Friends,

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act) and the safety-related requirements of the Higher Education Opportunity Act (including the Violence Against Women Reauthorization Act of 2013 amendments to the Clery Act and provisions of The Campus Sexual Violence Elimination (SaVE) Act), the Earlham College Department of Public Safety produces an Annual Security and Safety Report. The Department of Public Safety works with many other departments and agencies, such as the Office of Student Life, Human Resources, and the Richmond Police Department to compile the information contained in the report.

The report\(^1\) includes policy statements and specific information regarding the College’s procedures, practices, and programs concerning safety and security. It includes information about the services and programs of the Department of Public Safety and details the process by which persons can report and prevent crimes or suspicious activity. The report provides information about programs the College provides to prevent the abuse of drugs and alcohol as well as awareness, prevention, and response to all forms of sexual misconduct. The report also includes three years’ worth of statistics for particular types of crimes that occurred on campus, fire safety data, policies, procedures, and systems. We encourage members of the Earlham community to use this report as a guide for safe practices on and off campus.

Developing a safe and secure environment in an academic institution is a partnership. Within the Earlham College community, the Department of Public Safety is tasked with the primary responsibility of identifying those programs, methods and tactics necessary to assist the entire College community in reducing risk, and achieving a safe and secure environment. In order to maintain such an environment, we encourage every member of the community to learn and demonstrate responsible personal behaviors regarding safety and security at all times and to immediately report crimes or suspicious activity.

A copy of this report will be provided to anyone upon request. An electronic copy can be viewed at the following web address: http://www.earlham.edu/public-safety

We hope that this report helps demonstrate that Earlham College is a place where students and their families can be confident of their safety and invite any questions or comments.

\[\text{Thomas Kearns}\]
\[\text{Director of Public Safety}\]
\[\text{Earlham College}\]
\[\text{801 National Road West}\]
\[\text{Richmond, IN 47374}\]
\[\text{765-983-1400}\]

\(^1\) This report complies with regulations from the United States Department of Education, which implement the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") 20 U.S.C. 1092 (a) and (f): 34 CFR 668.46
INTRODUCTION

The mission of Earlham College Department of Public Safety is to work in partnership with the campus community to enhance a safe living, working and learning environment; to provide quality service with an emphasis on integrity and professionalism; and, to promote individual responsibility and cooperative commitment.

For purposes of the "Clery Act," Earlham College reports security procedures and crime statistics for the following locations:

Earlham College, 801 National Road West, Richmond, IN 47374
Earlham School of Religion, 228 College Avenue, Richmond, IN 47374
Bethany Seminary², 615 National Road West, Richmond, IN 47374

THE DEPARTMENT OF PUBLIC SAFETY – SERVICES AND PROGRAMS

Operating 24 hours a day, 365 days a year, Public Safety may be reached at: 765-983-1400

The duties of the Department of Public Safety include, but are not limited to, rendering assistance in case of an emergency; responding to a request for service; conducting investigations when appropriate and requested by the administration; aiding in quelling any disturbances; providing requested safety escorts; managing electronic door access; issuing employee and student ID cards; managing and enforcing campus parking regulations; and, opening and securing campus buildings as needed. Public Safety also enforces all rules and regulations, including the proper use of buildings and facilities.

PATROL AND OTHER SERVICES

Public Safety performs the following activities to detect and deter crime for the safety and security of the Earlham College community:

Public Safety Patrols – Uniformed Public Safety officers patrol all Earlham College buildings, parking areas and campus grounds, as well as Bethany Seminary 24-hours per day to deter crime. Public Safety student workers supplement staff members and provide parking enforcement and support services. Employees of Public Safety are not law enforcement officers and do not have police arresting authority. Their functions include: assuring the safety of the community members on campus, making periodic inspection tours of buildings and grounds, guarding against fire, theft and illegal entry, enforcing traffic and parking regulations, and aiding in maintaining an orderly campus environment.

² Bethany Seminary is a separate institution not affiliated with Earlham College, for which Earlham College provides security services. Specific policy statements of Bethany Seminary, in regards to the Clery Act, Violence against Women’s Act and Title IX, are published separately by Bethany Seminary.
Officers are designated representatives for the College and are authorized to ask individuals (students, employees and visitors) for identification and assistance in the course of carrying out their duties with the expectation of compliance. When necessary, Public Safety will notify law enforcement authorities of persons unlawfully or illegally in buildings or on College grounds, being uncooperative, or involved in criminal activity.

Electronic Access Systems – Public Safety manages and monitors the electronic door access system of the campus. This system allows only those individuals with programmed access on their student or employee ID card to access a building (via proximity card).

Safety Escorts – Public Safety officers will provide an escort to a car, campus residence or other on-campus destination to any student, employee or visitor upon request.

Alerts to the College Community – By monitoring local law enforcement information as well as communications with the Wayne County Emergency Communications Center, Public Safety is usually aware of crimes around the campus that threaten the Earlham College community, as well as weather conditions that could produce dangerous conditions. When circumstances are appropriate, Public Safety notifies the College community by coordinating with the Emergency Response and Recovery Planning Team (ERRP), Marketing and Communications Office, Student Life, and Residence Life. Communications occur via any or all of the following mediums: Earlham College website; campus-wide e-mail, text messaging, and postings in campus buildings.

HOW TO REPORT A CRIME OR EMERGENCY
If members of the Earlham College community become victims of a crime, they should report it immediately to the Department of Public Safety, regardless of how small the incident may seem. Any suspicious persons or activities should always be reported immediately to Public Safety. Alternatively, reports of criminal or suspicious activity can be made to designated persons, such as “Campus Security Authorities,” who are listed below. They in turn will immediately notify Public Safety of the incident or event.

Upon notice of such activity, Public Safety personnel will respond to the incident scene or notify the appropriate emergency response agency. All calls or requests are documented and, when appropriate, recorded on an incident report.

To report a life threatening emergency or incident in which fire, police or emergency medical services are needed, call 911 immediately and then notify Public Safety.

Public Safety can be contacted 24-hours per day, seven days per week: in person at the Public Safety office or by phone at 765-983-1400 (ext. 1400 from a campus phone). The Department of Public Safety maintains direct contact with the Richmond Police and Fire departments. Support from these departments can be obtained immediately.

Listed below are additional contacts to which a crime can be reported (“Campus Security Authorities”).

- VP of Student Life/Dean of Students at 765-983-1311
- Assoc. Dean of Student Life/Director of Residence Life at 765-983-1317
- Assistant Dean’s for Residence Life at 765-983-1317
- Area Directors/House Coordinator for student housing.

CONFIDENTIALITY
A complainant’s privacy concerns are weighed against the needs of Earlham College to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. However, information may be shared with appropriate personnel, departments, and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns of the campus community.

Information reported to Public Safety is treated as confidential during the investigative phase, except as required by law. When major incidents occur or there may be a threat to life or property, the Richmond Police Department may also respond.

Applicable Public Safety incident reports are forwarded to appropriate campus department offices for review and potential action. Public Safety, Student Life, or Human Resources will investigate a report when it is deemed appropriate. Additional information obtained via the investigation may also be forwarded to the appropriate campus personnel or offices.

Members of Counseling Services and Religious Life are considered Confidential Reporters. Counseling Services can be contacted at 765-983-1432 or through Public Safety after-hours. Religious Life can be reached at 765-983-1413 or through Public Safety after-hours.

ANONYMOUS REPORTING/INFORMATION
The Earlham College Department of Public Safety depends on the community to report crimes promptly and support crime prevention efforts. If crimes go unreported, little can be done to prevent other members of our community from becoming victims. You can help by reporting suspicious and criminal activity immediately.

Public Safety offers an anonymous tip form to report possible crimes, planned crimes, law/policy violations and/or crime information. The information will be forwarded to Public Safety through a 3rd party site, with no identifying information attached.

You are always encouraged to provide your name and contact information with the information you submit, in case Public Safety has questions or needs clarification about the information submitted, although this is not required.

The online form is NOT to be used where you expect a Public Safety officer to contact you the same day (if information is provided) or for an emergency situation.

If you need an Earlham Public Safety officer to respond, call 765-983-1400 for dispatch, 24 hours a day.

ALL LIFE-THREATENING EMERGENCIES SHOULD BE IMMEDIATELY REPORTED TO 911
RELATIONSHIP WITH LOCAL LAW ENFORCEMENT AND LEGAL AUTHORITY
The Department of Public Safety maintains a working relationship with the Richmond Police Department, Wayne County Sheriff's Office, and all appropriate authorities of the criminal justice system. Meetings are held as needed with these agencies, both on a formal and informal basis. Crime-related reports, statistics and crime-fighting strategies are exchanged when available. While Earlham College has no Memorandum of Understanding (MOU) with any response agencies, the Richmond Fire and Police Departments includes the College as part of their emergency response obligation and also provides assistance and support to the Department of Public Safety when requested. All criminal incidents and arrests made on College property are processed by the Richmond Police Department. Public Safety does not have law enforcement authority, but has the common-law authority to detain and investigate persons who commit crimes on campus. It then transfers the detained persons to local law enforcement.

CRIME REPORTS
The Department of Public Safety maintains statistics on crimes and other incidents occurring on campus. Representatives of Public Safety are available to discuss crime statistics and to answer questions about security on campus.

Public Safety compiles these statistics and shares them with the community in the following ways:

Incident Report - A record that documents pertinent information for each reported incident (incident reports are not released to the general public).

Daily Crime Log - A record of reported incidents is kept for a previous 12 month calendar period and current year. The log is available to the public at the Department of Public Safety during normal business hours, 8:30 a.m. to 4:30 p.m.

Campus Annual Security Report - A comprehensive annual report of crime-related information and statistics is compiled, published and distributed by Public Safety to current and prospective students and employees. Public Safety compiles the statistics from its own incident reports, from Campus Security Authorities, Student Life and Human Resource records and from local law enforcement. This report is made available online and in paper copy. A copy can be obtained at the Department of Public Safety.

TIMELY WARNINGS AND EMERGENCY NOTIFICATION
The College will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate or imminent threat to the health or safety of students and/or employees occurring on campus, unless the notification will compromise efforts to contain the emergency.

Information will be distributed via a Timely Warning or an Emergency Notification.
In the event of an imminent threat to the College community, an Emergency Notification will be issued. Without delay, the Director of Public Safety or designee will inform and initiate a call-out of the Emergency Response and Recovery Planning (ERRP) Team. Incident specific personnel and key members of ERRP will promptly create the appropriate message(s) to alert and instruct the Campus community. In immediate life-threatening instances the Director of Public Safety may send a message directly. The content of notification messages will take into account safety of the community, unless issuing notification will, in the professional judgment of our campus authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Wayne County Emergency Operations Center will be the source for issuing any and all emergency notifications such as declarations of Tornado Warnings by the National Weather Service.

A Timely Warning will be issued to the community when incidents of criminal activity, specifically the crimes reported on our statistics page, occur on campus or within the immediate proximity of campus. Timely Warnings may also be issued when instances of criminal behavior poses a potential on going threat to the community. Timely Warnings differ from Emergency Notification by the degree of imminent threat.

**What type of instances may initiate an Emergency Notification?**

Emergency Notifications will be sent to the community when an imminent threat is perceived to the community. Instances may include severe weather, earthquake, gas leak, terrorist incident, armed intruder, bomb threat, explosion, a nearby chemical or hazardous waste spill, or health emergencies.

**How are Notifications Sent?**

Multiple modes of communication will be utilized via Blackboard Connect® for the notification including text messages, e-mail, and phone calls. Additionally, follow-up information will be provided by the Director of Media Relations on the campus main webpage. In the event of an approaching tornado the Wayne County Emergency Operations Center will activate a warning siren. The Earlham College emergency notification system (Blackboard Connect) will automatically generate a notification to the campus upon the National Weather Service issuing certain severe weather warnings for the Earlham area. All students are required to provide emergency contact information during New Student Orientation to facilitate delivery of emergency notification messages. Employees enter emergency information upon hire. Students and employees are asked to periodically update their emergency information, which is available through The Heart web portal.

Timely Warnings are sent by campus-wide email and posted on the Public Safety webpage. Timely Warnings are not normally sent via text message as text messages are reserved for instances when an imminent threat is perceived.

Testing of our emergency notification system is advertised and announced each semester.
EMERGENCY MANAGEMENT – RESPONSE AND EVACUATION

The Earlham Department of Public Safety coordinates college and community emergency response utilizing the College “All Hazards” Crisis Management Plan. Each year the Emergency Response and Recovery Planning (ERRP) Team conducts annual testing of response and evacuation procedures via a table top exercise, functional exercise and/or a practical exercise. Public Safety provides training and information on how to report an emergency, preparedness, response, evacuation, and recovery to College departments and all new employees via orientation training. Each division is charged with development and implementation of response, evacuation and business continuity in conjunction with College Crisis Plans. Earlham Public Safety conducts announced campus wide annual testing of our Emergency Notification System, and further conducts fire safety and evacuation drills each semester in residential buildings including training on how to report an emergency. All tests and drills are documented with date, times, and circumstances involved with the tests.

EMERGENCY PROCEDURES

A comprehensive list of Emergency Procedures including what to do in the event of imminent threat is included on the Public Safety website. Some examples of emergencies include: Acts of Violence, Fire, Chemical Spill, Fire, Bomb Threats, Weather Emergencies, and Medical Emergencies.

See the College’s Emergency Procedures at http://www.earlham.edu/public-safety/emergency-preparedness/emergency-procedures/, or by contacting the Department of Public Safety at 765-983-1400, or visiting our office.

All student housing rooms also have emergency procedures posted on the back of each room door.

ACCESS TO AND SECURITY OF CAMPUS BUILDINGS

Earlham College is a private, liberal arts college that restricts access to all facilities, including residence halls, to Earlham College students, faculty, staff, and guests.

Exterior doors to all campus residence halls and houses are designed and equipped to remain locked 24 hours a day. Additionally Public Safety and Residence Life staff patrol the residence halls.

Administrative and academic buildings are secured after their scheduled use times. After that time, access is limited to persons with authorized keys/cards or who have received permission for special use. Public Safety patrols all facilities seven days per week.
The Department of Public Safety is the only entity that may make changes, additions, or alterations to College approved or installed access systems (mechanical or electronic). Hasps, padlocks, or other privately supplied locking devices are not allowed. These devices will be removed by Public Safety and the department or individual responsible will be charged for all costs incurred.

The Department of Public Safety as well as Facilities/Maintenance personnel have access to all areas of the campus with the exception of specifically identified restricted or high security areas.

In order to protect the safety and welfare of students and employees of the College and to protect the property of the College, any person(s) on Earlham College property behaving in a suspicious, disruptive or threatening manner may be asked to identify themselves by a College official.

If any person refuses or fails upon request to present evidence of his/her identification and proof of his/her authorization to be in the building or on the campus, or if it is determined that the individual has no legitimate reason to be in the building or on campus, the person will be asked to leave and may be removed from the building or campus. Richmond Police may be called upon if necessary and the individual issued a Trespass Warning.

Persons who behave in a suspicious or threatening manner or are involved in suspicious or threatening activities should be reported to Public Safety.

SECURITY CONSIDERATIONS
Proper lighting and building security are major factors in reducing crime on campus. Earlham College maintains the College buildings and grounds with a concern for safety and security. Inspections of campus facilities are conducted regularly, and repairs are made as quickly as possible. All members of the campus community are encouraged to report safety hazards, such a broken locks and windows, to Facilities office or the Department of Public Safety.

Public Safety completes campus lighting checks and Facilities is notified when there are burned out or damaged street and building lights. This inspection ensures maximum lighting for the public at night.

To prevent injury and promote campus safety, select members of the campus community are invited to take part in occasional lighting tours of campus. Together, students and staff tour the campus in small groups—after dark—to look for any lighting issues, obstacles, and other items that could impede someone’s safety on the campus. After the tour, notes are collected, compiled, and shared with attendees and forwarded to the appropriate departments. Shrubs are trimmed, lights changed, and improvements made to make a safer environment for the campus community.

Key locks and electronic door (card) access devices must be secured at all times. It is the policy of the College that assigned keys and ID cards should remain in the care, custody
and control of the assigned employee/student and not be given to other individuals. Any violations of this policy can result in disciplinary action.

**CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS**

It is the philosophy of Public Safety that it is better to prevent crimes rather than react to them. In order for crime to take place three ingredients must be present: desire, motivation and opportunity. Earlham College’s crime prevention and personal security programs are based on the concepts of eliminating or minimizing opportunities for crime. We encourage the members of the campus community to share in the responsibility for their own security and the safety of others by eliminating opportunities for crime. The following is a list of some of the crime prevention and personal security programs provided by the Public Safety Office:

- **New Student Orientation** – Information on the services offered by Public Safety as well as general crime prevention material is made available to students checking in during New Student Orientation.

- **Residence Hall Security Awareness** – Crime prevention and personal security presentations are conducted for residential students at the request of Residence Life or the Student Life staff. Additionally, brochures and other printed materials are available to residents of the Residence Halls, College Housing and off-campus residents. The materials include a description of services provided by the Department of Public Safety as well as crime prevention and personal security strategies.

- **Other Crime Prevention and Personal Security Presentations** - These presentations are available upon request to other campus groups including commuter students, disabled students, international students, specific student organizations, faculty and staff members and staff members of affiliate organizations headquartered on campus. The presentations are accompanied by printed materials and include most of the same content as in the presentations mentioned above.

- **New Employee Orientation** - Crime prevention and personal security presentations are made to new employees at the request of Human Resources or Academic Affairs. These programs include general crime prevention and personal protection strategies as well as the services offered by Public Safety.

- **Safety Escorts** - Safety escorts are provided to students, employees and visitors around campus 24 hours a day. Call for an officer to walk with you to your destination at 765-983-1400.

- **Operation Identification** – Operation Identification is a program centered on the idea of making property less desirable to would be thieves by marking valuables in a way that they can be identified. Public Safety offers this service of engraving identifying information on valuables free to students and employees.
Emergency Call Boxes - Numerous emergency call boxes are installed around campus for emergency or other assistance, including at the entrance to every residence hall.

Bicycle Registration – Public Safety offers free bicycle registration for students and employees in which identifying information on the bicycle is provided to Public Safety at which time a registration sticker is affixed to the bike. Should the bike become lost, stolen, or recovered, this service will aid in returning the bicycle to its owner.

R.A.D. (Rape Aggression Defense) - The Rape Aggression Defense System is a program, taught by a certified instructor from the Department of Public Safety, of realistic self-defense tactics and techniques for women. R.A.D. is a comprehensive, women-only course that begins with awareness, prevention, risk reduction and risk avoidance, while progressing on to the basics of hands-on defense training. This program is offered as a credit Wellness Course (AWPE) each semester.

MISSING STUDENT NOTIFICATION POLICY AND PROCEDURES

Definition of a Missing Student: any person who is a student of Earlham College who resides in college owned housing and is reported missing from his or her residence.

If it is believed that a student is missing, immediate referral to Public Safety is required. If it is determined a student has been missing for more than 24 hours, or is an imminent danger, the Richmond Police Department will be notified.

Reporting Procedure:
- Dial 911 for life-threatening incidents requiring fire/police/medical assistance.
- Earlham Public Safety
  - Phone: 765-983-1400

You may also choose to contact:
- Student Life/Dean of Students office
  - Office: East Wing, Earlham Hall
  - Phone: 765-983-1311

This office will make immediate notice to Public Safety when a student has been reported missing.

Missing Student Procedure:
- Upon receipt of information concerning a possible missing student from any office on campus, Public Safety or Student Life should be notified.
- Immediate attempts will be made to locate the student
Officials will attempt to determine the last known whereabouts of the student using resources available to them, including but not limited to:

1. Questioning roommates, friends, Faculty/Staff
2. Calling and/or texting the student’s “local” number, in most cases this is the student’s cell number provided during registration
3. Determining the location and time of the most recent use of the Card Access System
4. Vehicle location: Checking of parking registrations, tickets, etc.

Consulting with a Dean from the Student Life office in order to update them and receive additional consultation. The Dean of Students will ascertain if/when other members of the Administration and/or College ERRP team will be notified.

Public Safety Officers or Student Life staff will follow up on any information that may lead to determining the current location of the student.

No later than 24 hours after determining that the student is missing, notification must be made to the “Emergency Contact.”

For those students who are under age 18, and not emancipated, the institution must notify a custodial parent or guardian when the student is missing, in addition to any additional contact person designated by the student.

Regardless of whether the student has identified a contact person, is below the age of 18, or is an emancipated minor, if a student is missing, the Public Safety Office should be notified.

Public Safety will notify Richmond Police, no later than 24 hours after determination of a missing person from campus. If abduction is suspected, a thorough and aggressive investigation will commence immediately utilizing all the resources of all agencies.

Once the student has been located, notification will be made to those College offices involved, as well as any additional law enforcement agencies that have been made aware of the missing student.

Students have the option to provide an Emergency Contact Person and a Confidential Missing Person Contact. The Confidential Missing Person contact may be the same or different from Emergency Contact Person. The Missing Person contact is the person that will be contacted in the event the student is reported missing, within 24 hours of the report.

Students may add or update their Emergency Contact Person and/or their Missing Person contact via their “Self Service” section on The Heart web portal. This information will be registered confidentially and the information will be accessible only to authorized campus officials and will not be disclosed except to law enforcement individuals in furtherance of a missing person investigation.
If a student is under the age of 18 and not emancipated, the institution must notify a custodial parent or guardian when the student is missing, in addition to any additional contact person designated by the student.

**ALCOHOL AND DRUG ABUSE PREVENTION: POLICIES, PROCEDURES, PROGRAMS**

**EARLHAM COLLEGE APPROACH TO ALCOHOL**

Earlham College’s approach to alcohol is designed to help students reflect on whether alcohol should be a part of their lives and, for students who do choose to consume alcohol, how to do so responsibly.

This approach encourages healthy lifestyles and supports students in their efforts to be accountable to each other for their actions related to alcohol use. We recognize that our community encompasses students below and above the legal drinking age of 21.

Earlham College acknowledges the developmental value of self-determination regarding the personal use of alcohol. Our approach seeks to ensure that alcohol neither becomes the focus of the College’s social life nor detracts from its educational mission.

The approach is designed to achieve the following goals:

- Educate the Earlham community to recognize that students are responsible for their own well-being and the well-being of others.
- Educate the Earlham community regarding the fundamental impacts of the abuse of alcohol on health and social relationships.
- Promote personal responsibility in the use of alcohol.
- Provide support resources for students struggling with alcohol-related concerns.
- Promote an environment free from social pressure to use alcohol.
- Reduce the negative secondary consequences of the illegal use or abuse of alcohol on the community.
- Educate students regarding the value of and respect for public, community and individual living spaces, and the ongoing responsibility to care for them.
- Foster an environment of open dialogue regarding the use of alcohol.
- Ensure the existence and maintenance of alcohol-free spaces and social functions.
- Comply with the Drug Free Schools and Community Act of 1989 and provide information regarding federal, state and local laws related to the use, possession and/or distribution of alcohol.

**HEALTH AND ALCOHOL USE**

Significant health risks associated with the abuse of alcohol are widely acknowledged. The College provides accurate, evidence-based information related to the impacts of alcohol abuse on academic performance, health and community life to students throughout their enrollment. In addition, the College expects students to take an active role in educating their peers about alcohol use.
Students may obtain more information regarding alcohol and health from Student Health Services as well as the following sources:

- Centers for Disease Control and Prevention
- College Drunk — Changing the Culture
- Substance Abuse and Mental Health Services Administration

**ALCOHOL EDUCATION AND RESOURCES**

All incoming Earlham students are asked to complete “e-CHECKUP TO GO,” an evidence-based online program, as part of alcohol education. This occurs prior to students receiving their initial housing assignment. The College also provides ongoing education beginning at New Student Orientation, whether through programs, peer education or more in-depth assessment. Earlham’s Health Services, Counseling Services and Wellness Programs also conduct assessments and/or programming throughout the school year. Students in need of more personalized intervention may contact Counseling Services for confidential counseling or referral for clinical treatment, including inpatient services or other off-campus support.

**MEDICAL AMNESTY**

The purpose of Medical Amnesty is to remove barriers to help-seeking and, thereby, to increase the likelihood that students who require emergency medical assistance as a result of high-risk alcohol consumption will receive such assistance.

Individuals who become incapacitated, seriously injured, unconscious or are otherwise unable to care for themselves following alcohol consumption should never be left alone: they require immediate medical assessment and intervention. Therefore, students who seek medical assistance for themselves or others will not be subject to disciplinary sanctions related to the consumption of alcohol. This medical amnesty applies only to the consumption of alcohol. Students will remain liable under the Student Code of Conduct for secondary behavior that might occur while intoxicated, including, but not limited to, property damage, assault against another person or sexual misconduct.

**INDIANA LIFELINE LAW**

If students are not on College property, they are still urged to seek help for themselves or others. Within the State of Indiana, the Lifeline Law provides immunity for the crimes of public intoxication, minor in possession, minor in consumption, and similar laws, to persons who identify themselves to law enforcement while seeking medical assistance for a person suffering from an alcohol-related health emergency.

In order to receive immunity, the reporting individual must demonstrate that they are acting in good faith by fulfilling the following expectations:

- Providing their full name and any other relevant information at the request of law enforcement officers.
- Remaining on the scene until law enforcement and emergency medical assistance arrive.
- Cooperating with all authorities on the scene, remain until dismissed by the officers.

The Indiana Lifeline law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing alcohol to minors.
operating vehicles while intoxicated, or the possession of a controlled substance. Earlham College acknowledges this source from the State of Indiana.

GUIDELINES FOR ALCOHOL USE AT EARLHAM COLLEGE
In order to support a community with diverse cultural values, the presence of alcohol should not be at the center of events, parties or other social gatherings. Every member of the Earlham community is responsible for maintaining an environment that prioritizes academic success. The College will ensure the existence and maintenance of alcohol-free areas and social functions. Individuals publicly under the influence of alcohol at College-sponsored events, student-sponsored activities or College-owned House gatherings may be asked to leave that event.

Alcohol Consumption and Conduct
The Earlham College Approach to Alcohol is the result of extensive consultation with students, faculty, staff, alumni and the Board of Trustees. This approach includes national research regarding alcohol use among college and university students, as well as data from the Earlham community. What follows reflects our expectation of personal responsibility and community care.

All members of the Earlham Community are expected to review the guidelines for the use of alcohol and to provide appropriate identification and/or proof of legal age when requested by campus officials. Students whose guests include those not enrolled at Earlham are responsible for informing guests of the guidelines and ensuring their cooperation with staff as requested. Students entrust one another with a high degree of personal choice and an equal degree of accountability whenever alcohol is present. Every student is responsible for understanding and abiding by this approach.

Students of legal age who consume alcohol are best guided by the phrase: “personal use in personal space.” ‘Personal use’ denotes the individual consumption of a reasonable quantity of alcohol that may be safely consumed by that individual. The possession or use of common source alcohol containers, e.g., kegs, pony kegs, beer balls, cases of alcohol or any other large scale container, is prohibited. Additionally, personal consumption should reflect the spirit of the Earlham College Approach to Alcohol with its emphasis on health and accountability. Therefore, high-risk use is considered to be abuse. Drinking games, funnels, doing ‘shots’, stands and any coercion or other pressure to abuse alcohol is prohibited.

Providing alcohol to students under the age of 21 is prohibited. Students over the age of 21 who provide alcohol to underage students in any manner may be administratively moved from their housing assignment and will face disciplinary action. Alcohol may not be sold or purchased on any College property, including living spaces; no fee, charge or donation to any activity where alcohol is present is permitted.

Earlham College Grounds and Alcohol
Students are reminded that alcohol is permitted for personal use in personal space. ‘Personal space’ is defined as one’s living space only. Therefore, alcohol in or on other locations, including vehicles or personal property is not permitted. The possession and/or consumption of alcohol in public, within academic and co-curricular buildings, athletic and equestrian facilities, barns and maintenance facilities, and outdoor spaces or any other
location other than those areas permitted, is prohibited. Additionally, operating or riding bicycles, skateboards, or operating any motor or electric vehicles while under the influence of alcohol is prohibited.

Residence Halls
Students who are 21 years of age or over may consume alcohol within their residence hall rooms only, unless they are residing in First Year halls. Alcohol is not permitted in common areas such as hallways, stairwells or elevators, lounges, kitchens or similar areas, including balconies. No alcohol (including empty containers, trophies, etc.) is permitted in the First Year halls. Events in other residence halls must be hosted in compliance with the event registration process.

College-owned Houses
Students residing in College-owned houses may determine where alcohol may be possessed or consumed within the house by residents of legal age through consensus as a living group. Alcohol may not be possessed or consumed on any porches, balconies, fire escapes, roof/attic areas, stairs or the basement areas of the houses. No fees, charges or donations may be taken or accepted at College-owned house events where alcohol is present. Empty containers in prohibited areas are prohibited. Empty containers or ‘trophies’ in the possession or living space of students under the age of 21 are prohibited. Events at all College-owned houses must be hosted in compliance with the event registration process.

The Office of Residence Life is responsible for designating residence halls and College-owned houses as alcohol-free or alcohol-permitted. The Office of Residence Life will consult with appropriate committees and bodies in making this designation, keeping relevant laws and policies, residential changes, and the needs of the College in mind.

Students are expected to review their Housing Agreement carefully regarding conditions under which alcohol is permitted. Students may be administratively moved from their current assignment (including termination of the agreement) and/or face disciplinary action, if they are in violation of the agreement.

**OFF-CAMPUS REGULATION**
The College does not seek to regulate the personal use of alcohol off campus by faculty, students of legal drinking age and staff. However, the College does expect all community members to observe relevant laws under all circumstances, notably the proscription against serving alcohol to minors.

Leaders and participants of off-campus programs are encouraged to discuss carefully, as a group, the educational opportunities and challenges that arise when living in a culture whose prevailing attitudes, laws and expectations about alcohol use may be different from our own. Off-campus programs should develop group understandings of how best to balance the need to participate appropriately in a foreign culture, to respect the sensibilities of individual group members, and to best represent the Earlham community in other parts of the world.

Violations of the alcohol policy may result in judicial action by the College and/or criminal prosecution.
DRUG POLICY
The following are prohibited and are deemed to be contrary to the best interests of both the College and the community:

- Use, possession, sale, or distribution of illegal substances;
- Abuse or resale/trafficking of over-the-counter or prescription drugs; and
- Possession of drug paraphernalia, except under proper medical direction.
- The College is not a sanctuary protecting those who violate local, State and/or Federal laws concerning illegal substances, and College officials will cooperate with legal authorities whenever necessary and deemed appropriate. Violations will be referred to the judicial system.

DRUG AND ALCOHOL ABUSE PREVENTION POLICY REQUIRED BY THE FEDERAL GOVERNMENT FOR A DRUG-FREE SCHOOL

Pursuant to the requirement of Public Law 101-226, Earlham College issues the following statement regarding a drug-free school:

1. Prohibited Conduct
   The unlawful possession, use, or distribution of illicit drugs or alcohol by students and employees on College property or as part of any College activity is prohibited.

2. Applicable Legal Sanctions
   a. The Indiana Criminal Code classifies drug-related offenses (for example, manufacture or delivery of a controlled substance, engaging in a calculated criminal drug conspiracy, drug trafficking, unauthorized possession, etc.) as either Class C, B or A misdemeanors or Class D, C, B, or A felonies depending on the severity and nature of the conduct. The following criminal penalties are applicable to the identified categories of offenses:

<table>
<thead>
<tr>
<th>Category of Offense</th>
<th>Monetary Fines</th>
<th>Imprisonment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class C Misdemeanor</td>
<td>$500</td>
<td>0 to 60 days</td>
</tr>
<tr>
<td>Class B Misdemeanor</td>
<td>$1,000</td>
<td>0 to 180 days</td>
</tr>
<tr>
<td>Class A Misdemeanor</td>
<td>$5,000</td>
<td>0 to 1 year</td>
</tr>
<tr>
<td>Class D Felony</td>
<td>$10,000</td>
<td>1/2 to 3 years</td>
</tr>
<tr>
<td>Class C Felony</td>
<td>$10,000</td>
<td>2 to 8 years</td>
</tr>
<tr>
<td>Class B Felony</td>
<td>$10,000</td>
<td>6 to 20 years</td>
</tr>
<tr>
<td>Class A Felony</td>
<td>$10,000</td>
<td>20 to 50 years</td>
</tr>
</tbody>
</table>

   b. The applicable federal penalties and sanctions for illegal possession of a controlled substance are set forth in The Controlled Substances Act (21 U.S.C. 959 et. seq.).

3. Health Risks Associated With Substance Abuse
   The use of illicit drugs and the abuse of alcohol may result in serious health consequences. All students should be aware of the health risks caused by the use of alcohol, and controlled substances (drugs).
   Consumption of more than two servings of alcohol in several hours can impair coordination and reasoning and make driving unsafe. Consumption of alcohol by a pregnant woman can damage the unborn child. Regular and heavy alcohol consumption can cause serious damage to liver, nervous and circulatory systems, mental disorders, and other health problems. Drinking large amounts of alcohol in a short time may quickly produce unconsciousness, coma, and even death. Use of controlled substances (drugs) can result in damage to health and impairment of physical condition, including: impaired short term memory or comprehension, anxiety, delusions, hallucinations, loss of appetite resulting in a general damage to the user's health over a long term, a drug-dependent newborn if the mother is a drug user during pregnancy, AIDS from "needle sharing" among drug users, and death from overdose.

4. Counseling Services
   Students experiencing problems with drug and alcohol abuse are encouraged to seek assistance in Counseling Services. Counseling Services offers individual counseling and referrals to off-campus professionals, assessments, and drug and alcohol support groups for additional assistance.
5. College Sanctions and Penalties

Earlham College employees and students found in violation of the prohibitions set forth in their respective handbooks will be subject to disciplinary action up to and including termination or dismissal and possible referral for prosecution. Each case will be evaluated on an individual basis. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

SEXYUAL ASSAULT POLICY, PROCESS AND PROGRAMS

SEXYUAL OFFENSES

Sexual offense is a much broader category of behavior than the traditional concept of rape or date rape. It is when one or more persons compel another person to submit to sexual acts or intimate bodily contact without that person’s consent.

Sexual offenses may include the use or threat of force; the use of intoxicants to substantially impair a person’s power to give consent; engaging in sexual acts with a person for whom there is reasonable cause to believe he or she suffers from a mental state which renders him incapable of understanding the nature of the contact; or engaging in sexual acts with a minor. Unsolicited verbal assaults of a sexual nature may also be considered sexual offenses.

Sexual offenses are prohibited and considered a major offense. Abuse of alcohol or other substances does not relieve individuals of their responsibilities to themselves or others.

Sexual offense incidents should be reported as soon as possible to the Department of Public Safety, a residence life staff member, or a member of the Student Life office such as the Dean or Associate Dean(s) of Students, Assistant Director(s) of Residence Life or Area Director. The Student Life office can also provide referrals for rape counseling and/or medical treatment. Although they will make all efforts to keep matters confidential, college officials (other than representatives of Counseling Services, Religious Life) are required to report sexual offense incidents to the Department of Public Safety for possible investigation and judicial response. If the assailant is a student(s) a judicial complaint will be filed with the Student Life office. This does not preclude your right to seek criminal prosecution.

The Department of Public Safety and Student Life office advise all survivors of sexual assault to file a report through the Richmond Police Department or the appropriate law enforcement agency where the incident occurred. Reporting the incident does not obligate the victim to press charges. However, both offices stand ready to assist all members of the community in that regard. All reported incidents become part of the campus crime report statistics.

Under the College's judicial system, both the accused and the accuser are entitled to have others present during a campus disciplinary proceeding alleging a sexual assault. Both the accused and the accuser must be informed of the College’s final decision respecting the alleged act(s) of sexual misconduct and any sanction imposed against the accused. Sanctions under the College's judicial system provide for repercussions up to and including permanent expulsion from Earlham.
Earlham College will provide assistance to survivors of sexual offenses in changing academic or living situations after the assault if requested and reasonably available. To request assistance in changing your academic or living situations contact the Office of Residence Life.

The College is committed to the prevention of sexual misconduct of any kind. Student Life, the Department of Public Safety present sexual assault awareness and prevention programs during the year. Awareness programming may also be presented by various student organizations.

**PREVENTING AND RESPONDING TO DOMESTIC VIOLANCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING**

Earlham College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Earlham College issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a College official. In this context, Earlham College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the College community.

To access a complete copy of Earlham College’s Policy on Sex/Gender Harassment, Discrimination and Conduct, visit:
http://www.earlham.edu/media/2748317/sexual-misconduct-policy.pdf

To access a complete copy of Earlham College’s Harassment Policy, visit:
http://www.earlham.edu/policies-and-handbooks/community/harassment-policy/

To access the full Student Code of Conduct, visit:
http://www.earlham.edu/policies-and-handbooks/community/student-code-of-conduct/

**SEXUAL MISCONDUCT**

Earlham College’s Student Code of Conduct prohibits sexually violent acts, termed “Sexual Misconduct,” which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, intimate partner violence, stalking, and sexual harassment. While Earlham College utilizes different standards and definitions than the Indiana Criminal Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX, and the Clery Act, which mandates the contents of this report.
It is the policy of the Earlham College not to notify local law enforcement when sexual misconduct occurs, unless a victim wishes or there is a possible threat to health or safety of the community. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to local law enforcement, but may also respect a victim’s request not to do so.

**SEXUAL HARASSMENT**

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. It is the policy of the College that sexual harassment is prohibited. All members of the College community, especially staff, faculty, and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

The Earlham College Harassment Policy states:

*Sexual harassment may take any of the above forms. Sexual harassment may, in addition, consist of sexual advances, requests for sexual favors, and other conduct of a sexual or gender related nature which has the purpose or effect of unreasonably interfering with an individual’s performance or create an intimidating or hostile environment. Such proposals, when made under circumstances implying that one's response might affect academic or personnel decisions subject to the influence of the person making the proposal, are especially abhorrent. Many behaviors that do not seek to harm still are harmful in their impact. These are characterized as unintentional harm. Such behaviors may arise from ignorance and/or insensitivity. Ignorant behavior denotes harmful action or speech by a person unaware of the harm that is inflicted. Insensitive behavior is harmful action or speech that is the result of poor judgment about the likely consequences or that behavior.*

The Earlham College Policy on Sex/Gender Harassment, Discrimination and Misconduct states:

*Sexual Harassment is:*
  - unwelcome,
  - sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.1

*Sex/Gender Discrimination is:*

Sexual harassment becomes discriminatory and may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:
  - sufficiently severe, or
  - persistent or pervasive, and
  - objectively offensive that it:
    - unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the College’s educational and/or employment, social and/or residential program.
Quid Pro Quo Harassment is:
- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature
- By a person having power or authority over another constitutes sexual harassment when
  - Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual’s educational [or employment] progress, development, or performance.
  - This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational [or employment] program.

Any complaints or inquiries regarding sexual harassment of a student by an employee or contract worker of the college should be brought to the immediate attention of Public Safety (765-983-1400) or the Title IX Coordinator/Director of Human Resources (765-983-1628).

Any complaints or inquiries regarding sexual harassment of a student by another student should be brought to the immediate attention of Public Safety, Title IX Coordinator or the Office of Student Life (765-983-1311). The College will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with any of the positions named above, the student may inquire or complain to any administrator of the College at the level of Vice President or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, the College will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the College for serious or repeated violations.

PREVENTION EFFORTS
Earlham College attempts to foster a safe living, learning, and working environment for all members of the campus community, and it is the policy of the College to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. To accomplish this, Earlham considers educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, crisis management, reporting, medical and counseling services, the Earlham discipline systems, academic schedules, living arrangement, etc.), the campus response to sexual violence, domestic violence, dating violence, and instances of stalking, and physical surroundings throughout the campus community.

Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention),
and discuss institutional policies on sexual misconduct as well as the Indiana definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim-blaming approaches.

First year students are asked to attend New Student Orientation sessions that address safety issues around sexual behavior; including sex, consent, and sexual assault. Separate sessions about substance abuse awareness/education are also offered. Both sessions address the importance of bystander intervention when unsafe situations are observed.

Each summer and fall all residence hall personnel, including Resident Hall Advisers, have an orientation session about Sexual Assault. Annual training for Area Directors includes procedures for emergency response and active listening. These are conducted by the Director of Health Services, the Director of Counseling and the Director of Public Safety.

Throughout the year, certified instructors from the Department of Public Safety offer and teach the Rape Aggression Defense (RAD) System, which is a program of realistic self-defense tactics and techniques for women. RAD is a comprehensive, women-only 12-hour course that begins with awareness, prevention, risk reduction and risk avoidance, while progressing on to the basics of hands-on defense training.

The College continually reviews and modifies its physical surroundings to enhance security and safety, such as campus lighting, locking procedures, signage, etc. For additional safety information, contact Public Safety at 765-983-1400.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

HOW TO BE AN ACTIVE BYSTANDER and RISK REDUCTION

How to be an Active Bystander (Bystander intervention strategies adapted from Stanford University)

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Risk Reduction Tips** *(taken from Rape, Abuse, & Incest National Network, www.rainn.org)*

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment:

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don’t leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, get a new one.
- Don’t accept drinks from people you don’t know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
If you need to get out of an uncomfortable or scary situation here are some things that you may try:

- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don’t feel obligated to do anything you don’t want to do. “I don’t want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

WHAT TO DO IF SEXUAL MISCONDUCT, GENDER-BASED VIOLENCE, OR THE CRIMES OF SEXUAL ASSAULT, STALKING, DATING VIOLENCE OR DOMESTIC VIOLENCE DOES OCCUR

In the event that sexual misconduct, gender-based violence, or the crimes of sexual assault, stalking, dating violence or domestic violence does occur, the College takes the matter very seriously. The College employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student’s behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the Student Code of Conduct. A student wishing to officially report such an incident may do so by contacting the Department of Public Safety, the Office of Student Life (Dean and Associate Dean/s, Assistant Director/s of Residence Life and Area Director/s), or the Title IX Coordinator (Director of Human Resources). Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a survivor chooses to report to local law enforcement, and irrespective of whether a victim pursues a formal complaint through the College resolution process.

If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:
1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact 911 for immediate medical and/or police assistance and then notify Earlham Public Safety (765-983-1400).

2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.

3. If you are on campus during regular business hours, you may go to Earlham Counseling Services as well as to the Director of Religious Life for support and guidance. These are both confidential resources. After regular business hours, or in any situation where a victim wishes, these services may be reached through the Public Safety office.

4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination.

   - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.

   - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet to avoid contamination.

   - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.

   - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

   - Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.

   - If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify Public Safety, Student Life or the campus Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from Counseling Services and/or a local rape crisis center.

6. Contact the Student Life office located in Earlham Hall or at 765-983-1311/1317 or the Title IX Coordinator if you need assistance with College-related concerns, such as no-contact orders or other protective measures. The College is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. The College is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

RESOURCES
Should you be the survivor of sexual assault, sexual harassment, stalking, dating violence, or domestic violence, there are many resources from which you may choose at the College, in Wayne County and in the greater Richmond area. Below is a list of agencies and resources with sensitive and well-trained staff who are willing to work with you throughout your healing process, with the legal system, or, if you are a Earlham College student, with any academic concerns you may have as a result of this trauma.

**Important numbers**

**EMERGENCY (fire/police/ambulance):** 911  
Earlam Public Safety: 765-983-1400 (24-hours)  
Genesis Shelter & Rape Crisis Center: 765-935-3920 **  
Reid Hospital: 765-983-3000 **  
Earlam Health Service: 765-983-1328*  
Earlam Counseling Services: 765-983-1432 *  
Earlam Student Life: 765-983-1311*  
Earlam Title IX Coordinator: 765-983-1628*  
Earlam Religious Life: 765-983-1413*  

*After-hour contact may be reached through Public Safety  
**Off-campus resource

**Law Enforcement**

Emergency 911  
Richmond Police Department: 765-983-7247  
Wayne County Sheriff: 765-973-9393  
Indiana State Police: 765-778-2121

**Other Help-lines**

Federal Hate Crimes Reporting Line: 1-800-2-JUSTICE  
Child Abuse Hotline: 1-800-252-2873  
Rape, Abuse, Incest National Network (RAINN) & National Sex Assault Hotline: 1-800-656-HOPE (4673)
DEFINITIONS
Rape is generally defined by states as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

For the purposes of Earlham College’s policy and judicial process, sexual assault/misconduct is defined as 1) Non-Consensual Sexual Contact, that being any intentional sexual touching, however slight, with any object, by a person upon another person, that is without consent and/or by force; 2) Non-Consensual Sexual Intercourse, that being any sexual intercourse however slight, with any object, by a person upon another person, that is without consent and/or by force; or 3) Sexual Exploitation, being when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Reporting of statistics under the Clery Act uses federal offenses definitions that allow comparability across campuses, regardless of the state in which the campus is located. These definitions are listed under the Crime Statistics section of this report.

APPLICABLE INDIANA LAW
The following information on recently revised Indiana laws regarding sexual assault, domestic violence, and stalking is provided in accordance with the VaWA Amendments to the Clery Act.

IC 35-42-4-1 Rape (effective July 1, 2014)
Sec. 1.
(a) Except as provided in subsection (b), a person who knowingly or intentionally has sexual intercourse with another person or knowingly or intentionally causes another person to perform or submit to other sexual conduct (as defined in IC 35-31.5-2-221.5) when:
   (1) the other person is compelled by force or imminent threat of force;
   (2) the other person is unaware that the sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) is occurring; or
   (3) the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) cannot be given; commits rape, a Level 3 felony.

(b) An offense described in subsection (a) is a Level 1 felony if:
   (1) it is committed by using or threatening the use of deadly force;
   (2) it is committed while armed with a deadly weapon;
   (3) it results in serious bodily injury to a person other than a defendant; or
   (4) the commission of the offense is facilitated by furnishing the victim, without the victim’s knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with
the drug or controlled substance without the victim’s knowledge.

* Indiana legal code does not define or elaborate on the meaning of “consent.”

**IC 35-31.5-2-221.5 “Other sexual conduct”** (effective July 1, 2014)
Sec. 221.5. “Other sexual conduct” means an act involving:

1. a sex organ of one (1) person and the mouth or anus of another person; or
2. the penetration of the sex organ or anus of a person by an object.

**IC 35-42-4-8 Sexual battery** (effective July 1, 2014)
Sec. 8.
(a) A person who, with intent to arouse or satisfy the person’s own sexual desires or the sexual desires of another person:

1. touches another person when that person is:
   (A) compelled to submit to the touching by force or the imminent threat of force; or
   (B) so mentally disabled or deficient that consent to the touching cannot be given; or
2. touches another person’s genitals, pubic area, buttocks, or female breast when that person is unaware that the touching is occurring; commits sexual battery, a Level 6 felony.

(b) An offense described in subsection (a) is a Level 4 felony if:

1. it is committed by using or threatening the use of deadly force;
2. it is committed while armed with a deadly weapon; or
3. the commission of the offense is facilitated by furnishing the victim, without the victim’s knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim’s knowledge.

**IC 35-45-10-1 “Stalk” defined**
Sec. 1. As used in this chapter, “stalk” means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity.

**IC 35-45-10-5 Criminal stalking** (effective July 1, 2014)
Sec. 5.
(a) A person who stalks another person commits stalking, a Level 6 felony.
(b) The offense is a Level 5 felony if at least one (1) of the following applies:

1. A person:
   (A) stalks a victim; and
   (B) makes an explicit or an implicit threat with the intent to place the victim in reasonable fear of:
   (i) sexual battery (as defined in IC 35-42-4-8);
   (ii) serious bodily injury; or
   (iii) death.

2. A protective order to prevent domestic or family violence, a no contact order,
other judicial order under any of the following statutes has been issued by the court to protect the same victim or victims from the person and the person has been given actual notice of the order:

(A) IC 31-15 and IC 34-26-5 or IC 31-1-11.5 before its repeal (dissolution of marriage and legal separation).
(B) IC 31-34, IC 31-37, or IC 31-6-4 before its repeal (delinquent children and children in need of services).
(C) IC 31-32 or IC 31-6-7 before its repeal (procedure in juvenile court).
(D) IC 34-26-5 or IC 34-26-2 and IC 34-4-5.1 before their repeal (protective order to prevent abuse).
(E) IC 34-26-6 (workplace violence restraining orders).

(3) The person's stalking of another person violates an order issued as a condition of pretrial release, including release on bail or personal recognizance, or pretrial diversion if the person has been given actual notice of the order.

(4) The person's stalking of another person violates a no contact order issued as a condition of probation if the person has been given actual notice of the order.

(5) The person's stalking of another person violates a protective order issued under IC 31-14-16-1 and IC 34-26-5 in a paternity action if the person has been given actual notice of the order.

(6) The person's stalking of another person violates an order issued in another state that is substantially similar to an order described in subdivisions (2) through (5) if the person has been given actual notice of the order.

(7) The person's stalking of another person violates an order that is substantially similar to an order described in subdivisions (2) through (5) and is issued by an Indian:

(A) tribe;
(B) band;
(C) pueblo;
(D) nation; or
(E) organized group or community, including an Alaska Native village or regional or village corporation as defined in or established under the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.); that is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians if the person has been given actual notice of the order.

(8) A criminal complaint of stalking that concerns an act by the person against the same victim or victims is pending in a court and the person has been given actual notice of the complaint.

(c) The offense is a Level 4 felony if:

(1) the act or acts were committed while the person was armed with a deadly weapon; or
(2) the person has an unrelated conviction for an offense under this section against the same victim or victims.

**IC 35-42-2-1.3 Domestic battery (effective July 1, 2014)**

Sec. 1.3.

(a) A person who knowingly or intentionally touches an individual who:

(1) is or was a spouse of the other person:
(2) is or was living as if a spouse of the other person as provided in subsection (c); or
(3) has a child in common with the other person; in a rude, insolent, or angry
manner that results in bodily injury to the person described in subdivision (1), (2), or
(3) commits domestic battery, a Class A misdemeanor.

(b) However, the offense under subsection (a) is a Level 6 felony if the person who
committed the offense:
(1) has a previous, unrelated conviction:
   (A) under this section (or IC 35·42·2-1(a)(2)(E) before that provision was
       removed by P.L.188-1999, SECTION 5); or
   (B) in any other jurisdiction, including a military court, in which the
       elements of the crime for which the conviction was entered are substantially
       similar to the elements described in this section; or
(2) committed the offense in the physical presence of a child less than sixteen (16)
   years of age, knowing that the child was present and might be able to see or hear the
   offense.

(c) In considering whether a person is or was living as a spouse of another individual for
purposes of subsection (a)(2), the court shall review:
(1) the duration of the relationship;
(2) the frequency of contact;
(3) the financial interdependence;
(4) whether the two (2) individuals are raising children together;
(5) whether the two (2) individuals have engaged in tasks directed toward
   maintaining a common household; and
(6) other factors the court considers relevant.

IC 35·42·2-1 Battery (effective July 1, 2014)
Sec. 1.
(a) As used in this section, “public safety official” means:
   (1) a law enforcement officer, including an alcoholic beverage enforcement officer;
   (2) an employee of a penal facility or a juvenile detention facility (as defined in IC
       31-9-2-71);
   (3) an employee of the department of correction;
   (4) a probation officer;
   (5) a parole officer;
   (6) a community corrections worker;
   (7) a home detention officer;
   (8) a department of child services employee;
   (9) a firefighter; or
   (10) an emergency medical services provider.
(b) Except as provided in subsections (c) through (j), a person who knowingly or
intentionally:
   (1) touches another person in a rude, insolent, or angry manner; or
   (2) in a rude, insolent, or angry manner places any bodily fluid or waste on another
       person; commits battery, a Class B misdemeanor.
(c) The offense described in subsection (b)(1) or (b)(2) is a Class A misdemeanor if it results
in bodily injury to any other person.
(d) The offense described in subsection (b)(1) or (b)(2) is a Level 6 felony if one (1) or more of
the following apply:
(1) The offense results in moderate bodily injury to any other person.
(2) The offense is committed against a public safety official while the official is engaged in the official’s official duty.
(3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.
(4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.
(5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

(6) The offense is committed against a family or household member (as defined in IC 35-31.5-2-128) if the person who committed the offense:
   (A) is at least eighteen (18) years of age; and
   (B) committed the offense in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.

(e) The offense described in subsection (b)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(f) The offense described in subsection (b)(1) or (b)(2) is a Level 5 felony if one (1) or more of the following apply:
   (1) The offense results in serious bodily injury to another person.
   (2) The offense is committed with a deadly weapon.
   (3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.
   (4) The person has a previous conviction for battery against the same victim.
   (5) The offense results in bodily injury to one (1) or more of the following:
      (A) A public safety official while the official is engaged in the official’s official duties.
      (B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
      (C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.
      (D) An endangered adult (as defined in IC 12-10-3-2).

(g) The offense described in subsection (b)(2) is a Level 5 felony if:
   (1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and
   (2) the person placed the bodily fluid or waste on a public safety official.

(h) The offense described in subsection (b)(1) or (b)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(i) The offense described in subsection (b)(1) or (b)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(j) The offense described in subsection (b)(1) or (b)(2) is a Level 2 felony if it results in the
death of one (1) or more of the following:
(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.
(2) An endangered adult (as defined in IC 12-10-3-2).

**IC 35-45-2-1 Intimidation** (effective July 1, 2014)
Sec. 1.
(a) A person who communicates a threat to another person, with the intent:
   (1) that the other person engage in conduct against the other person’s will;
   (2) that the other person be placed in fear of retaliation for a prior lawful act; or
   (3) of:
      (A) causing:
          (i) a dwelling, building, or another other structure; or
          (ii) a vehicle; to be evacuated; or
      (B) interfering with the occupancy of:
          (i) a dwelling, building, or other structure; or
          (ii) a vehicle; commits intimidation, a Class A misdemeanor.
(b) However, the offense is a:
   (1) Level 6 felony if:
      (A) the threat is to commit a forcible felony;
      (B) the person to whom the threat is communicated:
         (i) is a law enforcement officer;
         (ii) is a witness (or the spouse or child of a witness) in any pending criminal proceeding against the person making the threat;
         (iii) is an employee of a school or school corporation;
         (iv) is a community policing volunteer;
         (v) is an employee of a court;
         (vi) is an employee of a probation department;
         (vii) is an employee of a community corrections program;
         (viii) is an employee of a hospital, church, or religious organization; or
         (ix) is a person that owns a building or structure that is open to the public or is an employee of the person; and, except as provided in item (ii), the threat is communicated to the person because of the occupation, profession, employment status, or ownership status of the person as described in items (i) through (ix) or based on an act taken by the person within the scope of the occupation, profession, employment status, or ownership status of the person;
         (C) the person has a prior unrelated conviction for an offense under this section concerning the same victim; or
      (D) the threat is communicated using property, including electronic equipment or systems, of a school corporation or other governmental entity; and
   (2) Level 5 felony if:
      (A) while committing it, the person draws or uses a deadly weapon; or
      (B) the person to whom the threat is communicated:
         (i) is a judge or bailiff of any court; or
         (ii) is a prosecuting attorney or a deputy prosecuting attorney.
(c) “Communicates” includes posting a message electronically, including on a social
networking web site (as defined in IC 35-42-4-12(d)).
(d) “Threat” means an expression, by words or action, of an intention to:
   (1) unlawfully injure the person threatened or another person, or damage property;
   (2) unlawfully subject a person to physical confinement or restraint;
   (3) commit a crime;
   (4) unlawfully withhold official action, or cause such withholding;
   (5) unlawfully withhold testimony or information with respect to another person’s legal claim or defense, except for a reasonable claim for witness fees or expenses;
   (6) expose the person threatened to hatred, contempt, disgrace, or ridicule;
   (7) falsely harm the credit or business reputation of the person threatened; or
   (8) cause the evacuation of a dwelling, a building, another structure, or a vehicle.

**IC 35-45-10-2 “Harassment” defined**
Sec. 2. As used in this chapter, “harassment” means conduct directed toward a victim that includes but is not limited to repeated or continuing impermissible contact that would cause a reasonable person to suffer emotional distress and that actually causes the victim to suffer emotional distress. Harassment does not include statutorily or constitutionally protected activity, such as lawful picketing pursuant to labor disputes or lawful employer-related activities pursuant to labor disputes.

**IC 35-45-2-2 Harassment “obscene message”**
Sec. 2.
(a) A person who, with intent to harass, annoy, or alarm another person but with no intent of legitimate communication:
   (1) makes a telephone call, whether or not a conversation ensues;
   (2) communicates with a person by telegraph, mail, or other form of written communication;
   (3) transmits an obscene message, or indecent or profane words, on a Citizens Radio Service channel; or
   (4) uses a computer network (as defined in IC 35-43-2-3(a)) or other form of electronic communication to:
      (A) communicate with a person; or
      (B) transmit an obscene message or indecent or profane words to a person;
   commits harassment, a Class B misdemeanor.
(b) A message is obscene if:
   (1) the average person, applying contemporary community standards, finds that the dominant theme of the message, taken as a whole, appeals to the prurient interest in sex;
   (2) the message refers to sexual conduct in a patently offensive way; and
   (3) the message, taken as a whole, lacks serious artistic, literary, political, or scientific value.

**OTHER SEXUAL OFFENSES**
Other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).
CONSENT
Indiana legal code does not define or elaborate on the meaning of, “consent.”

For the purpose of Earlham’s Sex/Gender Harassment, Discrimination and Misconduct policy, Consent is defined as:

...clear, and knowing, and voluntary [or affirmative, conscious and voluntary], words or actions, that give permission for specific sexual activity. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts. Consent can be withdrawn once given, as long as that withdrawal is clearly communicated. In order to give consent, one must be of legal age. Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy. Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.

SEX CRIMES PREVENTION ACT/SEX OFFENDER REGISTRATION
In accordance to the Campus Sex Crimes Prevention Act (CSCPA) of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Earlham College is providing a link to the Indiana Sex and Violent Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under state law, to each institution of higher education in that State which that person is enrolled, employed or carrying on a vocation at the institution.

A list of all registered sex offenders in Indiana is available from The Indiana Sex and Violent Offender Registry. The registry may be accessed via the internet at: www.state.in.us/serv/cji_sor.

CAMPUS PROCEDURES FOR ADDRESSING SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, SEXUAL HARASSMENT, AND OTHER ACTS OF SEX AND GENDER DISCRIMINATION
For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions range from warning to expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment.

Procedurally, when the College receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the
College will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, that individual will be connected with a counselor, as well as an off-campus victim's advocate. No victim is required to take advantage of these services and resources, but the College provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures, in the form of this document, is provided to all victims, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and impartial process to be initiated, commencing with an investigation, which may lead to the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. The Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, the College acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

The investigation and records of the resolution conducted by the College are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Indiana law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, the College maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The
role of advisors is described in detail here:

**V. Conduct Policy: Social Violations**

**A. Conduct Authorities for Social Violations**

(10) Two Support People, one for the accused and one for the complainant, may be chosen to accompany each party to any meeting related to the conduct process and to the hearing. A Support Person is a member of the college community: faculty, staff member or student who has successfully completed training through the Office of Student Development. Members of Earlham Counseling Services, Safety and Security, and Residence Life staff may not be used as a Support Person.

The role of the Support Person is to provide support, advice, or assistance to the person requesting his or her presence. The Support person is to advise the student in preparing for the hearing, understanding the conduct processes and potential outcomes, and to offer consultation during the hearing itself. During a Conduct Council, the Support Person functions solely as an adviser to the student requesting their presence and may not address the Council unless requested by the Council to do so. The Support Person is not permitted to serve as a witness, examine parties or witnesses or provide statements to the Council.

(11) In SCC cases of Sexual Misconduct, in addition to the Support Person (see V:A:10), the complainant and/or accused may bring a second support person who is a college community member trained in issues regarding sexual misconduct to any meeting related to the conduct process and hearing.

Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any), and the rationale therefor. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the College’s appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Both Title IX and the Clery Act provide protections for whistleblowers that bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The College does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator, Dana North, Director of Human Resources, and/or to officials of the U.S. Department of Education.

**PROTECTION ORDERS**

Victims of Sexual Assault, Stalking, Dating or Domestic Violence may also seek assistance through the Wayne County (IN) Court system by obtaining a Protection Order, which can be enforced by the police.

The Indiana Civil Protection Order Act, or ICPOA, is a set of laws passed by the Indiana General Assembly in 2002 that overhauled Indiana’s response to domestic and family violence. The ICPOA is based largely on the Model Code on Domestic and Family Violence, which was developed by the National Council of Juvenile and Family Court Judges, on
existing Indiana law, and on the Uniform Interstate Enforcement of Domestic Violence Protection Orders Act. Under the ICPOA, Courts can issue Orders to protect people from domestic or family violence, stalking, or a sex offense. These Court Orders are called “Protection Orders” or “Orders for Protection,” and the terms are used interchangeably. There are two (2) kinds of Protection Orders—an Ex Parte Protection Order, which is issued without a hearing, and a Protection Order Issued after a Hearing. Protection Orders last for two (2) years, unless the Judge decides on a different duration.

The person asking for the Order is called the “Petitioner.” The Petitioner needs to file a Petition in a Court of record, against the other person, called the “Respondent.” There are two (2) different kinds of Petitions a person can file: one kind allows a person to seek protection for himself or herself, and another kind allows a Petitioner to ask for protection on behalf of a child. IMPORTANT NOTICE: In order to file a case, a Petitioner must have the Respondent’s:

- Correct name;
- Correct date of birth or Social Security number; and,
- Correct, current address.


The ICPOA was passed to promote the protection and safety of all victims of domestic or family violence, sexual assault, and stalking, and to prevent future violence against such victims. In order to apply for protection under this law, a Petitioner needs to have been a victim of:

- Domestic or family violence;
- Stalking; or,
- A sex offense.

"Domestic or family violence" means, except for an act of self-defense, the occurrence of at least one (1) of the following acts committed by a family or household member:

1. Attempting to cause, threatening to cause, or causing physical harm to another family or household member.
2. Placing a family or household member in fear of physical harm.
3. Causing a family or household member to involuntarily engage in sexual activity by force, threat of force, or duress.

For purposes of Indiana Code (IC) § 34-26-5, domestic and family violence also includes stalking (as defined in IC § 35-45-10-1) or a sex offense under IC § 35-42-4, whether or not the stalking or sex offense is committed by a family or household member. Indiana Code § 34-6-2-44.8 and Parkhurst v. Van Winkle, 786N.E.2d 1159 (Ind. Ct. App. 2003).

The Respondent must be either a:
- **Family or household member** of the Petitioner; or,
- Person who has committed stalking or a sex offense against the Petitioner.

"Family or household member" means:
1. a person who is a current or former spouse;
2. a person who is dating or has dated;
3. a person who is engaged or was engaged in a sexual relationship;
4. a person who is related by blood or adoption;
5. a person who is related or was related by marriage;
6. a person who has an established legal relationship or previously established a legal relationship:
   - (A) as a guardian;
   - (B) as a ward;
   - (C) as a custodian;
   - (D) as a foster parent; or
   - (E) in a capacity similar to those listed in clauses (A) through (D);
7. a person who has a child in common; and
8. a minor child of a person in a relationship described in subdivisions (1) through (7). IC § 34-6-2-44.8.

In order for a person to ask for an Order for Protection because he or she was a victim of Stalking or a sex offense, it is not necessary for criminal charges to be filed. However, a victim of one of these kinds of crimes should always seek help from the police or sheriff and the prosecutor.

Information on obtaining a Protection Order can be directed to the Wayne County Prosecutor’s Office at 765-973-9394.
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CRIME STATISTICS

Crime statistics are compiled pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, designated by calendar year, January 1 through December 31.

Statistics are gathered from crimes reported to the Department of Public Safety, Student Life, and other campus officials with significant student advising responsibility, and local law enforcement agencies.

Religious Life and Counseling Services are encouraged to refer persons they are counseling to report crimes on a voluntary confidential basis for inclusion in the annual crime statistics.

DEFINITIONS
The included crime categories are defined as:

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

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, etc.

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

Dating Violence
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence
A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred,
by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

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

**Motor Vehicle Theft**
The theft or attempted theft of a motor vehicle.

**Murder and Non-negligent Manslaughter**
The willful (non-negligent) killing of one human being by another.

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

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

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

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent.
Stalking
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others or to suffer substantial emotional distress.

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

Following is a listing of the total number of reportable crimes occurring during the stated years.

<table>
<thead>
<tr>
<th>TOTAL CRIMES REPORTED</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Arson</td>
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<tr>
<td>Burglary</td>
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<td>5</td>
<td>3</td>
</tr>
<tr>
<td>Criminal Homicide (including Murder and Non-Negligent Manslaughter)</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
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<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Sex Offenses (forcible)</td>
<td>*</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td>Rape</td>
<td>1</td>
<td>3</td>
<td>5</td>
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<tr>
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<td>Sex Offenses (non-forcible)</td>
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<tr>
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The definitions and statistical categories for sex offenses are categorized as rape, fondling, incest and statutory rape

The following is a listing of the total number of persons arrested for the stated violations.

<table>
<thead>
<tr>
<th>TOTAL ARRESTS</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
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<tr>
<td>Weapons Violations</td>
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Following is a listing of the total number of judicial referrals to the Dean of Students, for the stated violations.

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<tr>
<th>JUDICIAL REFERRALS</th>
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<th>2016</th>
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</table>
The next compilation of statistics repeats the categories of reported crimes; however, these categories are now broken down by the locations where they occurred at or near Earlham College for the noted calendar years.

The categories of locations are the following:

*On-campus* - Any College owned or controlled property or building within the contiguous geographical area of the campus;

*Student Housing* – A Subset of reported On-Campus Crimes. These crimes will be reported for both On-Campus and Residential Facilities locations. For example, if a crime is reported for Student Housing, it will also be reported for that On-Campus location. For this reason, the total number reported below may not match the total number reported above.

*Non-campus building or property* - Those owned or controlled by Earlham College, used in relation to the College’s educational purposes and frequented by students but that are not contiguous to the geographic area of a College campus; and

*Public property* – Streets, sidewalks and thoroughfares within the campus or immediately adjacent to and accessible from the campus.

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<thead>
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<th>Non-Campus</th>
<th>Public Property</th>
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HATE CRIMES
Federal law requires colleges to report the incidence of hate crimes on their campus. Colleges must separately identify which of the crimes defined below involve victims who were intentionally selected because of their actual or perceived race, gender, religion, sexual orientation ethnicity, or disability.

Offense definitions relating to hate/bias-related crime
Statistics as per the UCR Hate Crime Reporting Guidelines
Hate crime: A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. For the purposes of this section, the categories of bias include the victim’s actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

The following crime categories are reported in the crime statistics
- Murder and Non-negligent manslaughter
- Sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

Larceny-Theft (Except Motor Vehicle Theft)
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

Destruction/Damage/Vandalism of Property
To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
None of the crimes listed above were categorized as a hate crime. Moreover, Earlham College has not received a report of a hate crime that falls outside the above categories of crime.
FIRE SAFETY

INTRODUCTION
The Higher Education Opportunity Act requires all institutions of higher education that maintain on-campus housing to publish an annual Fire Safety Report. This report contains the information required by the HEOA for Earlham College including fire safety practices and a fire log with statistics regarding residential facility fires.

FIRE SAFETY INFORMATION/POLICIES
Fire and Safety Equipment:
Fire safety equipment (fire alarms, extinguishers, exit lights, emergency lights, smoke alarms, and hoses) are located in strategic areas of halls and houses for your safety. Use these only for emergencies. Do not prop fire doors open.

We, at Earlham College, do our best to provide for the personal safety and security of each resident. Smoke detectors and fire extinguishers have been placed around campus to protect lives and possessions. For one’s own safety, please do not remove batteries from smoke detectors or discharge fire extinguishers. Tampering with these safety items is considered a serious offense. The law requires Earlham College to have these fire safety items in place, and the law also covers tampering with fire extinguishers and smoke detectors. Therefore, any person caught tampering with the smoke detectors or fire extinguishers may be handed over to law enforcement authorities as well as face judicial proceedings from the college.

Fire escapes are for emergencies only. Individuals may not use fire escapes for any other reason. Do not block windows (this includes lofts and large pieces of furniture).

Flammable Objects:
Combustibles, gasoline, explosives, or highly flammable chemicals are not permitted in the residence halls. Halogen Lamps, candles, oil lamps, incense, and other open flame objects are not permitted in the residence halls. Possession of these items in rooms even if not being used, is prohibited.

Live Christmas trees are not permitted in residence hall rooms or lounges.

No electrical lights are permitted on metal trees.

Electrical Appliances:
Students may use the following electrical devices in their rooms: clocks, electric fans, floor lamps, shavers, microwaves, stereo equipment, hair dryers, curling irons, television sets, and computer equipment.

Personally owned hot plates, broilers, toaster units, toasters, lava lamps, space heaters, halogen lamps, and room air conditioners are NOT permitted because of the possibility of power failures, overloaded electrical circuits, and fire hazards. Electrical appliances as well as all extension cords must be UL approved. Too many appliances attached to an extension cord may create a fire hazard. Heavy-duty extension cords are required for distances of
more than six feet. A power strip is required when using more than two appliances at any wall receptacle.

Refrigerators, microwaves and other appliances acceptable to campus policies, but older than ten years, are prohibited in the residence halls.

Christmas Lights must be UL approved, fused, and in-line style.

Building Decorations:
Due to the increased fire hazards/risks that they present, hay, leaves, sticks, live Christmas trees, large posters, lava lamps, halogen lamps, artificial Christmas trees over 3 feet tall or other flammable items are not permitted anywhere in college buildings. The use of fire retardant decorations is desired in decorating residence halls and other buildings.

Emergency Procedures:
Because Residence Life staff has been trained in proper emergency procedures, residents and their guests must adhere to all directives given by any staff member. Failure to comply will result in disciplinary action.

Every year college and university students experience a growing number of fire-related emergencies. There are several causes for these fires: however most are due to a general lack of knowledge about fire safety and prevention. Cooking is the leading cause of fire injuries on college campuses, closely followed by careless smoking and arson. Students tampering with fire safety equipment may be fined in accordance with local, state, and federal ordinances.

THE CAUSE...
Many factors contribute to the problem of residence hall housing fires.
- Improper use of 911 notifications systems delays emergency response.
- Student apathy is prevalent. Many are unaware that fire is a risk or threat in the environment.
- Evacuation efforts are hindered since fire alarms are often ignored.
- Building evacuations are delayed due to lack of preparation and pre-planning.
- Vandalized and improperly maintained smoke alarms and fire alarm systems inhibit early detection of fires.
- Misuse of cooking appliances, over-loaded electrical circuits and extension cords increase the risk of fires.

YOUR RESPONSE...
When a fire alarm sounds:
1. Grab a towel or article of clothing to place over face.
2. Check the room door for heat.
3. Close room windows.
4. Leave room lights on.
5. Stay low to the floor and calmly proceed to the nearest exit.
6. Residence Life staff will check rooms to ensure everyone has evacuated.
ALWAYS, ALWAYS, ALWAYS take a fire alarm seriously. Your safety is dependent on your response during drills and/or in the actual event of a fire. Failure to evacuate may result in fines and or disciplinary action.

**EDUCATION AND TRAINING INFORMATION**
Resident students are offered in-service training from Public Safety during the school year. Information related to policies, procedures, and evacuation is discussed. Residence Life staff are responsible to supervise evacuation when a building alarm is activated.

Residence Life staff receive annual in-service training from the Department of Public Safety on fire safety topics including prevention, suppression, and response.

**EVACUATION PROCEDURES**
Evacuation procedures are posted on all residence hall rooms (back side of door). The posting include evacuation routes, safe zone, alarm pull stations, fire extinguisher locations and assembly areas.
## FIRE SAFETY DATA

### RESIDENTIAL FIRE SAFETY SYSTEMS

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>PULL ALARMS</th>
<th>ALARMS MONITORED ON CAMPUS</th>
<th>SPRINKLERS</th>
<th>SMOKE DETECTION</th>
<th>FIRE EXTINGUISHERS</th>
<th>EVACUATION PLANS POSTED</th>
<th># OF DRILLS (ACAD. YR)</th>
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#### RESIDENCE HALLS

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For the purposes of these statistics, a fire is defined as:

*Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.*
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NON-ARREST CAMPUS REFERRALS

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<th>Alcohol</th>
<th>Drug Violations</th>
<th>Weapons Violations</th>
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Bethany Seminary had no reported Hate Crimes during this reporting period.

BETHANY SEMINARY FIRE SAFETY DATA

<table>
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<tr>
<th>LOCATION</th>
<th>PULL ALARMS</th>
<th>ALARMS MONTORED ON SITE</th>
<th>SPRINKLERS</th>
<th>SMOKE DETECTION</th>
<th>FIRE Extinguishers</th>
<th>EVACUATION PLANS POSTED</th>
<th># OF DRILLS (ACAD. YR)</th>
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</thead>
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<tr>
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<td>Brethren House</td>
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Bethany Seminary had no reported fires in 2014, 2015 or 2016.