, refer to The Code of Non-Academic Conduct, found in the Student Handbook. Please visit <http://www.wesleyan.edu/studentaffairs/studenthandbook/20152016studenthandbook.pdf> to review procedures, policies and protocols for reporting and addressing allegations of student sexual misconduct. The University provides the following rights to all sexual assault victims:

- * The Office of Public Safety participates in the University's Sexual Assault Response Team (SART). This is to ensure victims are provided the appropriate care in a timely fashion and with only well trained professionals.
- * On campus counseling services are available to students through Counseling and Psychological Services (CAPS)
- * The other rights are defined in the Student Handbook and are afforded to students (complainants and respondents) regardless of the nature of the allegation.

University Sexual Misconduct and Sexual Assault Policy:

Wesleyan University prohibits all forms of sexual misconduct. Sexual misconduct refers to a broad spectrum of behavior encompassing sexual harassment and all forms of non-consensual sexual activity. For the purposes of this policy, the University prohibits the following specific forms of sexual misconduct: sexual harassment, sexual assault, sexual exploitation, stalking, and retaliation. The policy for sexual harassment, which defines and addresses incidents of harassment, can be found in its entirety in the student handbook. The remaining forms of sexual misconduct, all of which may also constitute sexual harassment, are defined below.

Definitions:

Sexual Assault: Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following acts:

Related to Non-consensual Sexual Intercourse: Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.

Related to Non-consensual Sexual Contact: Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth, or any other part of the body that is touched in a sexual manner.

Sexual Exploitation: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to: observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; prostituting another individual; knowingly exposing another individual to a sexually transmitted disease or virus without his or her knowledge; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

While these definitions are clear, victims often have difficulty reporting a sexual assault for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

The following information is intended as a resource for students and offers suggested courses of action to be taken by a survivor, supportive friend, an accused perpetrator, or a witness. Some suggestions may not apply, depending upon the specifics of the incident.

1. IMMEDIATELY AFTER AN INCIDENT OF ASSAULT: SEEK MEDICAL ASSISTANCE AND SUPPORT

To best address the physical and emotional needs in the aftermath of an incident of assault, it is important to seek medical attention and counseling support as soon as possible. You are strongly advised to seek immediate medical attention at the Middlesex Hospital emergency room whether or not you know the person who assaulted you. While you may feel uncomfortable doing so, the purpose of seeking medical attention is to identify and treat physical injury, provide emergency contraception and/or medication to prevent possible transmission of sexually-transmitted infections, and to gather and preserve evidence.

A. EVIDENCE PRESERVATION: It is important that medical professionals are able to collect any trace physical evidence from your clothes and body. In order to preserve evidence, avoid showering, bathing, changing your clothes, or brushing your teeth. If clothing has been removed, store it in a paper bag and bring it to the hospital. You should take a change of clothes with you to the hospital in case the clothing worn at the time of the assault contains evidence which can be used to identify the assailant. The collection of physical evidence does not commit you to pressing charges against the alleged perpetrator, but it will assist investigators later if you choose to report the assault to the Middletown police. Call the Office of Public Safety if you need transportation to the hospital. Advocates from Conn SACS are available to meet survivors at the hospital and be with them throughout the exam.

B. MEDICAL EXAM: In order to collect physical evidence, a clinician may perform a medical exam, including a sexual assault evidence collection kit (“rape kit”) to collect markers of the assailant’s identity. This exam should be performed as soon as possible, but generally no later than 72 hours after the assault. There is no charge to the survivor for the administration of the evidence collection kit.

Additionally, an exam may include, at your discretion, treatment of other injuries, an interview about the assault, tests for sexually transmitted diseases, including HIV, and a pregnancy test.

C. MENTAL HEALTH SUPPORT: Seek counseling after the assault. Confidential counseling is available to students through the Office of Counseling and Psychological Services and off-campus, through the Women and Families Center 24 hours a day.

D. ADDITIONAL SUPPORT: During the academic year, medical care, testing, and prescription medications are made available at the Davison Health Center without cost to students. Follow-up care is available at the Community Health Center when the Davison Health Center is closed during breaks.

2. DECIDE WHETHER TO REPORT AN INCIDENT OF SEXUAL ASSAULT AND HOW TO REPORT IT

You are encouraged to report an incident of sexual misconduct or assault so that the University can investigate and take action. We encourage all survivors of crimes to report to the appropriate authorities. There are two main reporting options open to students: reporting to the University and reporting to the Middletown police. Because the University's policy, definitions and burden of proof may differ from Connecticut criminal law, you may choose to make a report to the University for possible judicial action, pursue criminal action, choose one but not the other, or choose both. Neither law enforcement's determination whether or not to prosecute a respondent, nor the outcome of any criminal prosecution, are determinative of whether sexual harassment or misconduct under this policy has occurred. Proceedings under this policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

Regardless of which choice you pursue, the University is committed to maintaining the privacy of all individuals involved in a report of sexual harassment or misconduct. At all times, the privacy of the parties will be respected and safeguarded in a manner consistent with the need for a thorough review of the allegation. Information related to a report of harassment or misconduct will be shared only with those University employees who "need to know" in order to assist in the investigation and/or resolution of the complaint. Students wishing to obtain confidential assistance through on-campus or off-campus resources without making a report to the University may do so by speaking with professionals who are obligated by law to maintain confidentiality. These professionals are identified in the Confidential Resources section of this policy.

The following provides some general information about reporting incidents.

A. REPORTING SEXUAL ASSAULT TO THE MIDDLETOWN POLICE

Contact the Middletown Police Department at 860-344-3200. The investigating officer will explain the investigatory and legal processes that follow a report. Reporting an incident of sexual assault to the police begins a legal process that may or may not result in an arrest.

The University encourages complainants to pursue criminal action for incidents of sexual harassment or misconduct that may also be crimes under Connecticut law. The University will assist a complainant in making a criminal report and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law. The University will also inform complainants of their right and information on how to pursue a restraining order through the Superior Court of Connecticut.

Students seeking legal advice are advised to contact the Connecticut Network for Legal Aid through the web site: ctlawhelp.org

B. REPORTING VIOLATIONS TO THE UNIVERSITY

If the accused is a member of the Wesleyan community, students may report an incident to the University by any of the following methods:

Contact the Office of Public Safety at 860-685-3333 or 911 (24 hours) or the Office of the Dean of Students at 860-685-2775 (during business hours). Or you may prefer to report the incident to a faculty or staff member (including Residential Life student staff) with whom you feel comfortable. Faculty and staff members must then report the incident to the Title IX officer, who will assist you in identifying your options, providing resources and support and addressing any immediate safety concerns for you or the broader campus community. By reporting the incident to the University, you ensure that prompt and equitable action is taken in response to the incident. This action may include providing accommodations and protective remedies for the complainant, initiating an investigation of the conduct, and if appropriate, seeking judicial charges against the alleged perpetrator.

Reports involving gender discrimination or harassment may also be submitted directly to Antonio Farias, Vice President for Equity and Inclusion/Title IX officer, by calling 860-685-3927.

Although there is no limit on when you may file a report with the University, you are encouraged to file a report as soon as possible after the incident in question. The University will not be able to pursue judicial action against an individual who is no longer affiliated with the University. Under those circumstances, the University will still conduct a Title IX review of the conduct and provide appropriate support and accommodations to the complainant.

Victims of sexual assault or misconduct, or witnesses to such conduct who report the incident, who may have been under the influence of drugs or alcohol at the time of the assault will not be charged through the student judicial process for any alcohol or drug violation based on personal ingestion of alcohol or other drugs.

Upon receipt of a report, the Title IX coordinator, working in conjunction with the Office of Public Safety and the Office of the Dean of Students will conduct an initial Title IX review. In every report of sexual harassment or misconduct, the University will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps will include interim measures to provide for the safety of the individual and the campus community. The complainant can request that a no-contact order be issued to the respondent to prevent further contact between the two students.

The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, the investigation may continue depending on a variety of factors, such as the complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation. The University's responsibility to review and respond to all allegations of sexual harassment and misconduct exists regardless of whether a complainant identifies the respondent or seeks judicial action and exists independently of the criminal justice process.

Where the University has received a report of sexual harassment or misconduct, but the complainant requests that his/ her identity remain confidential or that the University not pursue an investigation, the University must balance this request in the context of its responsibility to provide a safe and non-discriminatory environment for all University community members. The University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to investigate may be limited by the request for confidentiality. Under these circumstances, the University will weigh the request for confidentiality against the following factors: the seriousness of the alleged harassment, any potential threats to community safety, the respective ages and positions of the complainant and the respondent, whether there have been other harassment complaints against the respondent, and the respondent's right to receive information under applicable law.

At all times, the University will seek to respect the request of the complainant, and where it cannot do so, the University will consult with the complainant and keep him/her informed about the chosen course of action.

If a determination is made to pursue an investigation and judicial action, the investigation will be conducted by Public Safety and the report will be referred to the Office of the Dean of Students for adjudication. An Administrative Panel will consider all of the relevant evidence available to them and determine whether there is a preponderance of evidence that the University policy has been violated. If a student is found to have violated the Sexual Misconduct and Assault Policy, a range of sanctions can be imposed up to and including suspension or dismissal from the University. In addition, a number of protective measures may be imposed upon a respondent who is found in violation, including a no-contact order, reassignment of housing, restrictions in attendance at campus events, etc. To initiate this process, you may file a report with any staff member or office listed under "On Campus Support Resources" below, but it is best to make the report directly to the Office of the Dean of Students, to Public Safety or to the Title IX coordinator. It is up to the complainant whether or not to also make a formal report to Middletown Police.

Upon receipt of a report, an investigation will commence within 30 days and the hearing process will typically be concluded within 60 days. The time frames listed here are guides and may be extended because of extraordinary circumstances. Each case is unique and the process for handling the incident will be impacted by factors such as the complexity of the investigation, the scope of the allegation, the involved parties' schedules and availability, and the academic calendar. In the event that the investigation and resolution exceed this time frame, the University will notify all parties of the need for additional time and best efforts will be made to complete the process in a timely manner.

All violations of the Sexual Misconduct and Assault Policy will be promptly, fairly, and impartially adjudicated by an administrative panel comprised of four employees of the University. The panel will be comprised of two male and two female staff or faculty drawn from the advisors to the board or hearing officers who have been trained on cases of sexual assault. The procedures for the hearing outlined in the Administrative Panel description and the Code of Non-Academic Conduct will be followed. Upon receipt of a complaint involving an alleged act of sexual violence, the dean of students may take certain actions that would minimize contact between the complainant and respondent on campus and in the judicial

process as outlined in the code, and will inform all parties of the University's intolerance of any form of retaliation.

University Procedures for Responding to Reports of Sexual Assault

THE FIRST 72 HOURS

The immediate aftermath of a sexual assault

Evidence Collection Kit at Middlesex Hospital

A rape kit is administered by specifically trained nurses at the hospital in order to collect physical evidence that can be used at a later time in a criminal case. Even though this is a hard first step to take, it is crucial to do before showering or changing, within the first 72 hours, just in case a survivor wishes to press charges at a later date.

- A counselor at the **Women and Family Center** on Main Street in Middletown (888-999-5545) can accompany students to the hospital emergency room for a rape kit and also to the police station if they wish to file a report immediately. The evidence from a rape kit is given a case number and sent anonymously to the police, just in case the survivor ever decides to file a report
- **Public Safety** can also provide safe rides to the hospital and the police station (860-685-3333).
- You can contact a **Davison Health Center** provider prior to visit to ER; the provider will then alert the ER so that appropriate support staff is available (860-685-2470).
- **Counseling and Psychological Services (CAPS)** at the Davison Health Center (860-685-2910), and the counselors at the Women and Family Center (888-999-5545) are on call 24/7.

CAMPUS AND COMMUNITY RESOURCES

UNIVERSITY CONTACTS AND RESOURCES (ON CAMPUS)

Office of Public Safety	860-685-3333 (24 hours a day)
Davison Health Center	860-685-2470 (after hours on-call staff available)
Office of Religious and Spiritual Life	860-685-2278
Office of Counseling & Psychological Services	860-685-2910 (after hours on-call staff available)

UNIVERSITY CONTACTS AND RESOURCES (OFF CAMPUS)

Women and Families Center	888-999-5545 (English)
Sexual Assault Crisis Services	888-568-8332 (Spanish)
Middlesex Hospital	860-344-6686
Middletown Police	860-344-3200

SEEK ON-GOING SUPPORT

Individuals experience the aftermath of sexual assault and sexual misconduct differently and may take various lengths of time to come to terms with their experience. You are encouraged to seek ongoing medical and psychological care as needed in order to help you cope with the incident. Support and counseling, both informal and professional, are key elements of care beginning as early as possible and continuing as long as needed. Friends and family are often a valuable source of support following an assault, but you may need additional support from the staff at the Office of Counseling and Psychological Services, (CAPS), the sexual assault crisis advocates at the Women and Families Center, or other sources of counseling. Services at CAPS and the Women and Families Center are free and confidential.

If a victim of a sexual assault or relationship violence incident requests a change in her or his living arrangements or academic schedule, the Office of Student Conduct, and other offices at the University, will assist the individual with making these changes, as long as they are reasonably available.

IF YOU HAVE BEEN ACCUSED OF SEXUAL ASSAULT

You have the right to know and understand the charges against you, whether filed through the University or the legal system. Information about university proceedings were described earlier in this document and can be found in the Code of Non-Academic Conduct. The Office of the Dean of Students can further explain the process to you. You should be aware that any form of retaliation or intimidation towards someone who has filed a report will be considered a violation of the Code of Non-Academic Conduct. If criminal charges outside the University have been filed against you, you should seek legal advice to find out how a criminal investigation works. You also are encouraged to seek psychological support from staff at the Office of Counseling and Psychological Services. Whether you feel you have committed a sexual offense or feel you were wrongly accused, it is important that you talk with a neutral, trained listener about the incident.

AS A WITNESS OF SEXUAL ASSAULT/ OR CONFIDANT

If you think you may have witnessed an incident of sexual assault, you are encouraged to immediately report the incident to Public Safety or the Office of the Dean of Students. To preserve confidentiality and the integrity of any investigation, do not discuss the incident with others to the extent possible. If you feel in any way traumatized by what you witnessed, you are encouraged to contact the therapists at the Office of Counseling and Psychological Services, the clinicians at the Davison Health Center, or the Women and Families Center.

If you have been told, as a friend, about an incident of sexual assault or misconduct, you may be uncertain about what you should do with the information, or be unsure how you can help. If this is a crisis situation, review the instructions for survivors of sexual assault and help the person get the assistance they need. Whether the incident just happened or occurred in the past, it is important that you let the person express their feelings. Let the person know the limits of the support you can provide. Encourage the person to speak with a therapist or other trained professional for additional assistance. It also is important to seek support for yourself, particularly if you are having difficulty coping with the situation. Residential Life student staff members, Peer Health Advocates, and some other student staff positions must report any incidents of sexual assault to their supervisors.

University Disciplinary Procedures in Sexual Assault Incidents

The administration of discipline should guarantee procedural fairness to an accused student. Practices in disciplinary cases may vary in formality with the gravity of the offense and the sanctions that may be applied.

In all situations, procedural fair play requires that the student be informed of the nature of the charges against him/her, that he/she be given a fair opportunity to refute them, that the institution not be arbitrary in its actions, and that there be provision for appeal of a decision. The following describes Wesleyan's procedures for resolving disciplinary cases alleging violations of the Sexual Assault and Sexual Misconduct policy or other Title IX violations:

ADMINISTRATIVE PANEL

Cases involving violations of the Sexual Misconduct and Assault Policy or other Title IX violations will be adjudicated by an administrative panel comprised of four employees of the University. The panel will be comprised of two male and two female staff or faculty drawn from the advisors to the board or hearing officers who have been trained on cases of sexual assault. The procedures for the hearing outlined in the Code and the Sexual Misconduct and Assault Policy will be followed with the exceptions listed below:

1. A respondent will not be permitted to read statements submitted to the dean's office until his/her own statement has been submitted. The student will be provided with information related to the alleged violation to have sufficient notice and understanding of the charge(s) to be able to respond.
2. A student bringing a complaint of sexual misconduct or assault may participate in a hearing without physically appearing before the board through the use of speakerphone or via similar means. Alternatively, the complainant may be present in the same room, but shielded by a screen from the respondent.
3. The respondent and the complainant will not be permitted to directly question one another in the hearing; however, each is permitted to submit questions they would like the panel to consider asking during the hearing. Questions must be submitted to the Dean of Students' Office by the end of the business day prior to the hearing. Each student will be provided an opportunity to make an opening statement, present witnesses, answer questions from the Administrative Panel, and make a closing statement.
4. Both students will be informed of the outcome of the hearing and those sanctions which are relevant to the complainant, as determined by the dean of student's office.
5. Both parties will be provided an opportunity to appeal the decision of the Administrative Panel to the Vice President of Student Affairs based on the following grounds:
 - a. Violation of fair process
 - b. New evidence that was not reasonably available at the time of the hearing
 - c. Procedural error (if the error adversely affected the outcome of the hearing)

Both students will be notified in writing regarding the outcome of the hearing, sanctions as described above, the submission of any appeal, and when an appeal is resolved and the results become final.

EDUCATIONAL PROGRAMS AND RESOURCES

Educational programs and workshops to promote awareness about sexual assault issues are coordinated by several different offices, as well as various student organizations. These programs include presentations to new students at Orientation; workshops in the residence halls facilitated by peer educators and outside speakers; and campus-wide activities such as

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lighting and safety tours, speakers, films, and other projects. The Office of Health Education has implemented a comprehensive Bystander Intervention Program that is delivered during student staff training prior to New Student Orientation and as the We Speak, We Stand program during New Student Orientation. The goal of the program is to provide information to student related to the prevention of all forms of sexual violence. We Speak, We Stand aims to create a community that is actively engaged in the prevention of sexual assault, relationship violence and advocates for the responsible use of alcohol. The goal of the program is to empower bystanders to intervene in high risk situations involving alcohol use, sexual assault and relationship violence. Empowered bystanders make the campus community safer by standing up and speaking out when they witness situations that could potentially harm the health and safety of others. Intervening with peers can be challenging for a number of reasons and training will provide you with the skills to move from inaction to action and intervene safely and effectively.

A few of these resources include:

WESWELL, THE OFFICE OF HEALTH EDUCATION	860-685-2466
Davison Health Center www.wesleyan.edu/weswell	
OFFICE OF THE DEAN OF STUDENTS	860-685-2775
First Floor, North College www.wesleyan.edu/studentaffairs	
OFFICE OF RESIDENTIAL LIFE	860-685-3550
Lower Level, North College www.wesleyan.edu/reslife	
OFFICE OF AFFIRMATIVE ACTION	860-685-4771
3rd Floor, North College www.wesleyan.edu/inclusion	
OFFICE OF PUBLIC SAFETY	860-685-2345
208 High Street www.wesleyan.edu/publicsafety	
OFFICE OF THE	
VICE PRESIDENT FOR STUDENT AFFAIRS	860-685-2772
2nd Floor, North College www.wesleyan.edu/studentaffairs	
WOMEN AND FAMILIES CENTER	888-999-5545 (English)
Sexual Assault Crisis Center	888-568-8332 (Spanish)

The staff of the Women and Families Center provides support, workshops, presentations, and professional training for survivors, their friends and families. Program topics include, but are

not limited to, sexual date/acquaintance rape, harassment, healthy relationships, stalking, and date rape drugs.

Sexual Assault Prevention Education Programs

Wesleyan University's sexual assault prevention education programs are evidence-based and guided by best practices in the field. Wesleyan's Sexual Assault Resource Coordinator partners with various campus offices in Student Affairs as well as with the SART Intern to develop and deliver programming designed to educate the campus community in prevention and response to all aspects of sexual violence.

- * We Speak/We Stand Bystander Intervention Trainings (3 separate tracks: sexual assault, relationship violence, and high risk alcohol use)
- * We Speak/We Stand Bystander Intervention Orientation Performance for First Year Students
- * Healthy Relationships Workshop Series (Consent Workshop)
- * Red Flag Campaign, public awareness bystander intervention campaign around relationship violence
- * Workshop: Revolutionary Self-Care: Building Healthy and Diverse Relationship Skills
- * Healthy Relationship Workshop Series included the following workshops:
 - * Revolutionary Self-Care: Building Healthy and Diverse Relationship Skills
 - * Consent Workshop
 - * Navigating Relationship Transitions: Break-ups and Beyond
 - * Haven Online Educational Module for all incoming students and completed pre-matriculation.

Sex Offender Registration - Campus Sex Crimes Prevention Act

Megan's Law

In compliance with the Campus Sex Crimes Prevention Act of 2002, members of the Wesleyan University community may contact the Connecticut State Police at their website: http://www.communitynotification.com/cap_office_disclaimer.php?office=54567 for information concerning registered sex offenders.

The Campus Crimes Prevention Act passed in 2000 and which became effective on October 28, 2002, requires convicted and previously registered sex offenders to notify their state if they are enrolled as a student or employed at a college or university. This information is then forwarded to the local law enforcement agency wherein the college or university is located. Anyone with questions regarding information on registered sex offenders may contact the

Middletown Police Department located at 222 Main Street, Middletown, CT. The phone number is (860) 344-3200.

CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

In addition to the many programs offered by the University Police and other University offices, the University has established a number of policies and procedures related to ensuring a reasonably safe campus community. These include:

Student at Risk Committee

In order to extend our efforts on emergency preparedness and prevention, Wesleyan University has established a Student at Risk Committee (SARC). The objective of the SARC is to put in place a structured process for evaluating potentially threatening situations that occur at the University. The multi-disciplinary team is comprised of members from around the University community including the Vice President for Student Affairs, the Dean of Students, the Interim Director of Public Safety, the Director of Counseling and Psychological Services, the Class Deans, the Associate Director of Residential Life and the Associate Dean of Students.

Weapons Policy

Personal possession or personal storage of operable firearms or other deadly weapons (legal or illegal) is prohibited anywhere on the Wesleyan campus or while one is engaged in University activities.

The only exception to this policy is for authorized law enforcement officers or others, specifically authorized by the University. Failure to comply with the University weapons policy will result in disciplinary action against violators.

Victim Rights

Every Student's Rights as a Crime Victim in the State of Connecticut:

As a victim of crime, you have rights. Also, you can expect to receive information, practical and emotional support, and be able to participate in the criminal justice process. These standards were created to make sure that you are treated with dignity and respect at all times, regardless of your gender, age, marital status, race, ethnic origin, sexual orientation, disability or religion.

You have the right to be told...

* About basic services available to you in your county

* About certain court events, including information on bail, escape of offender, release of an offender

* About the details of the final disposition of a case

You have the right to receive...

- * Notice of the arrest of the offender
- * Information about restitution and assistance with compensation
- * Accompaniment to all criminal proceedings by a family member, a victim advocate or a support person

You have the right to provide input...

- * Into the sentencing decision and to receive help in preparing an oral and/or written victim impact statement
- * Into post sentencing decisions

Please see the resource list for local victim assistance options.

Constitution of the State of Connecticut

Article First, Section 8(b) - Rights of Victims of Crime

In all criminal prosecutions, a victim, as the General Assembly may define by law, shall have the following rights:

- * The right to be treated with fairness and respect throughout the criminal justice process;
- * The right to timely disposition of the case following arrest of the accused provided no right of the accused is abridged;
- * The right to be reasonably protected from the accused throughout the criminal justice process;
- * The right to notification of court proceedings;
- * The right to attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such person's testimony would be materially affected if such person hears other testimony;
- * The right to communicate with the prosecution;
- * The right to object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused;
- * The right to make a statement to the court at sentencing;
- * The right to restitution, which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law;
- * The right to information about the arrest, conviction, sentence, imprisonment and release of the accused.

Student Conduct

The Code of Non-Academic Conduct was written in light of the following passage excerpted from the Joint Statement on the Rights and Freedoms of Students.

“The institution has an obligation to clarify those standards of behavior that it considers essential to its educational mission and its community life. These general behavioral expectations and the resultant specific regulations should represent a reasonable regulation of student conduct, but the student should be as free as possible from imposed limitations that have no direct relevance to his/her education. Offenses should be as clearly defined as possible and interpreted in a manner consistent with the aforementioned principles of relevancy and reasonableness. Disciplinary proceedings should be instituted only for violations of standards of conduct formulated with significant student participation and published in advance through such means as a Student Handbook or a generally available body of institutional regulations.”

Obviously, no code could anticipate every form of conduct detrimental to the University. Each member of the university community, therefore, is expected to pay close attention to the Joint Statement on the Rights and Freedoms of Students and to remember that a reasonable, considerate, and courteous attitude toward all others in the community is the primary goal and the best guideline.

It should be remembered that Wesleyan also has an obligation to uphold the laws of the larger community of which it is a part.

While the activities covered by the laws of the larger community and those covered by Wesleyan’s rules may overlap, it is important to note that the community’s laws and Wesleyan’s rules operate independently and that they do not substitute for each other.

Wesleyan may pursue enforcement of its own rules whether or not legal proceedings are under way or in prospect and may use information from third-party sources, such as law enforcement agencies and the courts, to determine whether university rules have been broken. Conversely, the University makes no attempt to shield members of the Wesleyan community from the law, nor does it intervene in legal proceedings against a member of the community. Membership in the Wesleyan community does not exempt anyone from local, state, or federal laws, but rather imposes the additional obligation to abide by all of Wesleyan’s regulations.

As a point of information, it should be mentioned that all members of the university community are expected to adhere to the regulations while on campus or engaged in university activities regardless of where those activities occur.

II. THE CODE OF NON-ACADEMIC CONDUCT

A. Regulations

1. DISTURBANCE OF THE PEACE - The infringement upon the right to privacy of any member of the community is prohibited.

Disorderly and disruptive conduct and/or the persistent disturbance of a reasonable level of peace and quiet is also a violation. Students should be aware that repeated violation of this regulation could result in administrative reassignment to another residential unit or area.

2. HARASSMENT AND ABUSE - Harassment and abuse, directed toward individuals or groups, may include at least the following forms: the use or threat of physical violence, coercion, intimidation, and verbal harassment and abuse. Wesleyan University's commitment to nondiscrimination means that intentional discriminatory harassment may be punished more severely than nondiscriminatory or unintentional forms of harassment. (See University Policies –Discriminatory Harassment and Sexual Misconduct, page 21.)

3. SEXUAL MISCONDUCT/SEXUAL ASSAULT - Sexual misconduct, including, but not limited to, sexual assault, sexual exploitation, stalking and retaliation, is prohibited. (See University Policies - Discriminatory Harassment and Sexual Misconduct, page 21.)

4. PROPERTY - The unauthorized use, or the abuse, destruction, or theft of university property or the property of any of its members, guests, or neighbors is prohibited. This includes but is not limited to all tunnels, roofs, and areas under construction.

This regulation prohibits the unauthorized appropriation or “borrowing” of common property for personal use.

5. FALSE INFORMATION - Knowingly furnishing false information to a university officer or member of any constituted hearing board acting in performance of his/her duties is prohibited.

6. MISUSE OF DOCUMENTS—Forgery, alteration, or the unauthorized possession or use of university documents, records or instruments of identification is prohibited.

7. TAMPERING WITH LOCKS AND DUPLICATION OF KEYS - Tampering with locks in university buildings, unauthorized possession or use of university keys, and alteration or unauthorized duplication of university keys is prohibited.

8. FIRE PROTECTION SYSTEMS - Tampering with fire extinguishers, fire alarm boxes, or smoke or heat detectors anywhere on university property is prohibited. Additional information about fire safety procedures may be found at wesleyan.edu/fire_safety.

9. RESTRICTED ITEMS/FIRE HAZARDS - The following are considered fire hazards and are prohibited within any university owned/operated facility:

a. STARTING A FIRE anywhere on university property without explicit permission from the Office of Public Safety is prohibited.

b. THE USE OR STORAGE OF KEROSENE LAMPS, canned heat (Sterno brand cooking fuel), flammable liquids, charcoal grills, and other open-flame devices, except in areas such as kitchens or laboratories that are specifically designed for their use. Likewise, candles and flammable decorations are also prohibited.

c. COOKING/HEATING DEVICES are prohibited in all student residential facilities (except kitchens).

d. CERTAIN DECORATIVE ITEMS (such as candles, halogen lamps, tapestries, etc.) are also prohibited in student residences.

A detailed listing of items not allowed in student residences is provided in the “Terms and Conditions” of the housing contract.

e. EXPLOSIVES, AMMUNITION, INCENDIARY DEVICES –Personal possession, storage, or use of firecrackers, fireworks, firebombs, smoke bombs, blasting caps, ammunition, or any other explosive or incendiary device is prohibited anywhere on the Wesleyan campus or while one is engaged in any university-connected activity. Ammunition for use in sporting activities must be stored in the Office of Public Safety.

f. WEAPONS - Personal possession or use of operable firearms, air guns, or other weapons is prohibited on the Wesleyan campus or while participating in university activities.

10. RECKLESS ENDANGERMENT - Creating condition(s) or an environment that endangers, or has the potential to endanger, other members of the community or property is prohibited. Failure to take reasonable constructive action to remedy such conditions may also constitute a violation.

11. PETS - Pets are not permitted in any student housing with the exception of fish in 10 gallon tanks or smaller. No other pets or animals are permitted in student residences at any time, even if for a brief visit. Students and their roommates who have a pet or animal found in their residence are subject to the following: First Offense: \$300 fine and referral to the Student Judicial Board; Second and Subsequent Offenses: \$500 fine and further judicial action up to and including suspension. Regular follow up visits will be made to ensure the animal has been removed. Students who, because of a disability, seek approval for a support or assistance animal must request a reasonable accommodation through Disability Resources. This is a formal process that requires appropriate supporting documentation. A determination is then made regarding whether it is reasonable for the animal to be on campus. Students must not bring the emotional support animal to campus until they have received approval from Disabilities Resources and Residential Life. Any student who has an animal in residence prior to approval is subject to a fine and judicial action. For policies regarding service animals, please contact Disabilities Resources.

12. DISRUPTIONS - The following “ground rules” for political freedom on campus are excerpted from the booklet “Academic Freedom and Civil Liberties of Students in College and University,” published by the American Civil Liberties Union in 1970.

GROUND RULES

Picketing, demonstrations, sit-ins, or student strikes, provided they are conducted in an orderly and non-obstructive manner, are a legitimate mode of expression, whether politically motivated or directed against the college administration, and should not be prohibited. Demonstrators, however, do not have the right to deprive others of the opportunity to speak or be heard, take hostages, physically obstruct the movement of others, or otherwise disrupt the educational or institutional processes in a way that interferes with the safety or freedom of others.

Students should be free, and no special permission should be required, to distribute pamphlets or collect names for petitions concerned with campus or off-campus issues.

Protests, sit-ins, demonstrations, student strikes, and other forms of expressions also violate the Code of Non-Academic Conduct when they:

- Disrupt or obstruct curricular, co-curricular, or administrative/operational activities of the University
- Deny the rights of students, faculty, staff, or guests of the University
- Inhibit others from moving freely on any part of the university campus, property owned or leased by the University, or to areas where they desire or need to pursue their goals
- Disrupt the proper use of university offices or facilities
- Endanger the safety of any person on university property
- Destroy or damage property
- Violate statutory health and safety regulations

See <http://www.wesleyan.edu/studentaffairs/studenthandbook/20152016studenthandbook.pdf> University Policies-Disruptions, for further clarification and guidelines.

13. DRUGS AND ALCOHOL - The University prohibits underage and unlawful possession, use, abuse, or distribution of illicit drugs and alcohol. This prohibition includes, but is not limited to, the following:

a. The possession, use, manufacture, distribution, or dispensing of illegal drugs or controlled substances by any member of the Wesleyan community. This includes the misuse or abuse of any medications prescribed by a physician to another individual. Students should be advised that university personnel may confiscate drug paraphernalia (including bongos, water pipes, etc.). Such items will be tested for drug residue and the owner held responsible for a drug policy violation if appropriate.

b. Underage possession or consumption of alcohol anywhere on university property or at university-sponsored events.

c. Distribution of alcohol to underage persons anywhere on university property or at university-sponsored events. Hosts of social events where alcohol is distributed may be held responsible for any such illegal distribution committed by their guests.

d. The possession of false identification.

e. Possession of open containers of alcohol is prohibited at all times and at all campus locations, except in private residential settings where the residents are of legal age or during registered events. In addition, the possession of an open container or consumption of alcohol on City property, streets, and sidewalks is prohibited by City ordinance.

NOTE: Members of the Wesleyan community who are of legal drinking age may consume alcohol on Foss Hill during daylight hours.

f. The sale, distribution or dispensing of alcohol without a permit in any premises, building, apartment, or other place used by any club, association, social, or fraternal society or organization to the members thereof, their guests, or other persons.

g. Operating a motor vehicle while under the influence of alcohol and/or drugs.

NOTE: Students requiring medical assistance as a result of alcohol and drug use will typically not face a formal judicial hearing if they agree to meet with Health Services staff following their hospitalization and participate in any recommended educational assignments.

14. FAILURE TO COMPLY - Members of the community are expected to comply with reasonable requests made by university personnel acting within the capacity of their responsibilities, including requests for adequate identification. Public Safety officers should be allowed to enter private residential spaces to address suspected policy violations. Officers may enter private residential spaces without residents' permission only with the approval of the vice president for student affairs (or designee).

15. DEPARTMENT REGULATIONS - Members of the community are expected to abide by duly established and promulgated non-academic regulations. This is intended to cover the operating regulations of all university programs and facilities. These include, but are not limited to, the policies outlined later in this booklet and available at www.wesleyan.edu/studentaffairs/studenthandbook

B. Jurisdiction

The Student Judicial Board shall have the ability to hear complaints concerning violation(s) of the Code of Non-Academic Conduct in any of the following circumstances:

1. If the violation occurs on the campus or in any campus facility;
2. If the violation occurs during a university-related activity (e.g., athletic contest, field trip, social event, activity sponsored by a recognized student organization) regardless of where the conduct occurs;
3. If the violation, regardless of where the conduct occurs, calls into question the student's suitability as a member of the university community or has the potential to adversely affect a member of the university community or the University itself.

OFF-CAMPUS CRIMINAL VIOLATIONS - A student charged with an off-campus criminal violation is not automatically subject to university disciplinary procedures. Rather, the question of initiating university disciplinary action depends on whether the incident that led to the arrest also harmed a distinct interest of the University. Therefore, the University is faced with the necessity of developing sufficient information to determine if and in what manner the interests of the university community have been harmed. If it is determined that such harm has taken place, the information will be presented to the SJB as the basis for disciplinary action.

III. THE STUDENT JUDICIAL BOARD

A. Composition and Tenure

1. The voting membership of the Student Judicial Board (SJB) shall consist of ten undergraduate students, each serving a two-year term.
2. The advisory membership of the SJB shall consist of two faculty members, each serving a two-year term, and the dean of students (or designee), serving ex officio.

B. Selection

1. The regular voting members of the SJB shall normally be selected in the spring of their sophomore year to serve a two year term during their junior and senior years.
2. Additional members may be selected to fill vacancies. They will serve for the duration of the unexpired term.
3. Voting members shall be chosen by a selection committee consisting of at least two voting members of the SJB, at least one advisor, and at least two members of the Wesleyan Student Assembly.
4. A voting member of the SJB may be removed from the board, for cause, by the dean of students. Complaints against a voting member of the SJB should be submitted to the dean of students.
5. No voting member of the SJB shall serve concurrently on the Student Affairs Committee of the Wesleyan Student Assembly or the Trustees' Campus Affairs Committee.
6. The faculty advisors to the SJB will be appointed by the vice president for student affairs in consultation with the SJB and the Faculty Executive Committee. Faculty advisors will be expected to participate in SJB training.

C. Officers

1. The voting members of the SJB shall select, with the approval of the dean of students, two co-chairs, each normally serving a one-year term.
2. The co-chairs shall review complaints as they are received by the clerk, consult with the administrative advisor(s) on the appropriate method of adjudication, and schedule judicial hearings as appropriate. The co-chairs will maintain records in a form approved by the dean of students.

D. Responsibilities

1. The SJB shall hear complaints concerning alleged violations of the Code of Non-Academic Conduct by other students or by student groups. When appropriate, the SJB shall attempt to refer cases for mediation prior to any formal adjudication.

Cases involving allegations of sexual assault may not be referred for mediation and will be adjudicated by an administrative panel (IV.D.5.). In all cases, the SJB shall determine the level of individual and/or group responsibility for the incident leading to the complaint.

2. The SJB shall be responsible for primary adjudication of all alleged violations of the Code of Non-Academic Conduct except those cases that may arise when the SJB cannot convene (summer, recess periods, etc.). Cases arising when the SJB cannot convene may be held in abeyance until such time as the SJB reconvenes, may be disposed of via judicial conference, or may be adjudicated by an interim administrative judicial board.

3. In order to permit the expeditious handling of cases in which mediation is feasible or of minor judicial matters, the SJB may, with the approval of both the dean of students and the Student Life Committee, develop simplified procedures and may delegate the responsibilities for mediation or adjudication.

4. In judicial matters, the SJB shall receive evidence, hear witnesses, determine if the respondent student(s) or group is responsible for violations of the Code of Non-Academic Conduct, and shall recommend sanctions to the dean of students. In a formal sense, the authority to impose sanctions in the name of the University must be vested in an officer of the University.

5. The role of the faculty and administrative advisor(s) is to brief the SJB before each hearing to ensure a clear understanding of the regulation(s) in question and of the hearing procedures. The advisor(s) shall advise the chair during hearings to see that the board follows procedures correctly. They may offer information and assist the chair in facilitation. They may also offer advice or clarification regarding appropriate sanctions or questions regarding policies and procedures during deliberations in closed session. In cases involving sexual offenses, the advisor(s) will review all written material before submission to an administrative panel to determine the relevance, if any, of the prior sexual history of either party.

6. The SJB shall periodically distribute a summary of the cases adjudicated by the board to the campus community. The names of those involved in the cases should be omitted and identifying information changed as appropriate to protect the confidentiality of those involved.

IV. JUDICIAL PROCEDURES

A. Students' Rights

1. Written notice of charges, including time and place of the alleged violation at least seventy-two (72) hours' prior to an SJB hearing.
2. Advice from the Office of the Dean of Students in preparing for a hearing.
3. Resolution of charges in accordance with judicial system policies as outlined.
4. Review of the reports that serve as the basis for the charge(s).
5. Participation in the hearing, if the case is not resolved via judicial conference.

6. Assistance from a process advisor (if requested).*
7. Written notice of the hearing decision.
8. File an appeal.**
9. Written notice regarding outcome of appeal.
10. Confidentiality regarding the outcome of the hearing (except for the complainant's right to be informed of the hearing decision) and any subsequent appeal.

* In cases involving discriminatory harassment and sexual misconduct and/or other Title IX charges, both students have the option to have an advisor of their choice present at the hearing.

** In cases involving discriminatory harassment and sexual misconduct and/or other Title IX charges, both students have the option to file an appeal. In all other cases, only the respondent has the option to file an appeal.

B. Reports of Violations

Although most alleged violations are documented by the Office of Public Safety, any individual who is aware of a violation of the Code of Non-Academic Conduct may submit a report to the Office of the Dean of Students. Reports should be submitted as soon as possible, but preferably within five (5) days of the incident. Reports must be in writing and contain a complete description of the incident with the names of all parties involved as participants or witnesses. In cases of sexual harassment or misconduct, the requirement that the report be in writing is relaxed; an individual may make an oral report of a violation of the Discriminatory Harassment and Sexual Misconduct Policy. The University may file a complaint when violations of the Code of Non-Academic Conduct harm salaried employees, university guests or neighbors, or if witnesses are unwilling to pursue the matter.

The Code of Non-Academic Conduct applies to groups as well as to individuals. Whenever a complaint is filed with the SJB, the officers of the SJB and an administrative advisor will review the complaint to determine the degree to which a group may be responsible for the actions leading to the complaint. If it is determined that a group may be responsible for a violation of the Code, the SJB will take appropriate action with respect to the group as well as the individuals involved.

C. Notification of Charges

The respondent will receive written notification of alleged violations of the Code of Non-Academic Conduct. The student must respond to the notice of charges within the time frame outlined in the notification. Please note that the University's primary means of communicating with students is through their Wesleyan e-mail accounts. Students are responsible for reading and responding to e-mail from university officials.

D. Adjudication Procedures

There is several adjudication procedures used to resolve cases. The SJB co-chairs and the administrative advisor(s) will meet to review cases submitted for adjudication. This group will determine the appropriate adjudication procedure for resolving of the case. If the group is unable to come to consensus on an adjudication procedure for a particular case, the dean of students may make the final determination.

1. JUDICIAL CONFERENCE

Minor judicial matters and cases where mediation is feasible will be referred to the Residential Life professional staff who will contact the respondent(s) and attempt to resolve the case via a judicial conference. During the judicial conference, the respondent(s) and the Residential Life staff member will discuss the incident, alleged violations and possible sanctions. If an agreement regarding the student's level of responsibility and sanctions (if appropriate) can be reached during the conference, the student will sign a summary/response form indicating their agreement with the proposed resolution and the case will be considered closed. If no agreement can be reached, the case will be referred to the Student Judicial Board for formal adjudication.

If a student is facing more serious charges, the student may request a judicial conference with the dean of students or designee. The conference will be conducted as outlined above, but the full range of sanctions is available to the dean. The dean will consult with the co-chairs of the SJB before imposing sanctions.

2. SIMPLIFIED SJB HEARINGS

In cases involving minor violations, the SJB shall convene a simplified hearing. At such a hearing, the board shall meet with three voting members present—although permitted, advisors do not normally attend simplified hearings. A limited range of sanctions including disciplinary warning, disciplinary probation, community service assignments, fines, restitution, and educational assignments is available in this procedure. If, during the course of a simplified hearing, the SJB determines that the nature of the violation and/or probable sanctions are more serious than anticipated, the simplified hearing may be adjourned in favor of a full hearing.

3. FULL SJB HEARINGS

In cases involving violations that are deemed to be serious, the SJB shall convene a full hearing. At such a hearing, the board shall meet with five voting members present, at least one faculty advisor, and at least one administrative advisor.

The full range of sanctions is available in this procedure. In cases where the administration identifies itself as the aggrieved party, the administrative advisor should withdraw and will be replaced by the second faculty advisor. This procedure should not be followed when the administration brings a case on behalf of an aggrieved third party.

If a student's continued presence on campus endangers university property, the physical safety or well-being of other members of the university community, affects his/her physical or emotional safety or well-being, or disrupts the educational process of the community, the dean of students may request an expedited hearing. An expedited hearing will be convened immediately (typically within 48 hours) and may involve an interim board (as outlined below) if the SJB is unable to convene on such short notice. Examples of cases that warrant such a hearing include, but are not limited to, cases involving arson, assault, threats, and reckless endangerment. The dean of students has the authority to place a student on an immediate suspension pending the outcome of the hearing.

4. JOINT STUDENT-ADMINISTRATIVE PANEL

When the SJB co-chairs and advisors determine that a case involves egregious violations and/or serious violations where external legal charges may also result from the alleged conduct, a joint student-administrative panel may be convened to hear the case. At such a hearing, the board shall be comprised of two student members of the SJB and two administrators, all with full voice and vote. At least one of the SJB's administrative advisors should serve on the board.

The full range of sanctions is available in this procedure. If the board is unable to come to consensus on the case during deliberations, the dean of students may make the final determination. For this reason, the dean of students may attend the hearing in an ex officio capacity, but should not attend deliberations. The dean may consult with the University's legal advisor if appropriate.

5. ADMINISTRATIVE PANEL

Cases involving violations of the Discriminatory Harassment and Sexual Assault Policy or other Title IX violations will be adjudicated by an administrative panel comprised of four employees of the University. The panel will be comprised of two male and two female staff or faculty drawn from the advisors to the board or hearing officers who have been trained on cases of sexual assault. The procedures for the hearing outlined in the Code and the Discriminatory Harassment and Sexual Misconduct Policy will be followed with the exceptions listed below:

a. A respondent will not be permitted to read statements submitted to the dean's office until his/her own statement has been submitted. The student will be provided with information related to the alleged violation to have sufficient notice and understanding of the charge(s) to be able to respond.

b. A student bringing a complaint of sexual misconduct or assault may participate in a hearing without physically appearing before the board through the use of speakerphone or via similar means. Alternatively, the complainant may be present in the same room, but shielded by a screen from the respondent.

c. The respondent and the complainant will not be permitted to directly question one another in the hearing; however, each is permitted to submit questions they would like the panel to consider asking during the hearing. Questions must be submitted to the Office of the

Dean of Students by the end of the business day prior to the hearing. Each student will be provided an opportunity to make an opening statement, present witnesses, answer questions from the Administrative Panel, and make a closing statement.

d. Both students will be informed of the outcome of the hearing and those sanctions which are relevant to the complainant, as determined by the dean of student's office.

e. Both parties will be provided an opportunity to appeal the decision of the Administrative Panel to the vice president for student affairs based on the following grounds:

- Violation of fair process
- New evidence that was not reasonably available at the time of the hearing
- Procedural error (if the error adversely affected the outcome of the hearing)

6. INTERIM ADMINISTRATIVE HEARING

An interim administrative board shall be comprised of the dean of students (or designee), an advisor to the SJB, and at least one student member of the SJB. The SJB member(s) of the interim administrative board may participate in hearings via speakerphone or other similar technology. The dean of students will consult with a designated representative from the SJB in order to determine the manner in which cases should be resolved when the SJB cannot convene.

7. JOINT GRADUATE JUDICIAL BOARD-STUDENT JUDICIAL BOARD PANEL

When the SJB co-chairs determine that a case involves both an undergraduate(s) student(s) and a graduate student(s), a joint GJB-SJB panel may be convened to hear the case. At such a hearing, the board shall be comprised of two student members and one advisor member from each of the GJB and SJB panels.

E. Hearing Procedures

The following hearing procedures will be used in all hearings except as noted in Section IV. D. 5 above for cases of discriminatory harassment and sexual misconduct:

1. THE CHAIR WILL CONDUCT THE HEARING ACCORDING TO THE FOLLOWING PROCEDURES.

- a. The chair will inform the respondent(s) of the alleged violation(s).
- b. The respondent(s) will acknowledge whether they are responsible or not responsible for the violation(s).
- c. The complainant(s) and witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.
- d. The respondent(s) and their witnesses (if any) will have the opportunity to make opening statements and offer their account of the incident.

e. The complainant(s) and the respondent(s) may pose questions to the board who will then redirect them to the appropriate party.

f. Board members may question the complainant(s), the respondent(s), and/or any witnesses.

g. The complainant(s) and the respondent(s) may make closing statements. In cases where the complainant(s) or respondent(s) fail to appear, the chair may modify these procedures.

2. All parties involved in the hearing may review available written evidence in the case file before the hearing.

3. A student bringing a complaint of sexual misconduct or assault may participate in a hearing without physically appearing before the board through the use of a speakerphone or via similar means.

4. All judicial hearings shall be conducted in accordance with the standards of fair process. Specifically, the respondent should be informed of the nature of the charges against him/her, be given a fair opportunity to refute them, and the opportunity to appeal the board's decision. Any board member who feels he/she cannot be impartial in a given case shall recuse himself/herself and shall be replaced by another voting member.

5. The board may require the cooperation of any member of the university community in furnishing testimony or evidence directly related to the adjudication of a case. However, no member of the university staff with whom a respondent has entered into a statutorily-recognized confidential relationship may provide information arising from that relationship without the permission of the respondent. Furthermore, the board shall excuse a witness if it concludes that by giving testimony the witness may be endangered.

6. Only individuals with direct knowledge of the incident will be allowed as witnesses. Character witnesses are not permitted.

7. The chair (or designee) will generate a written summary of all hearings. Full hearings will also be recorded. Written summaries will be maintained with the case file. Audio recordings of the hearing are to be used by the board during deliberations and/or by the vice president for student affairs if there is an appeal of the board's findings. Recordings will usually be destroyed after the appeal process is complete.

8. Student judicial records are confidential and are available only to persons who have permission from the student. Limited judicial information may be shared with other university administrators and faculty members who, at the discretion of the dean of students, have a legitimate need-to-know.

9. All hearings are closed to the general public.

10. If a respondent fails to appear for a scheduled hearing, the board will hear the case based on the available information.

The University may proceed with charges of misconduct even when a respondent leaves the University for any reason (e.g., voluntary withdrawal, required resignation, separation, or dismissal).

11. A respondent may bring an advisor to a hearing. The advisor must be a student, a member of the faculty, or an administrator at the University. During the hearing the advisor may only advise during recesses granted by the board and may clarify procedural questions before, during, or after the hearing.

12. The board will make decisions about responsibility and sanction(s), if appropriate, during closed session, and their decisions regarding responsibility shall be based on the evidential standard of “preponderance of the evidence.” The board is responsible for determining if it is more likely than not that the alleged violation occurred. The complainant need not provide evidence beyond a reasonable doubt in a hearing. Decisions rendered during hearings shall be by majority vote of the voting members present. The board will forward its finding and recommended sanction(s) to the dean of students who will review and implement them in the name of the University. The considered judgment of the board shall be taken by the dean of students as a binding recommendation, to be modified only in extraordinary circumstances. The respondent(s) will be notified in writing via e-mail of the hearing outcome and any sanctions imposed as well as guidelines for filing an appeal. In cases involving sexual misconduct and sexual violence, both the respondent and the complainant will be notified in writing via e-mail of the hearing outcome as well as any sanctions imposed, where appropriate.

13. The University requires that judicial boards and administrative staff maintain confidentiality regarding judicial matters. Complainant(s) will be informed of the board’s decision. Information about assigned sanctions will be shared with complainant(s) as deemed appropriate by the dean of student’s office. The dean of students may share information about judicial charges, findings, and sanctions with university personnel who, at the discretion of the dean, have a legitimate need to know.

F. Hearing Findings

1. NOT RESPONSIBLE

A decision that the respondent is not responsible for a violation of the Code of Non-Academic Conduct, or that there is insufficient evidence to establish that a student is responsible for the alleged violation(s).

2. RESPONSIBLE

A decision that the respondent is responsible for a violation of policy as charged.

G. Hearing Sanctions

1. The University should have a range of sanctions of graduated severity to deal with infractions of varying seriousness. Insofar as possible, sanctions should “fit” the offense in a common-sense manner. In Fall of 2012, the University implemented a point-system to bring greater clarity to what students may expect if they are found to have violated regulations.

Wesleyan University 2015 Annual Campus Safety and Security/Fire Safety Report

The following chart contains the point ranges the judicial board will consider for particular violations (#). If a case arises where a student or group is charged with multiple violations, the board will have the discretion to consider the greatest range indicated by all of the alleged violations (for example, if there are two violations with ranges of 2-6 and 1-3 respectively, the board will consider the range of points as 1-9). The total range of points goes from 1 to 10. If a student accumulates 10 or more points, the board will likely recommend a separation from the University for a specified period of time.

	Regulation	Point Range		Regulation	Point Range
1	Disturbance of the Peace	1-3	12	Disruption	1-10
2	Harassment and Abuse	2-10	13a	Drugs	1-5**
3	Sexual Misconduct/Sexual Assault	5-10	13b	Underage Possession/Use of Alcohol	1-3
4	Property	1-8*	13c	Distribution of Alcohol to minors	1-4
5	False Information	1-4	13d	Possession of False Identification	1-2
6	Misuse of Documents	2-10	13e	Open Container	1-2
7	Locks and Keys	1-4	13f	Sale of Dispensing without a Permit	1-3
8	Fire Protection System	2-5	13g	Operating Under the Influence	5-10
9a	Starting a Fire	1-4	14	Failure to Comply	1-4
9b	Storing Flammable Material	1-3	15	Social Event Registration	1-3
9c	Restricted Items	1-3	15	Unregistered Guest	1-2
9d	Explosives, Ammunition, Incendiary Device	2-10	15	Smoking in Residence Hall	1-2
9e	Weapons	4-10	15	Quiet Street Noise Violation	1-3
10	Reckless Endangerment	2-10	15	Hazing	5-10
11	Pets	1-3			

The point ranges outlined above will be followed except in mitigating and aggravating circumstances where the impact of student behavior indicates a judicial response outside of the published range.

* Restitution for property damage may be included in the sanction up to 2 times the cost of the repair or replacement.

** Distribution/Sale of drugs on or off campus will result in 4-10 points.

IN ADDITION TO ANY OTHER SANCTIONS:

- 1-4 total accumulated points will result in a student receiving a “disciplinary warning”.
- 5-10 total accumulated points at any time will result in a student being on “disciplinary probation”

- 10 or more accumulated points will result in a separation of the student from the University through either suspension or dismissal.

A student who has been found responsible for violating the Code of Non-Academic Conduct and assigned points as a result, will lose one point after 6 months (180 days) without being found responsible for any additional infractions. (A student with 6 points who is placed on probation will return to disciplinary warning status after one year without any additional infractions.)

2. The board will consider a range of sanctions including but not limited to community service, fines, restitution, educational assignments, and referrals to deans and directors of student affairs' departments. Based on the number of points assigned, the board will normally recommend the imposition of one of the following sanctions:

a. DISCIPLINARY WARNING - An official written reprimand that includes a warning that further violations of the Code of Non-Academic Conduct will result in more serious sanctions.

b. DISCIPLINARY PROBATION - A temporary status for a period to be established by the board, during which the student's standing within the University, is in question. Additional violations during the probationary period may result in suspension or dismissal. The dean of students will typically notify parent(s) or guardian(s) of students placed on disciplinary probation by letter.

c. DEFERRED SUSPENSION - A status imposed by the board, indicating the student's standing within the University is in jeopardy. Additional violations during the probationary period will result in suspension or dismissal.

d. SUSPENSION - A student's removal from the institution for a period to be determined by the judiciary, but in no event less than the remaining portion of the semester during which the case is adjudicated. Students must comply with the terms of their suspension in order to be eligible to return to the University.

e. DISMISSAL - A student's permanent removal from the institution.

3. In cases of damage to university property, the board, as a part of its recommendation to the dean of students, should normally require full restitution and/or any reasonable expenses for repair. The board may recommend restitution for damages suffered by a third party, but cannot collect damages on behalf of a third party.

4. The board may recommend restriction of individual access to specific university facilities, limitation of individual participation in specific university activities, or curtailment of privileges that are enjoyed by a student, so long as these restrictions are directly relevant to the violation.

5. REPEAT VIOLATIONS - In the case of repeated violations or violation in deliberate disregard of a specific warning, a student will be subject to more serious sanctions than would otherwise be the case. A prior disciplinary record is never relevant in determining the facts of an incident, but once the facts have been established, it is relevant in determining appropriate sanctions.

6. SANCTIONS RELATED TO GROUP BEHAVIOR—In addition to recommending other sanctions such as community service, fines, educational assignments, restitution, etc., the board may recommend the imposition of the following sanctions:

a. A written disciplinary warning with a copy maintained in the judicial file. The warning may specify corrective measures that can help the group avoid similar complaints in the future.

b. Disciplinary probation for a period to be established by the board, implying that the group's standing within the University is in jeopardy and that further negligent or willful violations will normally result in suspension of university recognition. Disciplinary probation may include restrictions on the group's functions during the probationary period. The group should also be informed of corrective measures that must be undertaken during the probationary period and maintained after its conclusion.

c. SUSPENSION OF UNIVERSITY RECOGNITION - a group desiring to reestablish a relationship with the University must reapply for recognition by the University through the dean of students.

H. Appeals

Appeals of judicial findings may be directed to the vice president for student affairs (VPSA) who will convene an Appeals Board. The Board shall consist of the VPSA as chairperson, one faculty member, and one student member. The faculty member shall be a member of the Faculty Committee on Rights and Responsibilities. The VPSA will select a student member from the membership of the various adjudicating boards or the WSA Academic Affairs Committee chairperson (Honor Board appeals) or the WSA Student Affairs Committee chairperson (SJB appeals) on a case by case basis. Appeals Board members will not have been involved in the adjudication of the case being appealed. Consistent with Wesleyan's adjudication processes, the student member of the appeals board will be replaced by a second faculty member in cases of discriminatory harassment and sexual misconduct.

The purpose of the Appeals Board is to ensure that hearings were conducted according to the established judicial procedures.

The Appeals Board will not substitute its own judgment for that of the original hearing body. Respondents who have been found to be in violation may appeal the decision to the Appeals Board on the basis of the following grounds (in cases of discriminatory harassment and sexual misconduct, both the respondent and the complainant have the right to appeal as outlined in Section IV. D. 5):

1. Violation of fair process;
2. New evidence that was not reasonably available at the time of the hearing;
3. Procedural error (if the error adversely affected the outcome of the hearing).

STUDENTS WHO WISH TO APPEAL MUST DO SO IN WRITING. The appeal letter must clearly state the grounds and rationale for the appeal. Appeal letters should be addressed to the vice president for student affairs and must be submitted within five business days of the hearing decision.

SANCTIONS RESULTING FROM THE CASE WILL NOT TYPICALLY BE IMPLEMENTED UNTIL AFTER THE APPEAL IS RESOLVED. If an expedited full hearing results in a student's immediate suspension or dismissal, the student must leave campus and remain off-campus during the appeal process.

THE VICE PRESIDENT FOR STUDENT AFFAIRS WILL NOTIFY THE STUDENT OF THE OUTCOME OF THE APPEAL. If the appeal is granted, the Appeals Board has the authority to recommend a new hearing before a new board/panel. If the appeal is denied, the sanctions will be imposed and the University will consider the case closed.

I. Additional Procedures

1. INTERNAL INJUNCTIONS

One special power, which may be exercised by the SJB, shall be to determine the point at which free expression by one individual or group crosses the line of tolerability and becomes an invasion of the rights of other individuals. This critical judgment must always be exercised in determining when verbal or physical expression can reasonably be considered harassment or disruption. Immediately upon receipt of a complaint that harassment or disruption is in process or imminent, thereby threatening to deprive an individual of his/her rights, the SJB shall convene to consider the matter. In such a case, the board shall be authorized to deliver an injunction against the conduct in question. This warning shall contain an explicit description of the disruptive behavior and reasonable time limit for compliance with the terms of the injunction.

The injunction shall remain in effect until superseded by decision of the vice president for student affairs. If the injunction is violated, the dean of students (or designee), shall have the authority to impose immediate, temporary sanctions including, but not limited to, immediate suspension from the University.

2. REVISIONS

The president has the authority to make changes to the Code of Non-Academic Conduct or related procedures. Changes should be proposed to the vice president for student affairs. The dean will consult with the members of the SJB and with the Student Life Committee about the proposed changes before forwarding recommendations to the president. If extensive changes appear warranted, the Student Life Committee should consider establishment of a mechanism for broadly eliciting opinion and advice from the community.

3. JUDICIAL RECORDS

Student judicial records are confidential and are maintained separately from official academic records. Judicial records are maintained for six years after the academic year in which the violation was adjudicated. To inspect their record, a student should make an

appointment with the clerk of the SJB. Students will have access to all official records and correspondence in the file. Except as required by law, information from the file cannot be released without the student's permission.

Parental Notification Policy

The University reserves the right, under certain exceptions to the Family Educational Rights and Privacy Act (FERPA), to report student discipline information to the parents or legal guardians of students.

Federal legislation authorizes Wesleyan University to disclose disciplinary records concerning violations of the University's rules and regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21 regardless of whether the student is a dependent.

The University may also report non-alcohol or drug related incidents to parents or legal guardians of dependent students under circumstances described in the Student Handbook.

Missing Student Notification Policy

When it is determined that a residential student is missing from the University, staff at Wesleyan University, in collaboration with local law enforcement, will be guided by this Missing Student Notification Policy and related procedures.

Provisions

In the event that a student is deemed to be missing from our residence halls or from campus, all persons are directed to report this fact to the Office of Public Safety. Reports should also be made to the residential life office and/or the dean of student's office. The university's public safety department will begin an investigation and attempt to find the missing person immediately upon the receipt of the information. As part of the initial investigation, assistance will be requested from the Middletown Police department. Under public safety protocol the person does NOT have to be missing for 24 hours before actions are taken, but rather as soon as it is determined that the person is missing.

Each student living on campus has the option through their student portfolio to register a confidential contact person to be notified in the event that the student is determined to be missing. Only authorized campus officials and law enforcement officers, in furtherance of a missing person investigation, may have access to this information. All students, even if they have not registered a contact person, are advised that the local law enforcement agency will be notified the student is missing. The parent or guardian of any student under 18 years of age and not emancipated must be notified as well.

Wesleyan University's missing student investigative procedures include the following:

- * Communication procedures for official notification of appropriate individuals at Wesleyan University that a student has been missing for more than 24 hours.

- * Require an official Missing Person Report relating to a University residential student to be referred immediately to Public Safety.

* If through investigation of an official report, Public Safety determines a student has been missing for more than 24 hours, they will:

- Notify the local police.
- Contact those individuals provided by the student, as their missing student contact person.
- If a student is under 18 years of age, and not an emancipated individual, immediately contact the custodial parent(s) or legal guardian(s) of the student, in addition to the student's missing student contact person.

Daily Crime and Fire Log

A daily crime and fire log is available for review during normal business hours at the Office of Public Safety, 208 High St. The information in the log typically includes the nature, date, time, general location and disposition of each complaint.

The Office of Public Safety maintains a combined Daily Crime and Fire Log of all crime and fire incidents reported to the department. The Office of Public Safety publishes the Daily Crime and Fire Log, Monday - Friday, when the University is open. The log is available 24 hours per day to members of public. The log is available on line via the Public Safety website under the header The Awareness Report. This log identifies the type, location, and time of each criminal incident reported to Public Safety. The most current 60 days of information is available at the Office of Public Safety building located at 208 High Street. Upon request a copy of any maintained Daily Crime and Fire Log will be made available for viewing, within 48 hours of notice.

Crime Prevention and Safety Awareness Programs

Safety is the concern and responsibility of all. Effective prevention programs must, of necessity, involve community participation. Programs and publications are available concerning safety and security procedures on campus, and each year new students are invited to attend a program presented by the Office of Public Safety to acquaint them with campus crime-prevention techniques; residential security methods; emergency procedures, telephones, and telephone numbers; fire safety; registration and marking of valuables; and the Campus RIDE Program. Residential workshops are given to first-year students each fall term sponsored by the Student Affairs Office in awareness and prevention of sexual assault. In addition, an orientation program sponsored by the Dean of Student's Office outlines student rights and responsibilities under the Wesleyan Code of Non-Academic Conduct.

Public Safety also makes available the following additional crime-prevention programs and information:

* Crime-prevention posters, which are given to residential life staff to be displayed in residence halls and other strategic locations. The posters address prevention of larcenies and bike theft; the importance of reporting crime and suspicious circumstances to Public Safety; and lists of emergency numbers.

- * Free whistles, as part of a program that encourages community members "to blow the whistle" if they feel at risk. Public Safety should be called whenever anyone hears a whistle.
- * An extensive system located in the Office of Public Safety headquarters that monitors an electronic network of intrusion and panic-alarm systems on campus.
- * Interior and exterior emergency phones, including exterior blue-light phones to the Office of Public Safety. Middletown Police/Fire emergency boxes are located throughout campus.
- * Operation I.D., an identification engraving program designed to discourage theft and assist in the recovery of stolen items; and registration of bicycles on campus.
- * Crime-prevention presentations made each year to residence staff to assist them in promoting safety in their areas of responsibility.
- * Programs and publications are available concerning safety and security procedures on campus, and each year new students are invited to attend a program presented by the Office of Public Safety to acquaint them with campus crime-prevention techniques; residential security methods; emergency procedures, telephones, and telephone numbers; fire safety; registration and marking of valuables; and the Campus Shuttle Service.
- * Patrol by Public Safety personnel on foot, bicycles on a seasonal basis, and in patrol vehicles that are equipped with reflective decals [including emergency numbers] and red cruise lights for easy recognition and crime deterrence at night.
- * Public Safety provides free to all students, faculty and staff laptop tracking software. For additional information on this program go to www.preyproject.com

The Transportation Services Department provides regular free shuttle service known as the RIDE Campus Shuttle Service to students living on campus and in the adjacent neighborhoods. Shuttle vans are available every evening during the regular academic year from 7pm until 4am. Shuttle stops are located throughout the campus and are designated by red or blue markers depending on their location.

Public Safety will provide safety escorts from 4am to dawn throughout the spring and fall semesters and will also provide escorts during times when the Campus Shuttle Service isn't running such as winter and summer break periods.

The department has conducted an average of 50 programs per year during the three year period.

Drug-Free Schools and Campuses Act Annual Notification/Disclosure

WESLEYAN UNIVERSITY'S POLICIES GOVERNING ALCOHOL AND OTHER DRUG

In compliance with Federal law, the University completes a biennial review of alcohol and other drug prevention program and statistics that is compiled by offices across campus and is available for review in the Vice President for Student Affairs Office or the President's Office.

Wesleyan University Alcohol and Drug Policy

Federal law requires Wesleyan University to notify annually all faculty, staff, and students of the following:

The Wesleyan University prohibits the unlawful possession, use, or distribution of illicit drugs and/or alcohol by students or by employees on University property or while participating in any University-sponsored activity. The University will impose disciplinary sanctions on students and employees who violate these standards.

Student sanctions may include disciplinary warning, disciplinary probation, community service hours, suspension, or dismissal. The University may also require that the student have an AOD (alcohol or other drug) assessment through the Counseling and Psychological Services Office. Whenever a student is in violation of a city ordinance or has committed a crime related to alcohol and/or drugs they are additionally subject to law enforcement as well.

Employee sanctions include, in ascending order of severity: warning, reprimand, probation, suspension [with or without pay], and termination of employment. Participation in a rehabilitation program outside of the University may be required. Whenever an employee has violated one of the standards, Wesleyan will consider, as with students, referral of the matter to law enforcement officials for prosecution.

Employees must notify the Director of the Office of Human Resources of any criminal drug-statute conviction for a violation occurring in the work place no later than five days after such conviction.

Detailed information pertaining to the University's drug and alcohol policy and a description of available training programs can be found in the Student Handbook, Faculty Handbook, or the Administrative Handbook.

Alcohol and Illegal Substances

Connecticut and Federal Alcohol and Illegal Substances Laws

A. Alcohol

1. Use of Alcoholic Beverages Prohibited (see Middletown Code of Ordinances, 18-9)

a. The possession and/or drinking of alcoholic beverages, including, but not limited to, wine and beer, by any person on any city-owned property under the jurisdiction of the Parks and Recreation Department of the city of Middletown shall be prohibited, except that the possession and/or drinking of wine and/or beer shall be allowed in posted areas and at posted times, or by permit, at Veterans Memorial Park, Area A, and Crystal Lake.

b. No person under the age of 21 shall be in possession of alcohol on public or private property.

c. Beer kegs on any city property under the jurisdiction of the Parks and Recreation Department of the city of Middletown shall only be permitted by special permit.

d. Any person violating these provisions shall be fined in an amount not to exceed \$90 per violation per day.

2. Consumption and Possession of Alcoholic Liquor Within and Upon Public Highways, Sidewalks, and Parking Areas (see Middletown Code of Ordinances, 25-47)

a. Except as permitted by the ordinance, no person shall consume any alcoholic liquor or possess with the intent to consume any alcoholic liquor upon or within the limits of any public highway or sidewalk or parking area within the city of Middletown.

b. Consumption of alcoholic liquor or possession with intent to consume alcoholic liquor shall not be permitted in parked vehicles within or upon public highways, streets, or parking areas under any circumstances.

c. Any person violating this ordinance shall be fined not more than \$99 for each offense.

State Laws

A. Drugs

1. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Dispensing of Controlled Substances

a. Hallucinogenic or narcotic substances other than marijuana. First offense: Prison sentence not to exceed 15 years and/or fine not to exceed \$50,000. Second offense: Prison sentence not to exceed 30 years and/or fine not to exceed \$100,000. Each subsequent offense: Prison sentence not to exceed 30 years and/or fine not to exceed \$250,000. (See Connecticut General Statutes.)

b. Other controlled substances excluding marijuana. First offense: prison sentence not to exceed seven (7) years and/or fine not to exceed \$25,000. Each subsequent offense: Prison sentence not to exceed 15 years and/or fine not to exceed \$100,000. (See Connecticut General Statutes.)

c. Examples of such substances include, but are not limited to, mescaline, peyote, morphine, LSD, cocaine (including "crack"), opium, amphetamines, and heroin. For a complete definition of controlled, hallucinogenic, and narcotic substances, see Connecticut General Statutes 21a-240.

2. Penalties for Illegal Manufacture, Distribution, Sale, and Prescription or Administration by Non-drug dependent person

a. Minimum prison term of not less than five years and maximum term of life imprisonment for the manufacture, distribution, sale, or possession or transportation with the intent to sell

of one ounce or more of heroin, methadone, or cocaine (including “crack”), or one-half gram more of cocaine in a freebase form, or five milligrams or more of LSD. (See Connecticut General Statutes 21a-278.)

b. Minimum prison term of not less than five years for first offense, and for subsequent offenses, minimum prison term of not less than 10 years, for the manufacture, distribution, sale or transportation or possession with the intent to sell any narcotic, hallucinogenic or amphetamine-type substance, or one kilogram or more of a cannabis-type substance (which includes marijuana). (See Connecticut General Statutes 21a-278.)

3. Penalties for Illegal Manufacture, Distribution, Sale, Prescription, or Administration Involving Minors (See Connecticut General Statutes 21a-278a.)

a. Mandatory two-year prison term for the distribution, sale, dispensing, offering, or giving of any controlled substance to another person who is under 18 years of age and who is at least two years younger than the person violating the statute.

b. Mandatory three-year prison term for the manufacture, distribution, dispensing, sale, transportation or possession with intent to sell, offering or gift of any controlled substance on or within one thousand feet of the real property comprising a public or private elementary school.

4. Penalties for Possession (see Connecticut General Statutes 21a-279)

a. Any person who possesses or has under his control any quantity of any narcotic substance, including marijuana, for a first offense may be imprisoned not more than seven years and/or fined not more than \$50,000, and for a second offense, may be imprisoned not more than 15 years and/or fined not more than \$100,000.

b. A variety of sentences are available under this statute depending on the substance possessed, its quantity, and the background of the offender.

B. Alcohol

1. Sale of Alcohol to Minors and Intoxicated Persons (see Connecticut General Statutes 30-86)

a. Any permittee who sells or delivers alcoholic liquor to any minor, or to any intoxicated person, or to any habitual drunkard shall be fined not more than \$1,000 and/or imprisoned not more than one (1) year.

b. Any person who delivers or gives alcoholic liquor to any minor, except on the order of a practicing physician, shall be fined not more than \$1,500 and/or imprisoned not more than 18 months.

2. Inducing Minors to Procure Liquor (see Connecticut General Statutes 30-87)

a. Any person who induces any minor to procure alcoholic liquor from any person permitted to sell the same shall be fined not more than \$1,000 and/or imprisoned not more than one year.

3. Misrepresentation of Age (see Connecticut General Statutes 30-88a)

a. Any person who misrepresents his age or uses or exhibits for the purpose of procuring alcoholic liquor an operator's license belonging to any other person shall be fined not less than \$200 nor more than \$500 and/or imprisoned for not more than 30 days.

4. Procuring Liquor by Persons Forbidden and Public Possession of Liquor by Minors (see Connecticut General Statutes 30-89)

a. Any person to whom the sale of alcoholic liquor is by law forbidden who purchases or attempts to purchase such liquor or who makes any false statement for the purpose of procuring such liquor shall be fined not less than \$200 or more than \$500.

b. Any minor who possesses any alcoholic liquor on any street or highway or in any public place or place open to the public, including a club that is open to the public, shall be fined not less than \$200 nor more than \$500.

5. Dram Shop Act (see Connecticut General Statutes 30-102)

a. If any person, by himself or his agent, sells any alcoholic liquor to any intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of \$20,000, or to persons injured in consequence of such intoxication up to an aggregate amount of \$50,000.

6. Operating a Motor Vehicle While under the Influence of Liquor or Drug or While Impaired by Liquor (see Connecticut General Statutes 14-227a)

a. Any person who operates a motor vehicle while under the influence of intoxicating liquor or drug or both or who operates a motor vehicle while his ability to operate is impaired by the consumption of intoxicating liquor shall, for conviction of a first violation, be fined not less than \$500 and be imprisoned for not more than six months, and shall have his operator's license suspended for one year.

b. This statute provides for greater penalties for subsequent offenses.

Federal Laws

A. Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

1. Penalty for Simple Possession (See 21 U.S.C. 844[A].)

First conviction: Up to one year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed two years, and fined at least \$2,500 but not more than \$250,000 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least five years in prison, not to exceed 20 years and fined up to \$250,000 or both, if:

- a. First conviction and the amount of crack possessed exceeds five grams;
- b. Second crack conviction and the amount of crack possessed exceeds three grams;
- c. Third or subsequent crack conviction and the amount of crack possessed exceeds one gram.

2. Criminal Forfeitures (See 21 U.S.C. 853[a][2] and 881[a][7].)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment. (See special sentencing provisions regarding crack.)

3. Forfeitures (See 21 U.S.C. 881[a][4].)

Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.

4. Civil Penalties for Possession of Small Amounts of Certain Controlled Substances (See 21 U.S.C. 844a.): Civil fine up to \$10,000 (pending adoption of final regulations).

5. Denial of Federal Benefits to Drug Traffickers and Possessors (See 21 U.S.C. 853a.) Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses up to one year for first offense, up to five years for second and subsequent offenses.

6. Firearm Forfeiture (See 18 U.S.C. 922[g].) Ineligible to receive or purchase a firearm.

7. Miscellaneous Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Related Offenses

Drugs Risks and Consequences

Notes:

- Alcohol and other drug use during pregnancy increases risk of physical harms to fetus.
- Additional risks of harm may occur from toxic impurities present in street drugs.
- Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed.
- Drugs taken by injection can increase the risk of infection (e.g. HIV, hepatitis, etc.) through needle contamination.

For more information visit: www.drugabuse.gov

Drug and Alcohol Abuse Education Programs

Wesleyan's drug and alcohol abuse education programs represent an evidence-based approach based on best practices in the field. Wesleyan's programming is coordinated through the Office of Health Education (WesWell) and is delivered through many offices within Student Affairs. The Director of WesWell also partners with students in the Peer Health Advocate (PHA) program to plan and deliver programming to address identified needs in the student community.

What follows are programs being employed at Wesleyan using a multi-faceted approach to addressing drug and alcohol abuse:

Environmental Strategies:

Residence living options

Quiet houses

Staff on duty within the residence halls

Emphasis on late night programming for residents

Extracurricular/recreational options

Student-driven Programming and Social Options

Increased late night programming

Healthful words fund

Extended hours in campus facilities

University Center Activities Board

Educational Strategies:

Comprehensive Bystander Intervention program

We Speak/We Stand new student orientation program

Host training

Community standards workshops

Residentially-based programs

On-line assessment tools

Peer Health Advocates

Student Leader training

WesWell educational workshops

Resources for Students:

Individual Brief Motivational Intervention sessions with WesWell

Residence hall staff

Faculty and staff trained in Brief Motivational Intervention techniques

Therapy and support groups through CAPS

Screening for high-risk drinking in Health Center and CAPS

Recovery@

Resources for Faculty Staff:

Employee assistance program through Human Resources

ANNUAL DISCLOSURE OF CRIME STATISTICS

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Office of Public Safety maintains a close relationship with all police departments where Wesleyan University owns or control property ensure that crimes reported directly to these police departments that involve the University are brought to the attention of Public Safety.

The Office of Public Safety collects the crime statistics disclosed in the charts through a number of methods. Public Safety dispatchers and officers enter all reports of crime incidents made directly to the department through an integrated computer aided-dispatch systems/ records management system. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The Department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that the University Police maintains, the statistics below also include crimes that are reported to various campus security authorizes, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

Definitions of Reportable Crimes

Murder/Manslaughter - defined as the willful killing of one human being by another.

Negligent Manslaughter - is defined as the killing of another person through gross negligence.

Forcible sex offenses - is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim

is incapable of giving consent. Including: forcible rape, forcible sodomy, sexual assault with an object, forcible fondling.

Non forcible sex offense - unlawful, non-forcible sexual intercourse, including, incest and statutory rape.

Robbery - is defined as taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault - is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary - is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft - is the theft or attempted theft of a motor vehicle.

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

Hate Crimes - includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

Larceny/Theft—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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

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

Destruction/Damage/Vandalism or Property (except Arson)—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Categories of Prejudice:

Race - A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender - A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

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Religion - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation - A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

Ethnicity - A preformed negative opinion or attitude toward a group of persons of the same race.

National Origin- A Preformed negative opinion or attitude toward a group of persons who share common or similar traits, languages, customs and traditions.

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

Gender Identity- One's personal experience of one's own gender

2014 Crime Statistics

Offense	Year	On Campus	Residential Facility	Non-Campus Building or Property	Public Property
Criminal Homicide					
<i>Murder and Non-Negligent Manslaughter</i>	2014	0	0	0	0
	2013	0	0	0	0
	2012	0	0	0	0
<i>Negligent Manslaughter</i>	2014	0	0	0	0
	2013	0	0	0	0
	2012	0	0	0	0
Sex Offenses					
<i>Forcible Sex Offenses</i>	2014	37-Rape 1-Fondling	37-Rape 1-Fondling	4-Rape 0-Fondling	2-Rape 1-Fondling
	2013	15	13	2	0
	2012	1	1	0	1
<i>Non-Forcible Sex Offenses</i>	2014	0	0	0	0
	2013	0	0	0	0
	2012	0	0	0	0

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Robbery	2014	1	1	0	2
	2013	0	0	0	1
	2012	5	1	1	1
Aggravated Assault	2014	0	0	0	4
	2013	0	0	0	0
	2012	3	0	0	0
Burglary	2014	16	11	5	0
	2013	15	12	1	0
	2012	53	43	4	0
Motor Vehicle Theft	2014	2	0	0	2
	2013	1	0	0	0
	2012	1	0	0	0
Arson	2014	0	0	0	0
	2013	0	0	0	0
	2012	0	0	0	0
Domestic Violence	2014	0	0	0	0
	2013	1	0	2	0
	2012	0	0	0	0
Dating Violence	2014	1	1	0	1
	2013	0	0	0	0
	2012	0	0	0	0
Stalking	2014	2	1	0	0
	2013	0	0	0	0
	2012	0	0	0	0

		Arrest				Judicial Referral			
Other Offenses		On Campus	Residential Facility	Non-Campus Building or Property	Public Property	On Campus	Residential Facility	Non-Campus Building or Property	Public Property
Liquor Law Violations	2014	1	0	0	0	527	506	4	8
	2013	1	1	0	0	571	564	12	2
	2012	0	0	0	0	604	545	0	0
Drug Abuse Violations	2014	16	13	0	1	149	140	0	0
	2013	2	1	0	0	240	230	2	0
	2012	2	1	0	0	281	264	3	0
Illegal Weapons Possession	2014	1	1	0	0	1	1	0	0
	2013	0	0	0	0	1	1	0	0
	2012	0	0	0	0	0	0	0	0

There were no hate crimes reports in calendar 2014. There were no unfounded crime reports in calendar 2014. An unfounded crime is one that is investigated by law enforcement and found to be false or baseless. Any action that would result in a crime be unfounded will only be taken by law enforcement. Public Safety will collaborate with campus administration and follow applicable laws should a request be made to unfound a crime reported in Wesleyan’s crime data.

Annual Fire Safety Report & Residence Hall Fire Safety Policies

Campus Fire Safety Right-to-Know Act became federal law with the passage of the Higher Education Opportunity Act of 2008. The new law requires colleges and universities that maintain on-campus housing to compile fire data, report the data to the federal government, and publish an annual fire safety report that gives students, parents and the public current information about fires in on-campus housing. The following report has been prepared and made available to the Wesleyan University community in accordance with the Higher Education Opportunity Act and the regulations by the U.S. Department of Education.

To report fires on campus call the Office of Public Safety at 860/685-3333 or Campus Ext. 3333 or dial 911 from any campus phone. If you also dial 911 directly from a cell phone, you will connect you to 911 Central Dispatch.

Manual Pull Stations - Pulling the handle of a manual pull station activates the building fire alarm system in the event of an emergency. The pull station should only be used if there is an active fire or a smell of smoke, and the automatic fire alarm system has not yet activated. Evacuate the building immediately and call Public Safety or 911 to report the incident. Pull stations are located at every egress door in buildings that have an automatic fire alarm system.

In the event of fire alarm activation, you must evacuate the building by the closest exit and call 911 or Public Safety 860/685-3333 or Ext. 3333 from a campus phone to report the details of the incident if they are known. Once you have exited the building report to the designated meeting area for your particular location. Resident Advisors (RA's) and House Managers (HM's) are required to communicate to all of the residents where the designated meeting area is for the buildings they are responsible for. Individuals should wait and must follow the instructions of Middletown Fire Department and/or Public Safety officers. No one may re-enter the building until directed to do so by Middletown Fire Department and/or Public Safety officers.

Fire Alarm and Evacuation Procedures

When a system connected fire alarm is activated, it is able to communicate in one of the two ways:

1. The alarm sends a signal to the fire alarm monitoring company, which is then responsible for notifying the Middletown Fire Department and Public Safety, which is staffed 24/7
2. or the alarm system notifies MFD directly. Officers from Public Safety will promptly respond to the scene to aid in evacuation and safety procedures.

These procedures should be followed each time you hear an alarm:

- Do not ignore the alarm. Everyone must evacuate.
- Remain calm and proceed with an orderly evacuation
- Leave the building immediately with your shoes, another garment (such as a jacket), and your keys.
- Find the closest exit and go to your designated meeting location
- Report any information you may have about the cause of the alarm activation to the Fire Department and/or Public Safety
- Let the Fire Department and/or Public Safety know if someone that was in your building is not outside
- Await further instructions from the Fire Department and/or Public Safety
- Do not re-enter the building until the Fire Department and/or Public Safety direct you to do so. Silencing of the alarm does not imply the emergency is over.

Fire Safety Policies

Do not cover, or in any way tamper with smoke detectors, carbon monoxide detectors, pull stations, horn/strobe devices, sprinkler heads or pipes, or fire extinguishers. There is a \$500 fine for tampering with any fire life safety equipment.

The following items are not allowed in resident rooms or common areas, including porches, because of the fire and life safety risk:

- Candles - even decorative candles are prohibited
- Incense - All forms including incense sticks (or "joss sticks"), cones, and pyramids are prohibited.
- Used smoking materials - no smoking within 25' of any university building
- Ungrounded extension cords (two-prong type); only grounded (three-prong type) extension cords and fused power strips are permitted
- Plug adapters - 3 prong to 2 prong
- Tapestries hanging on walls or ceilings; see definitions of prohibited items link for more information. Link is located on the Campus Fire Safety website homepage {www.wesleyan.edu/firesafety}
- Halogen lamps, both standing and desk lamps
- Portable electric or space heaters
- Cooking Appliances - which includes anything with a heating element, such as hot plate, electric kettle, electric frying pan or wok, toaster or toaster oven, waffle maker, electric grill, popcorn popper, rice cooker, etc. (Cooking appliances are allowed in apartment, wood frame and program house kitchens)
- Coffee makers and water kettles are only allowed if they have an automatic shut-off.
- Charcoal or Gas Grills are not allowed in any university-owned houses or residences, or on porches or balconies at any time (i.e. grills cannot be stored on porches)
- Vaporizers - the type that uses a ceramic heating element to diffuse aromatherapy herbs and oils
- Kerosene or propane lamps, or any combustible fuel or devices
- Mercury thermometers - due to the potential environmental hazard and significant clean-up costs associated with a mercury spill or contamination, mercury thermometers are prohibited in any student residence
- Smoke/fog machines - a device emits a dense vapor that appears similar to fog or smoke.
- Open burning - bonfires, camp fires, fire pits, etc. (Also prohibited by City of Middletown ordinance)
- Explosives, ammunition, incendiary devices and fireworks (\$500 fine)

Fire Safety Inspections

Campus Fire Safety has adopted a graduated fine system for this academic year. 1st violation will be a \$50 fine, 2nd violation will be a \$100 fine and a referral to SJB, 3rd violation will be \$200 and a referral to SJB. All violations thereafter will continue to be doubled. (SJB- Student Judicial Board). Candles, incense and extension cords will not be returned; contact Campus Fire Safety for other confiscated items. A receipt will be given to you, or left in your room, notifying you of any violations and/or fines.

Fire Drills

Supervised fire drills are conducted in each residence hall 2 times a year (once a semester). All drills are supervised by a Middletown Fire Marshal, Residential Life staff, and Campus Fire Safety staff.

Fire Safety Education and Training Programs

All residents are required to attend a meeting in their residence hall at the beginning of the school year to discuss fire safety, fire evacuation plans, and rules and regulations of the residence hall.

All students sign a housing contract which states that Fire Safety Guidelines are also part of your Housing Contract.

Students are encouraged to review the Code of Non-Academic Conduct, which can be found online in the Student Handbook {www.wesleyan.edu/studenthandbook}.

Head Residents (HRs), Resident Advisors (RAs), House Managers (HMs), and Community Advisors (CAs) who are supervised by the professional Area Coordinator (AC) staff go through several weeks of training in August, before the academic year, including training in fire safety procedures and policies.

Fire Safety Seminars - for students that have received a fine for a fire safety violation, they are able to attend a fire safety seminar in lieu of payment of up to \$100 of fines. Seminars are done by Campus Fire Safety Department in conjunction with Residential Life. Seminars cover topics such as fire safety policies and procedures as well as giving instructions on how to use a fire extinguisher.

Fire Extinguisher Training module- Campus Fire Safety Department offers training on how to properly use a fire extinguisher by using a training module created by BullEx. This training is offered to Students, Faculty, and Staff members. The module allows them to use a fire extinguisher to put out an actual fire and is offered many times throughout the academic year.

Fire Alarm Activation Log

Department of Campus Fire Safety in conjunction with the Public Safety Department maintains the records of all alarm activations and fires that occur on campus. The log contains the following information: date, location name, and address, type of alarm, cause/ reason, contact information, notes, injuries, and value of property damage. The log is organized by the date the alarm occurred. Public Safety is responsible for writing up a report and emailing it to the Campus Fire Safety Department where the data is then entered into the log.

Fire Safety Systems

All Fire Safety systems information is held on a database and maintained by the Campus Fire Safety Department. All residence halls have a fire alarm system that report to a monitoring company or directly to the Middletown Fire Department. A portion of the wood frame properties have a sprinkler system and fire alarm system that is monitored, a complete list of those locations can be found in Campus Fire Safety department office. All other wood frame houses have local smoke detectors in all bedrooms and common spaces. All residential buildings have fire extinguishers in kitchen and mechanical spaces.

The following Residence Halls have monitored fire alarms and sprinkler systems:

Location Name	Location #	Address
Bennet Hall	35	Foss Hill Drive
Butterfield A	25	Lawn Avenue
Butterfield B	20	Huber Avenue
Butterfield C	50	Huber Avenue
Clark Hall	268	Church Street
Fauver Apartments	19	Foss Hill Drive
Foss 1 - Westco	18	Foss Hill Drive
Foss 2 - Westco	18	Foss Hill Drive
Foss 3 - Westco	18	Foss Hill Drive
Foss 4 - Westco	18	Foss Hill Drive
Foss 5 - Nicolsen	57	Foss Hill Drive
Foss 6 - Nicolsen	57	Foss Hill Drive
Foss 7 - Nicolsen	57	Foss Hill Drive
Foss 8 - Hewitt	31	McConaughy Drive
Foss 9 - Hewitt	31	McConaughy Drive
Foss 10 - Hewitt	31	McConaughy Drive

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	200	Church Street
High Rise	110	Church Street
Low Rise A	233	William Street
Low Rise B	233	William Street
Low Rise C	233	William Street
Low Rise D	233	William Street
Low Rise E	233	William Street

Fire Statistics

**Calendar Year:
2014**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
200 High St	Reckless burning	0	0	\$1,500.00
Butterfield B	Minor Fire - Trash can fire due to cigarettes	0	0	\$0.00
84 Home Ave	Minor Fire - Hood fan caught fire	0	0	\$150.00
267 C Court St	Fire - stove - plastic	0	0	\$500.00
59 Pearl St	Minor Fire - oven - dirty	0	0	\$150.00
142 Cross St	Minor Fire - Halogen lamp	0	0	\$0.00

**Calendar Year:
2013**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
High Rise	Minor Fire - Trash can fire due to cigarettes	0	0	\$0.00

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269 B Pine St	Minor Fire - Trash can fire due to cigarettes	0	0	\$0.00
269 A Pine St	Minor Fire - Olive oil on stove caught on fire	0	0	\$0.00
107 Cross St	Minor fire - plastic on burner	0	0	\$0.00

**Calendar Year:
2012**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
High Rise	Minor Fire - Hood fan caught fire	0	0	\$400.00
Bennet Hall	Minor Fire - student lit papers on fire	0	0	\$300.00
273 Pine St	Minor Fire - trash can - ash from smoking	0	0	\$0.00
Alpha Delt	Minor Fire - student set small trash can on fire	0	0	\$0.00
58 Fountain Ave	Fire - Electrical - Stove	0	0	\$3,000.00

**Calendar Year:
2011**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
132 High St	Minor Fire - Camping stove caught fire	0	0	\$0.00
230 Washington St	Fire - Stove fire	0	0	\$3,000.00

**Calendar Year:
2010**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
65 A Pearl St	Minor fire- electrical fire- ITS equipment	0	0	\$0.00
200 High St	Minor fire - trash container due to cigarette	0	0	\$0.00

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344 Washington St	Fire- small flames - hot water heater	0	0	\$2,235.00
Fauver Apartments	Fire - Kitchen fire due to cooking oil	0	0	\$500.00

**Calendar Year:
2009**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
Clark Hall	Fire- dryer vent-walls caught fire in Laundry Rm	0	0	\$6,000.00
200 Church St	Minor fire - trash container due to cigarette	0	0	\$0.00
Foss 10 - Hewitt	Minor fire - Scarf thrown onto lamp	0	0	\$0.00
128 A Church St	Minor fire - Oil in pan caught on fire.	0	0	\$0.00
128 B Church St	Minor fire - Oil in pan caught on fire.	0	0	\$0.00
High Rise	Minor fire - Sticker left on new pan	0	0	\$0.00
High Rise	Fire - Put cardboard pizza box in oven	0	0	\$400.00
Foss 3 - Westco	Fire- Wood too close to vent fan caught fire	0	0	\$150.00
Low Rise C	Fire - plastic kettle put on stove caught fire	0	0	\$470.00

**Calendar Year:
2008**

Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
132 High St	Minor fire - kettle left unattended on stove	0	0	\$0.00

**Calendar Year:
2007**

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Location	Cause/Reason	Fire Related Deaths	Fire Related Injuries	Value of property damage
1 B Vine St	Fire - potholder left on stove	0	0	\$400.00
42 Fountain Ave	Minor fire - cheese in toaster oven	0	0	\$0.00
Fauver Apartments	Minor fire - plastic on burner	0	0	\$0.00
1 C Vine St	Minor fire - Paper Fire from incense	0	0	\$0.00
15 Fountain Ave	Minor fire - Oven fire/ unknown cause	0	0	\$0.00

Plans for future improvements in fire safety

Wesleyan University will continue to upgrade and install more fire alarms and sprinkler systems on an annual basis. Ongoing fire safety education will be provided to students, faculty and staff by the Campus Fire Safety Department as well as the Middletown Fire Department. Wesleyan will also continue to offer ongoing training opportunities to the MFD with use the use of our buildings.